
Site Address:	15 Langstone Road, Havant, PO9 1RA		
Proposal:	The demolition of an existing dwelling and construction of 9No. 2 bedroom flats; including associated access, landscaping and parking.		
Application No:	APP/18/00897	Expiry Date:	01/11/2018
Applicant:	Phillips Build Ltd		
Agent:	Mr Purdy	Case Officer:	Rachael McMurray
	MH Architects Limited		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is located on the east side of Langstone Road, Hayling Island, close to the junction with the A27 Havant By-Pass. The existing house is in a line of detached, mainly, two storey dwellings which are generally set back from the edge of the adjacent road (the vehicular carriageway) by anywhere between 12m and 21m. The only exception to this pattern of development is the bungalow, No.17A, which has been constructed in a backland position to the rear of No.19, to the south. Immediately opposite the application site, on the west side of Langstone Road, is Langbrook Close. This is a cul-de-sac of development comprising more recent housing.
- 1.2 The site currently accommodates mid-20 century, detached two storey dwellinghouse within a large flat plot which has a maximum width and depth of 40m and 80m respectively. The existing dwelling is constructed with red brick and tile hung elevations beneath a red tiled gabled roof. The existing dwelling is sited some 11m back from its western boundary which is set at the back edge of the Langstone Road footway. Access is currently from Langstone Road on the north west corner. The site boundaries are delineated by mature hedging which is interspersed by numerous trees. Much of the dwellings garden is laid to lawn. There is a large Sycamore tree on the front boundary which is protected under a tree preservation order (TPO).

2 Planning History

APP/14/00673 - Two storey detached dwelling to south of existing property, with detached double carport to front and new access off Langstone Road.,
PERM,19/12/2014

APP/16/00668 - Erection of 4 no. 2 bed Flats and 1 No. 1 bed flat with associated pavilion building housing bins and cycles together with parking and amenity space.
REF,04/05/2017

- 2.1 Planning application APP/16/00668 was refused by the Council and was subsequently appealed against. This appeal was dealt with via written representations and was dismissed in December 2017. The Planning Inspector was of the view that the 'backland' proposal did not reflect the pattern and character of development in the area and was not subservient, in terms of its height mass and bulk, to the host frontage dwellinghouse. As such, the Inspector considered the proposal to be contrary to the adopted Havant Borough Design Guide Supplementary Planning Document (SPD) 2011 as well as Core Strategy policies CS9 and CS16. The appeal decision will be further discussed in the Planning Considerations (Section 7) of this report.

3 Proposal

- 3.1 The demolition of the existing dwelling and construction of a new apartment building comprising 9No. 2 bedroom flats; including associated access, landscaping and parking.
- 3.2 The design of the proposed development would comprise a combination of multi-stock brick, red stock brick, white render, vertical red tile hanging, red or brown concrete roof tiles and reconstituted stonework cills (York stone finish). It would also include white sash windows, black UPVC rainwater goods and white painted balcony balustrades. The building's roof would be hipped at its northern extremity and would feature two prominent west facing two storey gabled extensions with bay window features. The southern end of the roof would be gabled. Three of the ground floor flats would have access to their own 'private' garden areas. The remaining units would be provided with a communal garden area to the rear. Flats 1 and 2 would have their own private entrance and the other units would be accessed through a communal lobby, leading to a centrally located stair and lift.
- 3.3 The accommodation would be arranged over 3no. floors, with second floor flats being located in the roof space. The proposed building would have a width of 30m (approx) and a depth of 22m at the longest section. It would be set away from the shared boundary with No. 17a by 7m and by 2m with No. 13 Langstone Road. It would be set back from the highway frontage by 14m. The open space at the rear of the building would be 37m in depth to the rear boundary.
- 3.4 The application would result in the closing up of the existing vehicular access and the formation of a new, kerbed, access onto Langstone Road. The proposed access would necessitate the removal of one sycamore tree on the sites frontage. The other substantial sycamores, to the south of the proposed access, would be retained, as would much of the sites existing frontage hedge. The front boundary of the site would be defined by a 1.2m brick wall with infill panels of either timber or painted metal railings, together with 1.2m and 1.5m high brick piers.
- 3.5 The proposed access would lead to a private drive which would be constructed adjacent to the sites southern boundary. A total number of 18 spaces would be provided on site to the front and rear of the apartment building. Cycle parking facilities would be provided in an outbuilding to the north-east of the rear parking area. Refuse storage and collection facilities would be located close to the property frontage onto Langstone road in the sites south -west corner.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Works must be undertaken in strict accordance with the submitted statement dated September 2018 referenced CBA10257v2 with particular reference to paras re: pre-commencement site meeting, and plan reference TPP CBA10257.02A.

Building Control, Havant Borough Council

No adverse comments

Community Infrastructure, Planning Policy & Urban Design

CIL Liable. It is recommended that when visiting the site the Case Officer considers if all the outbuildings declared on the CIL 'Additional Information Form' qualify as existing gross internal floorspace.

Additionally, instructions should be passed by the Case Officer to the CI Team to issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>.

As there is one dwelling on site which is being removed and replaced by 9 No.2 bed flats, the undertaking will need to be based on the net number of new dwellings. This will be 8 X payment for 2 bed dwellings which is £487 per dwelling (total £3896).

Crime Prevention -Minor Apps

No response received.

Highways Engineer, Development Engineer

Initial response:

At the present time the Highway Authority (Hampshire County Council) are involved in work on the new local Local Plan with regard to the computer model of the Langstone Road and Havant Road route and using this work they will consider and comment on the impact of the new access.

It would appear that the proposed access would require a 278 Agreement with the Highway Authority and I would suggest that the safety audit and detailed engineering plans showing the construction details (including site lines) as well as a Construction Management Plan should be included within this application.

Further response following the submission of a Road Safety Audit:

Further to the Highway Authority's previous comments it has been agreed with the developer that the requirements for the proposed 278 agreements and the Construction Management Plan will be covered by planning conditions.

The Safety Audit for the new access onto Langstone has been submitted by the developer's consultant and is satisfactorily reflects the current situation in Langstone Road. The transport assessment of the A3023 for the new local plan 2036 has identified that refuse collection, the delivery of building materials and general trade vehicles waiting on the highway causes a reduction in the free flow of traffic.

As part of this application, it will be requirement that the existing vehicular entrance is closed and reinstated as footway and verge, and that the internal layout should be modified to allow turning on site of delivery and waste collection vehicles. This will include the requirement that the proposed gates will be permanently fixed open or an electric proximity opening systems is provided. The bin storage area will need be to relocated to the new main entrance

The Highway Authority will also require an agreement that the current and future owners will not hinder the transfer of 3.2 metre strip of land along the site's frontage, if required, for future highway works.

The local plan modelling work has also identified that capacity and safety problems that are caused by turning traffic on the A3023 and will seek that inclusion of planning policies within the new Local Plan 2036 to reduce the number of new access onto the A3023 (as well as other major routes within the Borough). Planning policies will also address the problem of the reduction of air quality due to the increased number of trips.

The Highway Authority has concerns with this planning application but currently there are no planning policies that can be used to refuse this application subject to the Developers agreement to the above requirements. The guidance within the NPPF2 states:

"Development should only be prevented or refused on Highways Grounds If there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Further response following submission of amended plans showing service vehicle tracking:

The new layout is acceptable and shows the closure of the existing access.

A condition on the gates should be included and the possibility of the applicant's entering into a legal agreement concerning a 3.5m strip of land adjacent to Langstone Road should be explored, in case this is required by the highways authority and some point in the future.

Officer Note - Conditions regarding details on gates, the closure of the existing access and details on the new access have been included. An informative has been added to advise the applicant that they need to contact the Highways Authority with regards to obtaining permission for works to the highway.

With regards to the requirement for the developer to enter into an agreement whereby the current and future owners will not hinder a 3.2m strip of land across the site's frontage if required for future highways works, this is further disucssed in the Planning Considerations section of this resport.

Natural England Government Team

No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

Other Advice

Landscape advice

The proposed development is for a site within or close to a nationally designated landscape namely Chichester Harbour AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose.

Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (585 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Biodiversity Mitigation and Enhancement Plan

Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been agreed by a Hampshire County Council (HCC) Ecologist.

This will ensure the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8, 170, 174 and 175d. The scope of the BMEP should be agreed with the HCC Ecologist and will need to consider reptiles (in particular slow worms), bats and nesting birds.

Natural England welcomes the ecological enhancements suggested in the Preliminary Ecological Appraisal Report. In line with this report, Natural England recommend that the application should include a consideration of what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal.

Examples might include:

- . Incorporating swift boxes or bat boxes into the design of new buildings.
- . Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- . Creating a new pond as an attractive feature on the site.
- . Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- . Sensitive lighting, angled away from surrounding trees
- . Planting native hedge along the access drive to enhance the connectivity of the site.

We recommend the applicants make use of the Defra biodiversity metric, which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals.

Water Environment

Natural England welcomes the Flood Risk Assessment Report which proposes soakaways to mitigate against increased storm water surface discharge.

Natural England recommends that all new development adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

Local wildlife sites

Local wildlife or geological sites should also be considered for impacts under the proposals. Natural England note that the proposal is in close proximity to Wade Court Park and South moor Reserve.

Further information in relation to Sites of importance to Nature Conservation are available from the Hampshire Biodiversity Information Centre (HBIC):

<https://www.hants.gov.uk/landplanningandenvironment/fenvironmentfbiodiversity/informationcentre/sincsProtectedSpecies>

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Waste Services Manager

Please ensure suitable bin store is constructed to contain the bulk bin containers for the Council's AWC waste collection that will be required to service this new development as close to the boundary as possible.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 9

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: A total of 16no. representations were received. 15 of these raised objections to the scheme of which the main concerns raised, are summarised below:

Comment	Officer Comment
Road safety and highway issues due to increased traffic during build and subsequent increase in number of vehicles accessing and exiting site permanently; and also junction proximity with Langbrook Close.	Please see Section 7 - Planning Considerations
Oversized in relation to scale character, density and proposed 3-storeys in the surrounding area.	Please see Section 7 - Planning Considerations
Screen planting should be retained	Noted.
Removal of at least 1 no. specimen tree on the Langstone Road frontage to the site which are currently being considered worthy of retention under Tree Preservation Order 2081/2018 as part of a significant grouping, and putting the remaining trees within that group at risk of surviving,	Please see Section 7 - Planning Considerations
Lack of visitor parking on the site.	Please see Section 7 - Planning Considerations

Lack of facilities for off road deliveries.	Please see Section 7 - Planning Considerations
There are only two blocks of purpose built flats in the area, both of high quality and serving a need for some people who may wish to downsize, to a more manageable property but remain in the area, or move into this desirable location.	Noted.
The development would devalue other properties in the area.	This is not a planning consideration.
Increased density of the site would be detrimental.	Please see Section 7 - Planning Considerations.
Langstone has already suffered the imposition of commercial buildings on the former Bosmere Field; an hotel and a pub/restaurant. Further devaluation of our visual environment is unacceptable.	The application is not for a commercial building.
Additional traffic load to the A3023. This is a recurring theme whenever a major "windfall" development is suggested. Despite an embargo on large scale development, promoted by the Infrastructure Investigation as part of the draft Local Plan 2036, the drip feed of increasing traffic resulting from small scale infill projects, is against the spirit of the consultations and is extremely worrying.	Please see Section 7 - Planning Considerations
Also, the additional load being imposed on the existing (or modified) access to the site, and its proximity to the junction of Langbrook Close with the A3023, is too much on what is probably the most congested section of the A3023. Outside the ever extending "peak traffic" periods this site fronts on to one of the fastest sections of Langstone Road, with the 40 mph speed limit, ignored by many, as motorists race south after leaving the Langstone Interchange roundabout.	Please see Section 7 - Planning Considerations
There is no facility for delivery vehicles to get off the highway and therefore we can expect vehicles to part park on the grass verge, if access is via gates, how	Please see Section 7 - Planning Considerations

can they do differently? If this is a gated community, how long would vehicles block the footpath or be part in the road before the gates are fully open. With no facility for visitor parking other than for them to find a space within the development (as stated) isn't it more likely that they will park in other residential areas that already have parking restrictions, rather than try to get through controlled gates?	
The bin storage, which is of commercial size is situated next to the pavement, which could be unpleasant if we should have another very hot summer.	Complains over the mis management of refuse and odour pollution would be a matter for environmental health.
With the mass of current house building taking place in our area, in Southleigh Road, Bartons Road, Emsworth etc, these 9 flats will add little to the 2036 plan, but the result will have an effect on the area and traffic problems for longer than 2036. The original house was sold with planning permission for a detached house on the land and no-one had objection to that.	If approved, the development would contribute to the Borough's housing numbers.
Loss of Amenity and privacy to neighbouring properties. The 3 storey design, on its eastern elevation has every appearance of a hotel with 22 windows overlooking residential properties to the east. These include three First floor living rooms one with a balcony, and three second floor living rooms all of which look directly into the rear bedrooms and bathrooms of properties in Southbrook Close.	Please see Section 7 - Planning Considerations
Consideration should be given to the previous appeal decision on the site.	Please see Section 7 - Planning Considerations

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area

- (iii) Impact upon residential amenity
- (iv) Highway and parking considerations
- (v) Impact on trees
- (vi) Ecology
- (vii) Developer contributions

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable and the addition of 9no. new units in such a location would make a modest contribution to the Council's overall housing requirements. This would be in accordance with Policies CS9 and CS17 of the Local Plan. The acceptability of the site in detail also needs to be considered, however, in the context of the usual development management criteria to establish whether the proposal would represent a sustainable form of development.

(ii) Impact upon the character and appearance of the area

7.3 A number of concerns have been raised that the proposal would be out of character with the locality, being excessive in scale and density compared to the surrounding form of development. The area is characterised by low density development of mainly two storey height and with ample gardens. The density of the existing development in the area to the south of Woodbury Avenue, east of Langstone Road north of Southbrook Road and west of the footpath between Southbrook Close and houses fronting Southbrook Road is approximately 12 dwellings/ha. The density of the development currently proposed is approximately 30/ha, which is higher than the prevailing form of development. However, this figure remains relatively low density by new house development standards. Policy CS9 of the adopted Local Plan (Core Strategy), Para 6.21 advises that low density is up to 45 dwelling per hectare which fits with the proposed development. It also advises that where the quality of the design justifies it, much higher densities could be achievable in town centres or highly accessible locations.

7.4 With regards to scale, concerns have also been raised that three-storey development is out of character with the locality. Langstone Road features varying forms of development ranging from bungalows to very large substantial dwellings and apartment blocks. Longmead Court which sits at the corner of Langstone Road and Southbrook Road is a flat roof, three-storey development. There has also been a recent permission to allow a third level on No. 2 Langstone Road which sits opposite the application. Therefore it can be argued that three-storey development is evident in the locality. Furthermore, the proposal is not a full, three-storey development as the second floor accommodation is located within the roof space.

7.5 The previous application (APP/16/00668) was refused as it would have resulted in an undesirable form of backland development. This was also the concern of the Planning Inspector who determined the appeal. The Inspector concluded that this development would have been harmful to the character of the area as it would have occupied a backland position and proposed a development which was not subservient in scale to the host dwelling. The proposed development differs in that it would not form a backland development as it would replace the existing dwelling, with similar front and rear building lines, albeit on a larger scale. It is therefore a different form of development to the one previously refused and subject to appeal.

7.6 With regards to the design approach, the proposed building would be constructed with highly articulated elevations reflecting the Victorian/Edwardian architectural vernacular, using a palette of high quality materials. Due to the varying roof forms and juxtapositions of the elevations, it would give the impression of a two large dwellings, rather than a block of flats such as Longmead Court. This is in keeping with the more traditional

character of the prevailing development along this section of Langstone Road. With regards to the site layout, due to the substantial size, there is sufficient space to provide parking and turning on site, as well as a generous level of amenity space, some of which would be private to serve individual units. Overall it is considered that even with the more intensive residential use of the site, that it would not form a cramped and congested development. The site does have a noticeable verdant character and this would be largely retained with the proposed development along each boundary, including the frontage.

- 7.7 The majority of dwellings along this section of Langstone Road feature high quality front boundary walls. At present there is a close board wooden fence which marks the front site boundary from the adjoining highway. It is proposed to replace with this a high quality brick wall and piers with partially close boarded fence panels, changing to railings to give the impression of two properties, as opposed to one long boundary treatment. It is considered that this would be an improvement to the existing front boundary treatment which is retrograde in comparison to other attractive boundary treatments along the frontage.
- 7.8 Overall it is considered that the development would be in keeping with the character of the area and is therefore compliant with Policy CS16 of the Local Plan.

(iii) Impact upon residential amenity

- 7.9 With regards to the properties at the rear of the site in Southbrook Close, concerns have been raised that the large number of windows on the rear elevation of the building would give rise to overlooking and loss of privacy. It is noted that the number of windows would substantially increase when compared to the existing dwelling and the rear elevation would also feature a first floor balcony. However, the rear elevation of the proposed building would be a significant distance from the properties in Southbrook Close, in excess of 50m, with a substantial landscaping belt at the rear of the application site. Overall therefore it is considered that any overlooking or loss of privacy would be limited by the distances involved.
- 7.10 With regards to the impact of the development on No. 13 Langstone Road which lies to the north, concerns have been raised that the development would be overbearing and result in overlooking from the north facing elevation. No. 13 has a number of windows within the side (south facing elevation) elevation. At present there is only 1 no. side facing window at first floor level of the existing dwelling on the application site and this would increase to 3 no. windows on the closest facing north elevation. However at GF and FF level these would serve bathrooms and therefore could be obscurely glazed. The other windows facing towards No. 13 are within a set back north elevation. These could all reasonably be obscurely glazed as they either serve bathrooms or dual aspect rooms. This only leaves therefore the second floor window in the closer north elevation being the only clear glazed window facing onto No. 13. When compared to the window in the existing north elevation, it means there would be no net increase in overlooking windows.
- 7.11 At present, the existing building is set off the shared boundary with No. 13 by 2m, with No. 13 being set back by a further 6m. The closest element of the existing building is the garage and therefore the eaves and roof height next to the shared boundary, are low in comparison to the proposed development. This would present a substantial increase in eaves height next to the boundary from 3m to 8m, with the higher part of the roof hipping away. Whilst it is recognised that this would introduce an increase in building bulk, there would still be an 8m distance retained between the two elevations. Also this section of the proposed building would not increase past the front or rear building line of No. 13 and therefore views would still be afforded from the side facing windows both east and westwards. Overall therefore it is considered that there would be a degree of impact from

the proposal on No. 13, this is weighed up against the benefits that the proposal would bring, those being the more efficient use of land within the urban area and the increase in supply to the Borough's housing stock.

- 7.12 Concerns have also been raised that the development would adversely impact the property to the south of the site at No. 17a. This is a bungalow property set back further into its plot, with the majority of amenity space being located at the rear and south of the dwelling. The proposed parking / turning area for the development would be located adjacent to the shared boundary with No. 17a, although it would be adjacent to the front elevation of the dwelling. Furthermore, the main amenity areas serving this property are located to the south, although two are in situ adjacent to the shared boundary. Concern has been raised with regards to noise and disturbance arising from the increased use of the site in terms of number of occupants. However, the substantial vegetation screening would remain in situ and any replacement boundary treatments would be subject to a planning condition to agree details so that it can be ensured that appropriate boundary treatments are used. Any noise disturbance arising from residents would be subject to environmental health investigations.
- 7.13 The building proposed itself would be situated over 20m in distance from No. 17a, with no overlooking windows. Overall it is considered that the impact arising would be limited in planning terms and would not constitute a justifiable reason for refusal. The proposal therefore accords with Policy CS16 of the Local Plan.

(iv) Highway matters and parking provision requirements .

7. Overall, being located in the urban area, the site is considered to be in a sustainable location with regards to being able to be reached by other means of transport. The site is located approximately 1km south of Havant Town Centre (which has a train station) and is located in a main bus route through to Havant and Hayling Island. It is also located on a main cycle route.
- 7.14 However, several concerns have been raised with regards to impact of the proposed development on the surrounding highway network and road safety of this network. In more detail this relates to the additional load of traffic from the development being placed on the already heavily congested A3023, which is the main road serving Hayling Island. Also, the proximity of the new access to the junction of Langbrook Close and the A3023 which lies opposite the new entrance to the site. Outside of the peak traffic hours where traffic is generally very slow moving, this section of the road is very fast (40mph) and concern is that vehicles entering and existing the site would pose a risk to road safety and themselves.
- 7.15 Concerns are also raised that the development makes no provision for delivery or removal vehicles or visitor parking. These may create hazards to road safety if parked on the verges or pavements outside the site. Also if no visitor parking is proposed, this may also cause further congestion if parked up on verges. Please see para 7.22 for further consideration of this.
- 7.16 A Transport Assessment Technical Note by Paul Basham Associates was submitted with the application. This looked at the opportunities and constraints associated with the site including the existing site conditions and local accessibility and assessed the likely impact of the development in highway terms. The proposed site is anticipated to generate 4no. vehicle trips in both the AM and PM peak periods and 38 trips across a 12 hour day. The site will be accessed via one point of vehicular access onto Langstone Road and will be provided via a vehicle crossover junction.
- 7.17 A detailed assessment of the potential for conflict has been undertaken and ultimately

the frequency of vehicle trips associated with the proposed development in comparison to the previous scheme and the fact that there is no identified existing safety concern along Langstone Road demonstrates that the proposed development would not generate a 'severe' highway concern in relation to capacity, safety or operation. The Transport Assessment concluded that the proposed development would not have a material impact on the operation, safety or capacity of the local road network.

- 7.18 The Council's Development Engineer (DE) has been consulted and has advised that in addition to the Transport Assessment which has been submitted, a Road Safety Audit is required for further consideration. This was submitted on 31 October 2018. A further response from the DE that the Road Safety Audit satisfactorily reflects the current situation on Langstone Road. The DE has advised that the proposed 278 agreement and Construction Management Plan can be secured by a planning condition. It is also required that the existing entrance is closed off and reinstated as a verge and footway. Also that gates at the new entrance will be permanently fixed open or include an electronic proximity opening system. These can be secured through the use of planning conditions.
- 7.19 The DE also requires the developer to enter into an agreement whereby the current and future owners will not hinder a 3.2m strip of land across the site's frontage if required for future highways works. However, whilst this has been carefully considered by the Local Planning Authority and acknowledged to be of importance for potential future highway works if required, as there is no specifically adopted scheme at present for which a legal agreement could directly relate to, at this time the LPA would not be in a position to enter into a s106 for this land to be retained.
- 7.20 The DE also raised the issue that the local plan modelling work has also identified that capacity and safety problems that are caused by turning traffic on the A3023 and will seek that inclusion of planning policies within the new Local Plan 2036 to reduce the number of new access onto the A3023 (as well as other major routes within the Borough). Planning policies will also address the problem of the reduction of air quality due to the increased number of trips. The Highway Authority has concerns with this planning application but currently there are no planning policies that can be used to refuse this application subject to the Developers agreement to the above requirements. The guidance within the NPPF2 states:
- "Development should only be prevented or refused on Highways Grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 7.21 With regards to turning on the site, amended plans were submitted at the request of the Council's DE, showing the ability of service vehicles to be able to turn on site. This is to avoid the need to stop on the highway, thus potentially slowing down the traffic on the A3023.
- 7.22 Concerns have been raised with regards to the level of parking and concern that there is no visitor parking, With regards to parking provision, a total of 18no. spaces is provided. A breakdown of this equates to 6no. flats with allocated spaces (12no. spaces) and 3no. flats with unallocated spaces (4no. spaces) which leaves 2no. spaces for visitor parking. Overall therefore the parking provision does accord with the Council's Parking SPD and policies CS20, DM12 and DM13 of the Local Plan.

(v) Impact on trees

- 7.23 There are a large number of trees on the site, including a large Sycamore tree on the front boundary which is protected under a tree preservation order. An Arboricultural Impact Assessment has been undertaken by CBA Trees Ltd and submitted with the application.

This has been assessed by the Council's Tree Officer who has advised that they raise no objection to the application so long as it is carried out in strict accordance with the submitted statement dated September 2018 referenced CBA10257v2, with particular reference to paras re: 'pre-commencement site meeting', and plan reference 'TPP CBA10257.02A'.

(vi) Ecological considerations

- 7.24 This statement clarifies the processes that the Council, as a competent authority under the Conservation of Habitats and Species Regulations 2017, to fulfil its duties as a competent authority under those regulations. The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. This is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area due to the increase in recreation as a result of the development. The planning application was then subject to an Appropriate Assessment under Regulation 63.
- 7.25 This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and the applicant has confirmed entry into a legal agreement to secure the mitigation package. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into the legal agreement to secure the mitigation package.

(vii) Other matters

- 7.26 The development is liable for a CIL payment of £87,473.49 which is payable on the commencement of development.

8 Conclusion

The application would result in more intensive use of the site with a building of increased scale and mass and increased vehicular movements. However, on balance the proposal has several benefits includes making better use of a site, whilst still retaining a low density level, by providing further homes to the Borough and providing a well designed building which would have a positive impact on the streetscene, whilst retaining the large garden and verdant character of the site. The site is within the urban area and a sustainable location. Overall it is considered that the more negative elements of the proposal are outweighed by the positive contributions and overall therefore the proposal is considered to result in form of sustainable development, meeting the requirements of Policy AL1 of the Local Plan and the NPPF (2018). The application is therefore considered to be acceptable for the reasons set out above in the planning considerations section 7 and is therefore recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00897 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Refuse Vehicle Tracking Plan - 020.0377.004
Tree Survey Plan - TPP CBA10257.02A.
Site Layout Plan - DN - 003 PO5
Road Safety Audit by GM Traffic Consultants - October 2018
Height analysis of context
Planning Statement
Site Location Plan - DN: 001 P01
Proposed GF and FF plans and elevations - DN: 004 P04
Proposed plans and elevations - DN - 005 P04
Proposed car port and cycle store - DN - 006 P02
Proposed streetscenes - DN: 008 P02
Proposed floor plans - DN: 011 P01
Proposed site drainage - DN - 404250 -01P1
Tree report and Tree Survey Plan - CBA Trees
Transport Highways Technical Note - Paul Basham Associates

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until finished floor levels for the proposed buildings relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground

cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 7 No development shall take place until a detailed Construction Management Plan specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

(iii) The provision for wheel washing at the entrance / exit to the site during site clearance and construction of the development.

(iv) The provision to be made within the site for delivery of materials during the construction of the development;

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision, wheel washing facility and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to the occupation of any unit on the site, details of the vehicular access gates with regards to the operational opening / closing method shall be submitted to and agreed in writing by the Local Planning Authority. Any such agreed details shall be implemented and retain in situ thereafter.

Reason - to avoid potential congestion on the adjoining highway network and

having due regards to policy CS20 of the Havant Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 The development shall be carried in strict accordance with the Arboricultural Report and Tree Survey Plan by CBA Trees Ltd dated August 2018 with particular reference of paragraphs relating to 'pre-commencement site meeting and plan reference - TPP CBA10257.02A showing root protection areas.
Reason - to ensure the protection of on site trees and having due regard to Policy DM8 of the Local Plan (Core Strategy 2011) and the National Planning Policy Framework 2018.
- 10 The car parking, cycle parking, bin storage facility, servicing and other vehicular access arrangements shown on the approved plans hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials (including doors and fenestration) to be used externally on the building and for the front boundary wall, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries (including any replacement of boundaries), screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for the new access on Langstone Road thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Local Planning Authority.
Reason: To ensure that they are constructed to satisfactory standard and, where appropriate a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and

CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 14 The use of the new access hereby permitted shall not commence until the existing access to the site from Langstone Road has been closed off and reinstated as a verge and footway in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 15 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the windows in the north facing elevations (other than the second floor window on the closest facing north elevation) shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 No external lighting shall be installed at the site in relation to the building hereby approved in relation to the construction phase or thereafter, until a lighting strategy including plans and particulars specifying the lighting provision, levels of illumination and light spill have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and remain in situ thereafter.
Reason: In the interests of the amenities of the area having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.