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|-----------------|----------------------------------------------------------------------------------------------------|---------------|-----------------|
| Site Address:   | Site of, 157 Milton Road, Cowplain, WaterlooVille                                                  |               |                 |
| Proposal:       | Erection of 5No. flats and 2No. detached Houses with associated parking, cycle and refuse storage. |               |                 |
| Application No: | APP/17/00234                                                                                       | Expiry Date:  | 08/05/2017      |
| Applicant:      | Mr Oldfield                                                                                        |               |                 |
| Agent:          | Mr Oldfield                                                                                        | Case Officer: | Daphney Haywood |
|                 | Tony Oldfield Architects                                                                           |               |                 |
| Ward:           | Hart Plain                                                                                         |               |                 |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

157 Milton Road, Cowplain, WaterlooVille comprises a corner site, fronting both Milton Road and Pyrford Close. The existing context consists of a two storey parade of shops with flats above to the south of the site, fronting onto Milton Road, a bungalow directly to the west fronting onto Pyrford Close and two storey detached houses to the north, fronting Pyrford Close. To the east, across Milton Road, is a large chalet style public house.

## **2 Planning History**

98/52480/002 - Change of use of existing Petrol Filling Station & Shop to retail convenience store, removal of existing canopy & pump island, minor alterations to building, additional parking and off site highway works, PERM,06/08/1998  
03/52480/006 - Erection of a free standing non illuminated hoarding (3mx6m) on and immediately adjacent and to the north of No. 155 Milton Road., REF,05/06/2003  
05/52480/007 - Installation of new shop front., PERM,05/05/2005  
APP/16/01038 - Outline application for residential development (10No. flats), WD,07/12/2016

## **3 Proposal**

Erection of 5No. flats and 2No. detached Houses with associated parking, cycle and refuse storage. The flatted portion of the development would be located on the corner and adjacent to the existing parade of shops in London Road with the 2 storey housing fronting Pyrford Close. The development would be of traditional pitched roof design and constructed in brick and tiles.

## **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016  
Local Plan Housing Statement 2036

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) |
| AL2  | (Urban Area Boundaries and Undeveloped Gaps between Settlements)                          |

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Building Control**

No adverse comments

### **Community Infrastructure**

No comments received

### **Crime Prevention -Minor Apps**

No comments received

### **Development Engineer - Highways**

The Highway Authority has no adverse comment to the application providing that the following condition should be placed on any subsequent permission:

Prior to occupation the area shown on the approved plan for the parking of vehicles shall be provided and reserved for these purposes at all times.

Also an informative should be placed on any permission stating that:

Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact [highways.development.control@hants.gov.uk](mailto:highways.development.control@hants.gov.uk) be provided and reserved for these purposes at all times.

### **Engineering Services, Havant Council**

No drainage observations

## **Environmental Health Manager, Community Group**

### **Condition 1:**

The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

**Reason:** To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially traffic noise.

### **Condition 2:**

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

**Reason:** To protect the occupants of nearby residential properties from light disturbance / pollution.

Furthermore based on the close proximity of neighbouring residential properties, that the following informatives also be included.

Informative regarding Hours of Work, Bonfires, Dust Control:

**Officer note:-** *An informative is proposed to cover lighting as well as Hours of Work, Bonfires, and Dust Control. Any lighting is likely to be residential in character and it is not considered appropriate to restrict it by condition.*

## **Landscape Team**

### **Initial comments**

The Landscape Team confirms there is no objection to the principle of residential development on the site, but we make following observations:

During the course of our site visit, the shop frontage parking provision was fully occupied and the proposed application was being utilised for parking by an additional 6no vehicles. Displacement of shopper vehicles will be in addition to that of the provision shortfall directly associated with the submitted application proposals.

Safe egress of vehicles from the 4no vehicles associated with the two proposed houses required further demonstration – particularly the likelihood that vehicles will reverse onto the public highway with compromised visibility (e.g. 1.8m proposed closeboard fence to the western boundary and 1.2m height railings / landscape along the northern boundary).

We are also concerned about the parking arrangement associated with the flats. The SW corner bay directly abuts the proposed dwelling without any increase length provision – deemed a potential façade / vehicle collision risk. Both the SE/SW corner bays directly abut support columns for the upper storey accommodation – also deemed a vehicle collision risk.

We note a lack of provision or sufficient space to accommodate disable parking bays. Support columns relative to SE/SW corner parking bays also compromise any potential for these bays to help meet this requirement.

Parts of the indicative soft landscape are deemed inappropriate e.g. tree planting as close proximity to the frontages of both houses, and narrow areas where it will be difficult to establish any type of planting e.g. where beds are narrower than 800mm in

any dimension.

The cycle storage (and provision for access) associated with the flats appears cramped / unfeasible. The submitted detailed cycle store proposals relate only to those associated with the 2no houses.

Landscape conditions associated with boundary treatments, detailed soft landscape proposals and hard landscape proposals are recommended

Further to review of submitted amended proposals in connection with the above application, additional landscape comments comprise:

Observations regarding current site parking demand remain unchanged.

The site layout plan now indicates a 0.6m height limit for associated boundary treatments, which should improve visibility for vehicles to egress / access for the two proposed houses.

Support columns appear to have been omitted for improvement of vehicular access and potential requirement for disabled access.

Cycle storage (and provision for access) associated with the flats remains cramped / unfeasible and appears to obstruct the eastern façade window of the proposed house?

Appropriate landscape conditions pursuant to cycle storage for the flats, boundary treatments, detailed soft landscape proposals and hard landscape proposals are recommended.

***Officer note -further amended plans have been received which address the cycle parking issues. See section 7 re parking considerations***

### **Public Spaces**

No comments received

### **Traffic Management, HBC**

This development has only 10 associated parking provision despite a requirement for 13 spaces to be provided. The shortfall will lead to on street parking in the near vicinity. As a result, if permitted, on street parking restrictions on nearby roads in the near vicinity will need to be considered and a Traffic Regulation Order required to be undertaken on both.

The Traffic Management Team therefore request that:

If the development is permitted, provision is made for a sum no less than £3000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 3 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the adjoining local highway network.

***(Officer note: The parking standard of 13 spaces is where the flat spaces are allocated, as the spaces are not to be allocated the 10 spaces proposed satisfy the parking requirement.)***

### **Waste Services Manager**

No adverse comments

## **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: 10

Number of site notices: two

Statutory advertisement: Not applicable.

Number of representations received: 8

| <b>Comment</b>                                                                                                                                                                                    | <b>Officer Comment</b>                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Loss of shopper parking and inadequate parking.                                                                                                                                                   | see section 7                                     |
| Nuisance from construction - parking, hours and dust                                                                                                                                              | Informatives are proposed to cover these matters. |
| Increased traffic on Pyrford Close which is narrow and not suitable for the existing traffic and parking. Used as a rat run.                                                                      | see section 7                                     |
| Pyrford road is heavily used for traffic and parking and there have been instances where incorrectly parked cars have obstructed the buses from getting through (as the road is not wide enough). | see section 7                                     |
| There is a massive lorry that delivers flowers to the florist which uses the carpark when off loading as this allows free movement of traffic.                                                    | see section 7                                     |
|                                                                                                                                                                                                   |                                                   |
| Will make it difficult for people to access/exit their drives.                                                                                                                                    | see section 7                                     |
|                                                                                                                                                                                                   |                                                   |
| In principle we support this application the blend of houses and flats is much more appealing.                                                                                                    | see section 7                                     |
|                                                                                                                                                                                                   |                                                   |

## **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 on the character and appearance of the area

- (iii) Impact upon residential amenity
- (iv) Access and Highway Implications
- (v) CIL and Contribution Requirements

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Policies CS9, and CS17 of the Core Strategy together with Policies AL1 and AL2 support residential development within the built up area and the need to provide small units to meet housing demand, which is also identified in the Annual Monitoring report.

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development however this should not be to the detriment of the local area.

Paragraph 6 makes it clear that regard must be had to the document as a whole in determining what the Government's view of sustainable development means in practice. It promotes the effective use of land through the re-use of previously developed land. With paragraph 49 stating that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*

However, paragraph 56 makes it clear that *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Paragraph 58, bullet 4 seeks to ensure that development responds to local character, with bullet 6 requiring good architecture.

Paragraph 59 seeks to ensure the sustainable construction of the dwellings, whilst paragraphs 60 and 61 seek to ensure the development is designed well accounting for local context. Paragraph 64 however, requires development of poor design to be refused.

Policy CS16 of the Havant Borough Core Strategy 2011 seeks to reflect the requirements of the NPPF at a local level. It, the local plan policies, as well as the recently adopted Local Plan Housing Statement, encourage the principle of development within the settlement area, provided that any new development pays proper regard to the character and appearance of the area, design and neighbour amenity.

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

The area is of mixed character comprising both commercial and residential development of various forms and materials. The adjoining development in Milton Road comprises ground floor retail with residential above, and that in Pyrford Close is a mix of bungalows and houses.

The current application has been submitted following the withdrawal of application APP/16/01038 - Outline application for residential development (10No. flats), and proposes a reduced scheme in terms of the number of units and the bulk of development. The development as now proposed provides for flatted development ( 2 floors with a further floor in the roof area) fronting Milton Road with a return along Pyrford Close. It has been designed to step the height of development down on the Pyrford Close frontage with the 2 detached dwellings on this frontage incorporating fully hipped roof forms, and a lowered eaves height providing an improved transition to

the adjacent bungalow. As such the design and form of the proposed dwellings are considered to respect the context and not to result in an adverse impact on the character of the area.

Both the proposed houses and the flats would be provided with an appropriate provision of amenity space, together with covered cycle parking and car parking in accordance with the Council's Borough Design Guide and adopted standard.. In respect to car parking this would be located off Milton Road and the plans incorporate landscaped areas to soften the impact of the hardsurfacing.

The area comprises a mix of dwelling types and styles which are generally of traditional character and materials. The proposed dwellings would be of traditional pitched roof design and of brick and tile construction, and would be sited on a similar building line to the existing dwellings, and as such would not adversely impact the street scene and the appearance of the area. As such the proposed development would accord with Policy CS16 of the Local Plan

(iii) Impact upon residential amenity

To the south fronting Milton Road lies retail with residential above, to the north and west there is residential development fronting Pyrford Close, and to the east on the opposite side of Milton Road is a public house. In respect to the adjoining development in Milton Road the proposed flats have been sited so as not to result in loss of outlook or light. In respect to the impact on dwellings in Pyrford Close, the adjacent bungalow at No22 has a number of windows in side elevation but these are secondary and set off the boundary. The proposed house adjacent this property has been designed with a reduced eaves height on this elevation and the only first floor window would serve a bathroom. The dwellings on the opposite side of Pyrford Close while two stories in form have a relatively low eaves height and bulk, and Pyrford Close is narrow hence 3 storey development has the potential to be over-dominant when viewed from these properties. In order to address this the flat block has been designed with the top floor within the roof space and a hipped roof. Additionally it has been articulated to break down the bulk and it would be set back from the Pyrford Close frontage beyond the proposed parking area. The 2 houses have also been designed with hipped roofs and overall the bulk of development has been reduced from the withdrawn scheme such that it is now considered to provide a satisfactory relationship with neighbouring properties.

In respect to impact from construction works the Environmental Health officer has requested informatives in respect to hours of working, dust and bonfires. A further informative could be added regarding lighting - it is not considered appropriate to address this by condition as the nature of any lighting is likely to be residential in nature. Additionally insulation of the proposed dwellings in light of their position fronting Milton Road could be the subject of a condition.

Overall it is considered that the impact on neighbouring properties, and quality of living environment for the new properties, would be acceptable and therefore the proposed development is in accordance with Policy CS16 of the Local Plan.

(iv) Access and Highway Implications

The access for the flats would be off Pyrford Close in a similar location to the existing access serving the parking area currently on site, and the proposed houses would be served by drives off Pyrford Close. The proposal provides for cycle parking and car

parking in accordance with adopted standards and the Development Engineer has no adverse comments subject to conditions.

The area is currently used for car parking by the general public visiting the area, including those visiting the shops, and collecting school children. However, the site was previously occupied by a retail unit until it was burned down, after which it was used for car parking, but there is no requirement for it to be retained as car parking, nor is it a public car park. This use was a temporary use prior to redevelopment of the site. Local residents have raised concern regarding the loss of this parking and that this will result in cars and delivery lorries parking in Pyrford Close which is a rat run and used by buses and already heavily parked. The concern is that this would cause obstruction and be a hazard. Given the site history refusal on the grounds of the loss of the car park would not be possible to support. However, with respect to possible obstruction from parking in Pyrford Close the Traffic Team have requested funding for a Traffic Regulation Order should this provide necessary which would restrict on road parking, and this is the subject of a legal agreement.

#### (v) CIL and Contribution Requirements

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20<sup>th</sup> February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged for this area at £80 per square metre on new floorspace plus indexing. It is considered that there is a CIL liability for this site and the required forms have been completed.

This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June 2014 require a payment to the Solent Recreation Mitigation Project and the required deed and payment have been received.

## **8 Conclusion**

The scheme now proposed has been designed to have regard to the character of the area and the amenities of neighbouring properties and these concerns are considered to be satisfactorily addressed. Car parking and access is to adopted standards. The proposal would make effective use of previously developed land, and approval is recommended.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00234 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:

Survey Plan  
OS Location Plan  
Site block plan DP02 Rev B  
Site plan DP03 Rev B  
Flat floor plans DP04 Rev A  
Cycle store plan and elevations DP05  
East elevation north elevation DP06 Rev B  
west elevation south elevation DP07 Rev B  
House no 1 floor plans DP08Rev A  
house no 2 floor plans DP09  
Foul drainage plan DP10Rev B  
Flat elevations DP11Rev A  
House elevations DP12 Rev A

**Reason:** - To ensure provision of a satisfactory development.

- 3 No development shall take place until plans and particulars 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 and the position of the construction offices during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision 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.

- 4 No development shall take place until details of existing and finished floor and site levels relative to previously 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:** In the interests of the character and appearance of the area and the amenities of adjacent residents having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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 to be used externally on the buildings 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.
- 6 No above ground development shall be commenced until a more 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 CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 No above ground 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 CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Unless otherwise agreed in writing the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, shall accord with BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms.  
**Reason:** In the interests of residential amenity and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 No dwelling hereby permitted shall be occupied until the car and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve that dwelling has been made fully available for use prior to the

dwelling 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.

- 10 No part of the development shall be first occupied until further details of the type, siting, design and materials to be used in the construction of all means of enclosure including 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.

- 11 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, and unless otherwise agreed in writing with the Local Planning Authority, prior to first occupation of House 2 hereby permitted any window and roof light in the west side elevation facing 22 Pyrford Close 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.

- 12 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions, out buildings or additional first or second floor windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

**Reason:** In the interests of the character and appearance of the area and the amenities of adjacent residents having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.