

Expiry Date: 23/12/2016

Case Officer: Daphney Haywood

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is located within the pedestrianised Waterlooville Shopping Centre and comprises a mainly three storey flat roofed building known as the Clock House and two storey premises at 81c London Road. The site is located at the junction of London Road and Hambledon Road and backs onto Swiss Lane which provides access for parking and servicing. To the west of the site is Waterlooville Police Station beyond which is the ASDA Supermarket.

The existing ground floor units to the Clock House are in commercial use, the first floor comprises ancillary storage, a snooker club and 3 residential flats, and a further 11 flats are located on the second floor. No. 81C London Road is a vacant retail and storage unit. Both buildings front London Road with servicing, access and parking taken from the rear. There is an Electricity Sub Station building and loading bay located to the rear of the site. The combined site has a total area of 0.24 hectares.

2 Planning History

00/62220/002 - Change of use of 2nd floor and part of 1st floor to 14 residential flats with minor alterations to rear elevation and associated car parking (revised application), S106,20/03/2001

00/62220/001 - Change of use of 2nd floor and part of 1st floor to 14 residential flats with minor alterations to front and rear elevations and associated car and cycle parking. REF.01/08/2000

96/62220/000 - Change of use of 2nd floor and part first floor to 14 residential flats and minor alterations to rear elevation with associated parking and extension to loading bay, WD,06/03/1997

3 Proposal

Redevelopment to provide 30No.new flats (19No. 1 bed and 11No. 2 bed flats)

comprising demolition of 81C London Road and construction of 1No. three storey block to the front with commercial unit on the ground floor and 1No. three storey residential block to the rear together with the addition of a third floor roof extension to the principal frontage building; conversion of commercial space at first floor to residential; with associated minor alterations, car and cycle parking, refuse storage facilities and landscaping. Three of the proposed flats would be accessible units, each of which would be provided with a car parking space. The proposal would also provide each of the flats with a secure cycle store with visitor cycle parking

The application proposes the retention of the ground floor commercial units however it is proposed to convert the existing first floor snooker club and retail storage areas into residential use whilst also creating new residential accommodation to the rear and at roof level. It is proposed to demolish the building at 81C London Road and replace with new accommodation. All existing Housing Association units are to remain at first and second floor level. In addition to these, 30 No. new one and two bed apartments are proposed

Proposed external materials will include a mixture of brickwork and painted render with the use of grey fibre cement cladding panels and glazed balustrading to the recessed top storey. Replacement windows are to be grey upvc. The buildings are to be articulated in order to break up the mass and add interest. In this respect, the proposed additional storey will be set back behind a continuous glazed Juliette balcony. A large roof overhang will provide skyline termination. The external concrete staircase to the rear is to be extended and enclosed with a rendered surround to provide a more practical and attractive feature.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS18	(Strategic Site Delivery)
CS19	(Effective Provision of Infrastructure)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS6	(Regeneration of the Borough)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)

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)
AL3	(Town, District and Local Centres)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)
WA2 (Waterlooville Mixed Use Allocations)

Havant Borough Design Guide SPD
Housing SPD July 2011
Residential Car and Cycle Parking SPD

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control

No adverse comments.

County Archaeologist

No adverse comments.

Community Infrastructure

Subject to CIL, SRMP and affordable housing

Environment Agency

Initial comments

The site is located within a Source Protection Zone 1c (SPZ1c). It is above London Clay so groundwater will be protected from near surface activities unless they are carrying out any deep construction activities.

Further comments

The applicant has confirmed that the piled foundations will be installed to a maximum depth of 15m and will not intercept the clay/chalk interface. As such, we have no objection to the proposals. However, if during installation of the piles the chalk interface is encountered, drilling should cease and the activity re-assessed, in consultation with the local authority.

(officer note - condition recommended)

Economic Development - Retail and Town Centres

No adverse comments

Education Department

The development sits within the catchment area of Mill Hill Primary and Crookhorn Secondary Schools. As both schools have surplus places I will not be seeking a contribution towards educational facilities from this development.

Hampshire Highways

To be dealt with by the Borough Council

Environmental Health Manager, Community Group

There is a low risk of ground contamination and a watching brief condition is recommended.

No adverse comments on air quality.

Vibration from the plant room may need mitigating.

Asbestos is likely to be present and this is covered by Health and Safety Regulations.

Due to the proposed works, conditions (rather than informatives) should be inserted within the consent relating to:-

☐ ☐ Dust control mitigation measures during the demolition/construction period

- ☐ Working hours for noisy activities
- ☐ no bonfires on site at any time

(officer note:- pollution is an Environmental Health matter and therefore it is not appropriate to condition these matters but relevant informatives are recommended.)

Development Engineer

Initial comments

The Highway Authority has no adverse comment on the principle of the proposals. The Planning Authority should note that the zero parking for the 30 units (except the three disabled units) meet the new HBC standards.

I require information on the size and type of vehicle that could service the rear of the retail units This needs to be illustrated by turning overlays that take into account any remaining parking.

I also need to understand what happens to the existing parking. Is it to be allocated for retail staff parking and if so would it be available out of retail hours?

Further comments

Further to my previous comments, the Planning Authority has now received additional information and changes to the submitted plans which satisfactorily answer my questions.

Housing

Initial comments

Principle of Housing supported. Policy CS9 requires a minimum of 30% affordable housing provision, equating to 9 units. The submitted Affordable Housing Viability Statement indicates that the development cannot support affordable housing, it is recommended that the viability statement is referred for independent assessment.

Further comments

The independent assessment concludes that the development cannot support Affordable Housing

Waste Services Manager

No concerns over waste collection regrading this planning application

Local Lead Flood Authority HCC

We have reviewed the information and have no comments to make on this application as the roof and paved area is not changing and subsequently there will be no change in surface water drainage arrangements.

Landscape Team

I confirm there is no landscape objection to the above application in principle. It appears there is scope to clarify and improve the external parking area / access – something that can be resolved by appropriate condition.

Crime Prevention -Major Apps

Defensible space should be provided for ground floor windows to flat 1, question adequacy of the cycle store for 5 cycles. On the ground floor, external stores should be provided for scooter store, access control system required within the building, one parking space per unit should be provided, and an appropriate level of lighting provided.

(officer note - amended plans submitted to address these points with the exception of parking provision)

Planning Policy

No comments received

Public Spaces

No comments received

Southern Electric

No comments received

Southern Water

The result of an initial desk top study indicate that additional local infrastructure is required - drainage strategy condition required together with informative

Traffic Management, HCC

The Havant Borough Council (HCC) Traffic Management Team has no adverse comment on the principle of the proposals, as it is within the guidelines for HCC parking policy, however, the proposal is for 30 new flats and 14 existing flats, with only 20 parking spaces given. This shortfall may increase the parking difficulties for the surrounding community.

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: 51

Number of site notices: 2

Statutory advertisement: 30/09/2016

Number of representations received: 4

Summary:

- People live here! It can't become a building site, unacceptable disruption, building seems to already be constructively unsound/strained with cracks in the ceilings. This can and will effect everyday life for all of us living here. Living in a building site will be very stressful.
- Lack of parking provision within this development. The reality is that many of the existing residents already own vehicles despite the evidence supplied. The existing residents use the private parking that is reserved for the retail units resulting in issues regarding the delivery of stock to my unit. Adding more residents will only make the existing problems worse. I would want to see some provision to ensure that the commercial units service area and parking are safeguarded from residential vehicles.
- The plumbing in our block is majority flawed without the added pressure of another floor. The waste water is currently run internally within the building. I have had two instances this year where the soil pipes have been blocked with "flushable" wipes from the residential units above. As I am at the bottom of the soil stack I have been left with the immediate problem of waste water backing up resulting in me having to remove internal false walls to resolve the blockage problems. Adding another level of residential above will only make the existing issue worse. The existing soil stack should be altered to run external to the building with adequate service points to resolve any future problems.

- Disruption to our business. We would need to have reassurance that our business will not be affected by the building work. Will scaffolding obscure our premises and if so for how long?
- Noise levels during working hours.

Officer Comment:

Structural considerations including plumbing are covered by the Building Regulations. In respect to scaffolding this is a private matter unless on the highway in which case a license may be required. See section 7 in respect to other matters

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 streetscene
- (iii) Impact upon residential amenity
- iv) Parking and Highway considerations.
- v) Affordable Housing
- vi) Community Infrastructure Levy (CIL) and Contribution Requirements

(i) Principle of development

The site is within the urban area where Policy AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements) and Policy CS17 (Concentration and Distribution of Development within the Urban Areas) supports development on underused land within the urban area. Furthermore the proposal would provide additional dwellings in a sustainable location (AL1), maximise land in the urban area for housing (CS9 and CS17) and support the regeneration of the town centre (CS6). Hence the proposal is supported in principle.

The site forms part of a Strategic Delivery Site as identified by Policy CS18 of the Havant Core Strategy, and is allocated under Policy WA2 (the Asda/Clock Tower site) for Mixed Use. Whilst the allocation encompasses a larger area which did not envisage the provision of dwellings within the wider site area, the site is slightly isolated from the larger area, and consequently can come forward without compromising any co-ordination of development matters, and the provision of additional dwellings would be consistent with the current upper floor uses and would also increase footfall and hence support the existing commercial uses. The proposed development is therefore considered to be compliant with the general aims of Policy WA2.

(ii) Impact upon the streetscene

The Clockhouse building occupies a strategically important location within the Town Centre precinct. No 81C alongside is of reduced scale in comparison with other properties along London Road. The existing buildings are dated and the application provides the opportunity to visually improve the appearance of the buildings and the visual amenities of the area.

The resultant building would step up from 3/4 storeys at its two ends on London Road and Hambledon Road to a central core of 4 storeys. Following the pre-application enquiry the initial scheme has been revised so that the front elevation of the proposed

upper floor onto London Road would be set back from the line of the buildings front façade by approximately 1.0m. The flats on this floor would be provided with Juliette balconies to add interest at this level.

It is considered that the proposed development is of a form and layout that has responded, and been informed by, the character of the surrounding urban landscape in accordance with the requirements of Policy CS16. It is considered that the proposed development would result in an improved relationship between the site's north elevation in the way that it addresses the public realm in Swiss Road, improving the appearance to the site and potentially encouraging greater movement and connectivity between this site and the ASDA site to the west as advocated by Policy CS18.

(iii) Impact upon residential amenity

In respect to the impact on existing occupiers, the main considerations relate to privacy, outlook, and daylight. In respect to privacy, generally the proposal achieves a distance of 20m between habitable windows where these are directly aligned, with the exception of those facing the rear of the existing flats located on the London Road/Hambledon Road corner of the building, where the separation distance is 14m. Whilst this is below the adopted Design Guide guidelines, there is an existing external stair case in this location which currently results in overlooking from those using the commercial premises it serves, and it is considered that the current proposal would therefore not appreciably decrease privacy in this case.

With regard to outlook and daylight, with the exception of the third floor, the new build will generally replace existing buildings or provide 14m separation to existing flats to satisfy the guidance set out in the Borough Design Guide and as such the impact is considered to be limited and acceptable.

The representations raise concern that the building works have the potential to create nuisance. This in itself would not support a reason for refusal, however appropriate management of activities and measures to control dust, hours of operation and fumes can reduce the associated disturbance and informatives are recommended in this respect.

With regard to amenities for the proposed flats, the Borough Design Guide advises that a minimum of 20m should be provided between windows to habitable rooms. The proposal and in particular the centre block replacing the snooker hall does not achieve this, with separation of approximately 14m between proposed windows. Although this is satisfactory in respect to outlook and day light it falls short of the guidance for privacy. This is however, a town centre location with higher density development and where lower separation distances are more common and generally more acceptable. Additionally the number of flats impacted is limited, with the majority satisfying the guidelines for privacy. The proposal will provide much needed housing in a sustainable town centre location and generally the proposed development has been designed to comply with the guidance set out in the Borough Design Guide, and as such is considered to satisfy the requirements of policy CS16.

There exists a number of externally mounted plant installations associated with HVAC/Heat pumps/ Chillers along with ground floor food retail units. A "Noise and External Plant Assessment" has been undertaken to ensure future residents would be protected from unacceptable noise generated by the externally mounted plant associated with HVAC / heat pumps / chillers (etc.) & food uses on ground floor retail units of the building, and an "Acoustic Testing Report" by Airtight and Noisecheck Limited is submitted with this application. This report provides detailed noise

measurements in respect of existing road noise and plant and machinery installed to the exterior of the existing building. The report proposes mitigation measures to meet the BS8233: 2014 and a planning condition is recommended to address this issue.

iv) Parking and Highway considerations.

The proposed development would result in the provision of 3 on-site parking spaces for the three accessible units together with cycle parking provision in accordance with the Council's Parking SPD. This is a highly sustainable town centre location with the site conveniently located to bus stops providing frequent and regular bus services which would provide future residents with an accessible and realistic alternative means of transport to the private motor car.

The traffic team have no adverse comment on the principle of the proposals, as it is within the guidelines for HBC parking policy, however, they note that proposal is for 30 new flats and 14 existing flats, with only 20 parking spaces, and this shortfall may increase the parking difficulties for the surrounding community. However, as set out above this is a town centre location with alternative means of travel to the car and the Highway Authority has assessed the submission and has no adverse comments.

v) Affordable Housing

Policy CS9 of the Core Strategy would normally require provision of 30 to 40% affordable housing on new development sites (or a contribution equivalent) unless it is justified on viability grounds that such provision would jeopardise the delivery of the scheme. The application is supported by a viability report which states that the provision of any affordable housing is not viable. This has been independently assessed and found to be sound. Therefore it is acknowledged that to require affordable housing either by way of on site provision or a contribution could not be supported and is highly likely to prevent the site coming forward for residential development

vi) Community Infrastructure Levy (CIL) and Contribution Requirements

On the 20 February 2013, the Havant Borough Council approved the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule took effect from the 1st August 2013. The required payment for the development is based on the approved floor space and is £80 per square metre plus indexing and the required assumption of liability form has been submitted.

The application has also been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1) (a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA). Furthermore the development is not necessary for the management of the SPA. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project (SRMP) at a scale of £176 per dwelling (net) (plus monitoring and administration fees). the level of mitigation provided is considered sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. The deed has been received and the contribution paid.

8 Conclusion

The development of this site, because of its location in the town centre and the form of the existing development poses a number of challenges. The proposals for the site are considered to make good use of the site in a form that addresses the site issues and

enhances the visual amenities and character of the area. The proposed development has been designed in accordance with the National Planning Policy Framework and relevant policies contained within the Havant Borough Core Strategy and SPD. The application proposes a sustainable solution which seeks to respect and improve the character and appearance of the local area, and approval is recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00963 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 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 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 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.

- 3 No development hereby permitted shall commence until a drainage strategy detailing the proposed means of foul disposal and an implementation timetable, has 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.

- 4 In the event that material is encountered during groundwork that is suspected

to represent contamination (e.g. buried waste materials, impacted soils or groundwater), works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- (i) A physical investigation in the vicinity of suspected contamination, sufficient to characterise its nature, likely extent & mobility,
- (ii) An appropriate assessment of the risks to all receptors that may be affected, based upon (i), and;
- (iii) Where potentially unacceptable risks are identified by (ii), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All assessments, works, monitoring & other actions required by (i)-(iii) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority (as appropriate);

A) A statement confirming that no suspected contamination was identified during development; OR

B) Documentation in accordance with (i)-(iii) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: In the interests of the amenity of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework; contamination impacted soils & waste materials including asbestos may be present at the site associated with service infrastructure or the construction & demolition of previous structures.

- 5 Pile foundations where used shall not exceed a depth of 15m so as to avoid intercepting the clay/chalk interface. In the event that during construction the chalk interface is encountered drilling shall cease immediately and the activity reassessed in consultation with the Local Planning Authority, and work shall not recommence until the Local Planning Authority has agreed in writing, in consultation with the Environment Agency, further details to prevent contamination. The development shall then be carried out in accordance with the subsequently approved details.

Reason: The site lies above a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, mobilising contamination. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM10 and the National Planning Policy Framework 2012.

- 6 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 the finish to walls, roofs, windows and balustrading 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.

- 7 No above ground construction works shall take place 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 occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

- 8 None of the flats hereby approved shall be occupied until such time as all noise mitigation measures relevant to them have been carried out in full, in accordance with the details contained within the submitted Acoustic Testing Report from Airtight & Noisecheck Limited dated 22-23rd August 2016, unless an alternative specification has been agreed in writing by the Local Planning Authority.

Reason: In order to secure an acceptable living environment for the new flats and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 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, 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 having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The car and cycle parking and other vehicular access arrangements shown on the approved plans to serve the development 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 sustainable modes of transport and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of the new development and neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

PLC Architect's drawings 14.2043,100P2,101P7,
102,103F,104,105,106,107,108,109,110 & 111.

Survey drawings by P Stubbington.

Transport and Parking Assessment by pdt Hampshire.

Planning Statement by Pickup Town Planning.

Viability Appraisal by S.106 Affordable Housing.

Drainage Strategy

Acoustic Testing Report from Airtight & Noisecheck Limited dated 22-23rd
August 2016

Foul and Utility Assessment

Reason: - To ensure provision of a satisfactory development.