

Recommendation: **GRANT OUTLINE CONSENT**

APP/13/00107 - Display of 1No. fascia incorporating 5 individual signs and 2No. flatboard signs., PERM,28/03/2013

3 Proposal

Outline planning application for the demolition of existing building and erection of a three-storey block of thirty-one flats, together with associated car and cycle parking.

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 Council Housing SPD July 2011
Local Plan Housing Statement Adopted December 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
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

Officer Comment: Visited the site with the Councils Arboriculturalist - The proposals are considered acceptable.

Building Control, Havant Borough Council

Public Sewer appear to be near to 3m away rule. Suggest consult with SWS

Bin store location should comply with Approved Document H (appears close)

Internal common corridor layout may change re door locations and ventilation needs

Communities Team

The location of the Curlew being on the outskirts of Leigh Park is always a sought after location for charities who deliver services to the population who live in this vicinity.

At present I am aware of two local charities who are currently looking for premises in this area for community use who may be interested in this location. In the past the Community Team has been approached to gauge local need but not on this occasion.

I would be happy to ask the charities if they would consider this opportunity if required.

It should be noted that although there has been no enquiry to nominate this property as an Asset of Community Value it is unlikely that this legislation would be known to residents living in this locality.

County Archaeologist

The site is located c. 200 metres to the west of the projected line of the Rowlands Castle to Havant Roman road and some evidence for Roman settlement has been recorded in the open field immediately to the west of this road during an archaeological evaluation at Oak Park Hospital. Further archaeological investigations c. 50 metres to the north east of the site recorded no archaeology. Looking at the current state of the site and the development plans attached to the above application on your website, it seems that the site will have been heavily impacted by modern development and it is likely that any archaeological features that may once have existed here will have been removed or truncated by this activity. I would therefore not wish to raise any archaeological issues in this instance.

Crime Prevention -Major Apps

No comments received

Economic Development - Commercial and Housing, Economic Development - Commercial and Housing

No issues on this application.

Education Department

I have been consulted on the outline permission for the above development and note from your website that it has yet to be determined. The development sits within the catchment area of the Trosnant pair of schools and Havant Academy. Havant Academy has a sufficient number of surplus places to accommodate the anticipated yield of pupils from the development. However, this is not the case with the Trosnant pair of schools and we are currently in the process of expanding the Trosnant Schools to be able to accommodate the additional pupils from developments in the catchment area (of which this is one) together with the pushback from other Havant schools where development is taking place. I note that the development contains 31 flats with 25 of them being 2 bed flats and for which I would seek a contribution towards the expansion of the Trosnant schools. Based on the Developer Contribution Guidance Document the amount I will be seeking is £116,309. This is based on 8 primary pupils from the development and is a pro-rata rate for the cost of building a one classroom expansion (£436,160). Once a full application is made I will reply formally.

Officer Comment:

The above comments were received very late in the consideration of this planning application following a test of viability being carried out and the associated S106 being at a very advanced stage of negotiation. The Education Authority have been informed of the Local Planning Authorities position in relation to this matter and that the Local Planning Authority is unable to pursue the request for an education contribution.

Environment Agency

Further Comments

We have reviewed the Drainage Strategy Report, (Scott White and Hookins, Version 2, 31 August 2017, W01651) and Proposed Surface Water Drainage Strategy Drawing, W01651-200 Rev P01.

Section 6.8 of the Drainage Strategy Report states that the building will be split to drain partially to the permeable car park area and partially to a specific crate soakaway located to the south of the building. Only clean uncontaminated roof water is allowed to enter the storage and soakaway drainage systems with sealed down pipes. The car park drainage via permeable pavement system is satisfactory.

We find the proposals address the comments we previously made with regard to site drainage.

Original Comments

Environment Agency Position

We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted; however, we request that the following planning condition(s) be attached to any planning permission granted in order to make the development acceptable. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Planning Condition(s):

Condition - SUDS Infiltration of surface water into ground

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

Advice to Local Planning Authority (LPA) / Applicant:

The site is located in the groundwater Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs. Whilst we would not object to the use of SuDs at this site we expect the developer to incorporate suitable level of pollution prevention measures into the drainage design to ensure that groundwater and drinking water supplies are protected.

With regards to clean roof water, we have no objection to this being discharged to ground. However surface water drainage from car parking areas and roads has the potential to contain pollutants and hazardous substances. In line with industry best practice, we would expect a risk assessment to be carried out to determine the level of treatment required prior to the water from these areas being discharged to ground. We would direct the developer to the Ciria SuDs manual C753 where industry best practice is provided. It provides further information and guidance on risk assessment and the likely level of treatment needed for such sites. This can be found at

<http://www.susdrain.org/>

The site lies within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs. As such the LPA and the applicant is advised to contact Portsmouth

Water to discuss the development and any concerns they may have with them.

Infrastructure Officer

The Community Infrastructure Officer can advise:

This development will be **subject to CIL** (at a later stage), SRMP and provision of affordable housing and possibly other site specific obligations.

SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION:

Monitoring Fees: It is customary with the S106 to charge an amount for monitoring.

Other Heads of Term likely to be identified:

- Management Co
- Management Plan
- Employment and Skills Plan
- SUDS maintenance
- 1. Highway Works?

Community Infrastructure Levy

The site will be CIL Liable at such time as a Reserved Matters application is permitted. Please can the Development Management Case Officer pass a copy of the draft S106 to review to the Community Infrastructure Officer before agreement is finalised.

Officer Comment: Employment and Skills Plan not required in this instance as below threshold.

Hampshire Highways

I can confirm that the Highways Authority's comments on this application should be made by the District Councils own engineers due to the size of the application being below that of the Agency threshold and agreement.

Development Engineer (Highways)

Further Comments:

The Highway Authority have no adverse comment to this application subject to the areas of servicing/parking and turning are conditioned.

Original Comments:

The Highway Authority have no adverse comment on this application subject to the following conditions being placed on any approval.

1. The existing vehicular access to is removed by the installation of full faced kerbs to Petersfield Road and the provision of footway edging to construct a footway and verge to the same level as that on either side of the existing crossing, (An informative note will need to be included as this construction will require a 278 Agreement)
2. The scheme to be designed to the existing drawings which include parking, turning and a bicycle store.

However I would suggest that a gated access is provide on the western boundary to allow residents to have access to the Petersfield Road footway and that a phasing plan is produced to allow the existing access to be used during the early construction period in order to stop deliveries from Leigh Road

Housing Manager (Development)

Housing: The proposal is for demolition of the existing Curlew public house and development of 31 new apartments over 3 floors consisting of 25 no two bed and 6 no one bed apartments, a lift, and associated car parking and cycle storage.

This proposal would need to comply with Core Strategy policy CS9. 2 and provide 30-40% affordable housing on site; this would equate to a minimum of 9.3 units (9 units on site and the remaining 0.3 by way of a financial contribution would be acceptable) on this site which would be secured via a section 106 agreement. Tenure of the affordable homes would be expected to include apartments for Affordable Rent and Shared Ownership.

Any future negotiated financial contribution will be calculated using the methodology contained within the Havant Borough Council Housing SPD July 2011, and will require the internal floor areas of each of the units and the expected sales values of the apartments.

The applicants have provided an Affordable Housing Statement in which they confirm that they have submitted a viability assessment showing that a contribution towards affordable housing is not possible with this development. I would expect this viability paperwork to be referred to a third party for checking at the applicants expense. Demand for affordable housing remains high in the Havant borough; currently there are 1755 households registered on Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 582 are waiting for two bedrooms, 203 for 3 bedrooms and 67 for a 4+ bedroom home. Many of these are looking to downsize. Movement to smaller accommodation would free up larger affordable homes that can be used more effectively by providing accommodation for our applicant families.

Should this application proceed to final development it will help to improve the supply of market homes in the Borough.

Officer Comment: See Part 7 of this report in relation to viability testing and affordable housing.

Landscape Team, Havant Borough Council

Final Comments:

From a landscape perspective we feel the proposals are taking steps in the right direction, however we still have the following comments:

- The removal of the cherry tree to accommodate the cycle storage is deemed to have a detrimental impact on the limited screening on the southern boundary and is not acceptable. The height and over shadowing of the development needs to have some mitigation strategy to soften the impact for the houses on Havant Farm Close. The development is required to supply cycle storage on site but this should not be at the expense of the screening for the existing properties.

Officer Comment: The cherry tree has been removed and was not protected by a TPO. The cycle store is now set further from the boundary and landscaping opportunities are increased by the revised siting. Landscaping is a reserved matter.

An option to save space could be a two tier cycle parking solution.

- As previously brought up in my initial comments the boundary treatments need to be clarified. The northern boundary treatment onto Petersfield road will have a profound impact on the streetscape and the proposals need to be demonstrated. To the south the existing chain link fence creates a rear access to for properties on Havant Farm Close however the submitted plans indicate panel fencing and it is not clear if this is

existing or proposed. As such we require plans that definitively illustrate what is proposed for the boundary treatments showing material choice, construction detailing (as boundary treatments will sit within RPAs of existing trees) and heights.

Officer Comment: Boundary treatment condition recommended.

- A planting plan is required to show details of proposed planting including species, densities and tree pit detailing, with subsequent management plan.

Officer Comment: A management plan is secured through the S106 Agreement. Landscaping is a reserved matter and an informative is recommended in relation to securing additional planting to the southern and north-western boundaries.

Further Comments:

From a landscape perspective we do not object this application, however we have the following comments:

- It is noted that the proposed building form and material pallet does not sit in conjunction with the current landscape vernacular, which has a consistent red brick and pitched roof ambience. A more harmonious approach with the existing architecture would be less visually abrasive to the streetscape. In particular the stone cladding is deemed not appropriate.
- The submitted plans show proposed planting of trees and mature hedgerow throughout the site. We would have a preference of UK native species, as these would have a higher ecological value providing food and habitat for local fauna.
- Boundary treatments and hard surfacing materials are not specified on the plans, which are key features to understanding how the proposed building and landscaping would affect the current streetscape.
- We encourage and support sustainable transport and as such would like to see a shared cycle and footpath link to Petersfield Road from the development.
- We have concerns with the bin storage location as they are deemed to be too far away from the property. Some people may struggle to carry their bins that far (elderly or disabled), which could lead to misuse.
- The access points from the proposed building to the car park are deemed too narrow with tight 90 degree angles that could cause tensions including users not having adequate room to pass (pushchairs/wheelchairs) or cars getting damaged/scratched. A 2m wide footpath would be the minimum requirement.

As a result we would like to condition the following plans to be submitted for approval:

- Soft landscaping proposals/planting plan; to include plant species, specification, densities and tree pit detailing with subsequent management plan.
- Hard landscaping plans; showing boundary treatments and all external hard material specification.
- Detailed material pallet specification to further understand how the proposals will feel in the local landscape.
- A detailed lighting scheme for all external areas.

Previous Comments:

From a landscape perspective we do not object this application, however we have the following comments:

- It is noted that the proposed building form and material pallet does not sit in conjunction with the current landscape vernacular, which has a consistent red brick and pitched roof ambience. A more harmonious approach with the existing architecture would be less visually abrasive to the streetscape. In particular the stone cladding is

deemed not appropriate.

- The submitted plans show proposed planting of trees and mature hedgerow throughout the site. We would have a preference of UK native species, as these would have a higher ecological value providing food and habitat for local fauna.
- Boundary treatments and hard surfacing materials are not specified on the plans, which are key features to understanding how the proposed building and landscaping would affect the current streetscape.
- We encourage and support sustainable transport and as such would like to see a shared cycle and footpath link to Petersfield Road from the development.
- We have concerns with the bin storage location as they are deemed to be too far away from the property. Some people may struggle to carry their bins that far (elderly or disabled), which could lead to misuse.
- The access points from the proposed building to the car park are deemed too narrow with tight 90 degree angles that could cause tensions including users not having adequate room to pass (pushchairs/wheelchairs) or cars getting damaged/scratched. A 2m wide footpath would be the minimum requirement.

As a result we would like to condition the following plans to be submitted for approval:

- Soft landscaping proposals/planting plan; to include plant species, specification, densities and tree pit detailing with subsequent management plan.
- Hard landscaping plans; showing boundary treatments and all external hard material specification.
- Detailed material pallet specification to further understand how the proposals will feel in the local landscape.
- A detailed lighting scheme for all external areas.

Local Lead Flood Authority HCC

Final Comments:

Thank you for consulting us on the above planning application. Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to:

- Surface water drainage for major developments

Surface Water Drainage

We have reviewed the following information in relation to the planning application:

- Drainage Strategy Report (Ref:W01651- Version 2 issued 31 August 2017)
- Proposed Surface Water Drainage Strategy (Marked up drawing-Rev PO1)

Having reviewed the drainage strategy report we note that the surface water from the site drains to the multiple soakaways on the site and the soakage tests have shown consistent level of infiltration. We also note that Southern Water sewer map indicates that the surface water from the surrounding area drains via public surface water sewer system. 2

The general principles for the surface water is acceptable, therefore we have no further comments.

Please see below for further general guidance for the application

It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the Local Planning Authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

For SuDS systems to be adopted by Hampshire Highways it is recommended that you

visit the website at

<https://www.hants.gov.uk/transport/developers/constructionstandards> for guidance on which drainage features would be suitable for adoption.”

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Further Comments:

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to:

- Surface water drainage for major developments

Surface Water Drainage

We have reviewed the following information in relation to the planning application:

- Drainage Strategy Report (Ref:W01651-Issued June 2017)
- Hampshire County Council(HCC) letter dated 9 May 2017 (letter ref:SWM/2017/0277)

Having reviewed the drainage strategy report we note that there is no public surface water sewer adjacent to the immediate boundary of the site and it is not known where the existing surface water drains to.

The proposed surface water drainage report mentions that the surface water from external areas drains into the ground via infiltration; however the surface water from the roof area discharges to public sewer via attenuation system. However this does not in itself constitute an appropriate or adequate surface water strategy.

There is no clear evidence suggesting that infiltration will be feasible for this site. Also there is no supporting evidence of an acceptable connection or discharge rate approved by Southern Water.

Also the following elements which were highlighted by the HCC previous letter are not addressed in the drainage strategy report, therefore we require following information to be provided ;

- Evidence that the applicant understands the sensitivity of any of the discharge points in relation to the sensitivity of the receptor. Where this is main river or discharging through contaminated land the LPA may have to consult the EA.
- Where infiltration is used for sustainable drainage of the site, evidence must be provided that shows that a suitable number of tests have been completed across the whole site within different geology and to a suitable depth (i.e. a similar depth to the proposed infiltration devices) The tests should be completed according to the BRE 365 method.
- The impact of climate change, 40%, is required to be taken into account.
- Given the site is located in the groundwater Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs sufficient information on the correct number of treatment stages in the surface water management train is required to be incorporated, for further information see the Ciria SuDS Manual (C753)

The drainage strategy clearly does not follow the Building Regulations hierarchy for the discharge point. Therefore, in the absence of a clear surface water strategy we recommend to apply a (holding) objection to the current application, and recommend refusal due to insufficient details of the proposed surface water.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Previous Comments:

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to:

- Surface water drainage for major developments

Surface Water Drainage

We have reviewed the following information in relation to the planning application:

- Drainage Strategy Report (Ref:W01651-Issued June 2017)
- Hampshire County Council(HCC) letter dated 9 May 2017 (letter ref: SWM/2017/0277)

Having reviewed the drainage strategy report we note that there is no public surface water sewer adjacent to the immediate boundary of the site and it is not known where the existing surface water drains to.

The proposed surface water drainage report mentions that the surface water from external areas drains into the ground via infiltration, however the surface water from the roof area discharges to public sewer via attenuation system. However this does not in itself constitute an appropriate or adequate surface water strategy.

There is no clear evidence suggesting that infiltration will be feasible for this site. Also there is no supporting evidence of an acceptable connection or discharge rate approved by Southern Water.

Also the following elements which were highlighted by the HCC previous letter are not addressed in the drainage strategy report, therefore we require following information to be provided:

- Evidence that the applicant understands the sensitivity of any of the discharge points in relation to the sensitivity of the receptor. Where this is main river or discharging through contaminated land the LPA may have to consult the EA.
- Where infiltration is used for sustainable drainage of the site, evidence must be provided that shows that a suitable number of tests have been completed across the whole site within different geology and to a suitable depth (i.e. a similar depth to the proposed infiltration devices) The tests should be completed according to the BRE 365 method.
- The impact of climate change, 40%, is required to be taken into account.
- Given the site is located in the groundwater Source Protection Zone 1c (SPZ1c) for

the Havant and Bedhampton Springs sufficient information on the correct number of treatment stages in the surface water management train is required to be incorporated, for further information see the Ciria SuDS Manual (C753)

The drainage strategy clearly does not follow the Building Regulations hierarchy for the discharge point. Therefore, in the absence of a clear surface water strategy we recommend to apply a (holding) objection to the current application, and recommend refusal due to insufficient details of the proposed surface water.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Original Comments:

Thank you for consulting us on the above planning application. Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to:

- Works in relation to ordinary watercourses
- Surface water drainage for major developments

Surface Water Drainage

Apart from one drawing which indicates the location of two proposed soakaways, no details of the proposed surface water drainage strategy has been provided. As such, further information/details are required in order to be able to provide a valid response. We recommend the applicant to consider the following elements in the surface water strategy report:

- Evidence that the applicant understands the sensitivity of any of the discharge points in relation to the sensitivity of the receptor. Where this is main river or discharging through contaminated land the LPA may have to consult the EA.
- The existing flow paths or drainage regime of developed (brownfield) sites
- Areas that may have been affected by existing failures in the existing drainage regime
- The existing and proposed permeable and impermeable areas
- Where infiltration is used for sustainable drainage of the site, evidence must be provided that shows that a suitable number of tests have been completed across the whole site within different geology and to a suitable depth (i.e. a similar depth to the proposed infiltration devices) The tests should be completed according to the BRE 365 method.
- Existing and proposed run-off rate calculations should be provided, along with evidence that these calculations have been completed according to a suitable

method (e.g. IH124 or FEH available from UK Sustainable Drainage: Guidance and Tools). These calculations should demonstrate that the proposed run off rate for a one in one year event and a one in one hundred year event plus climate change do not exceed the existing run-off rates.

- The impact of climate change, 40%, is required to be taken into account
- Where attenuation storage is proposed calculations should be provided along with evidence that these calculations have been completed according to a suitable method
- Given the site is located in the groundwater Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs sufficient information on the correct number of treatment stages in the surface water management train is required to be incorporated, for further information see the Ciria SuDS Manual (C753)
- Evidence that exceedance flows and runoff in excess of design criteria have been considered - calculations and plans should be provided to show where above ground flooding might occur and where this would pool and flow.
- Information on general maintenance regimes of the surface water management train including SuDS features, and who is going to be undertaking it – evidence that those maintaining the drainage system are in discussion with the developer.

Ordinary Watercourses

Where the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, a prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning.

Please note, surface water drainage proposals will need to be assessed in relation to the impacts of climate change. The appropriate allowances are detailed in the latest advice from the Environment Agency Flood risk assessments: climate change allowances. This updates previous climate change allowances to support NPPF. The proposed system should be tested for the peak rainfall intensity for the central and upper band in relation to the relevant development lifetime.

We would also expect to see a suitable allowance for urban creep, this factor reflects the future predicted increase of urban development, and with it, the increase of the impervious area. An allowance of 10% on impermeable areas is suitable in relation to confirming that the proposed system is acceptable.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

This response has been provided using the best knowledge and information submitted

as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Neighbourhood Development Officer

No comments received

Planning Policy HBC

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough.

Also relevant to this pre-application enquiry is the Local Plan Housing Statement, a policy statement adopted by the borough council on 7 December 2016, which is now a material consideration in determining planning applications.

All the above documents are available at <https://www.havant.gov.uk/localplan>

Principle of Development: The site is located within the established urban area and Policy CS17 supports new housing development within the urban area. Point 2 of Policy CS17 also prioritises PDL land. Furthermore, the Housing Statement highlights in section 3.9 that “Any potential urban area housing sites are already supported in principle through the Adopted Local Plan (in particular Policy CS17 of the Core Strategy”. In guiding principle 3, this is expanded on by setting out that “In line with the NPPF, Havant Borough Council will continue to promote the development of brownfield land” and that “Prior to the adoption of the new Local Plan, development on brownfield sites which are considered suitable for housing under the Adopted Local Plan will continue to be supported, even if they are not specifically allocated”.

The Curlew constitutes a brownfield site within the urban area of Leigh Park. As such, the provisions of Guiding Principle 3 and section 3.9 of the Housing Statement emphasise further the suitability of the site in principle for housing development.

Community Facilities: The proposal would result in the loss of a public house, which is recognised as a form of community facility in the NPPF (Paragraph 70). Policy DM2 of the Core Strategy on the protection of existing community facilities is therefore relevant to this application. Criterion 1 of policy DM2 requires the application to demonstrate that an active marketing exercise has been carried out to ascertain whether the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community. Detailed requirements are set out in paragraph 10.06. Further evidence is needed to satisfy the requirements set out in paragraph 10.06.

Should adequate marketing information be provided satisfy the requirements of DM2 then the following comments would also apply:

Housing Need: The Housing Statement and the Strategic Housing Market Assessment work which informs it identifies a need for 11,250 new homes in Havant Borough over the period 2011-2036. The Housing Statement itself identifies that 9,517 homes can be identified as potentially developable in this timeframe. This leaves a shortfall of 1,733 homes which would be needed to fully meet the identified housing need.

As such, section 4.2 sets out that “The Borough Council will continue to search for additional sustainable sites when formulating the new Local Plan in order to further reduce the 1,733 dwelling gap with the aim of fully meet the objectively assessed housing need.”

Affordable Housing: On developments of this size, 30-40% affordable housing should be provided in accordance with Policy CS9 of the adopted Core Strategy. On the proposed scheme 30% affordable housing would equate to ten affordable homes, or

13 affordable homes at 40%. However, the proposed scheme makes no provision towards affordable housing. A viability report has been submitted to justify this which should be third party tested at the developer's expense in accordance with the supportive text to Policy CS9.

Parking: The proposed scheme includes 39 car parking spaces for 31 flats (25 x 2-bed and 6 x 1-bed). The Parking SPD sets out the parking standards required on new developments. For the proposed development this would equate to 56 spaces for allocated parking or 38 spaces if they are unallocated. There is also a requirement for 20% additional unallocated spaces for visitors. However, on developments with no allocation of spaces, a lower visitor space allowance may be acceptable provided it can be shown that sufficient resident cars will likely be absent when visiting takes place. I would consider that the proposed level of car parking falls slightly short of the standards set out in the Parking SPD when you take into account the need for visitor parking. However, given the site's accessible location the 39 spaces proposed appear to be adequate.

Developer Contributions: Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the borough in addition to the requirements of Policy CS21. The Solent Recreation Mitigation Partnership (SRMP) contribution will also be payable in accordance with Policy DM24.

Conclusion: No objections in principle.

Portsmouth Water Company

Further Comments:

Portsmouth Water have reviewed the following documents provided by the applicant in relation to the proposed surface water drainage strategy:

- Drainage Strategy Report, Scott White and Hookins, Version 2, 31 August 2017, W01651; and
- Proposed Surface Water Drainage Strategy Drawing, W01651-200 Rev P01.

The new revised Drainage Strategy Report recommends that half the roof water be drained to a cellular system approximately 0.5 metres deep and the rest of the site's surface water will drain to diffusers connecting to the proposed permeable paving sub-base.

Both these proposed routes for surface water discharge are shallow and unlikely to impact the underlying Principal Aquifer, therefore, we have no further comments on the proposed drainage scheme.

Previous Comments

Portsmouth Water have reviewed the application for outline planning application for the demolition of existing building and erection of a three-storey block of thirty-one flats, together with associated car and cycle parking and have the following comments.

The site lies on Superficial Deposits overlying Bedrock consisting of Raised Beach Deposits overlying the London Clay Formation. It is located in a designated Source Protection Zone 1c that is protective of our Havant and Bedhampton Springs public water supply.

Portsmouth Water request that no development shall commence until a detailed scheme for the discharge of surface water has been submitted to and approved in writing by the Local Planning Authority.

In the event of a deep pit based system for surface/foul water disposal, such as boreholes or other structures that bypass the soil layers, we would object unless the developer can show that all of the following apply:

- there are no other feasible disposal options such as shallow infiltration systems (for surface water) or drainage fields/mounds (for effluents) that can be operated in accordance with current British Standards;
- the system is no deeper than is required to obtain sufficient soakage;
- pollution control measures are in place;
- risk assessment demonstrates that no unacceptable discharge to groundwater will take place, in particular that inputs of hazardous substances to groundwater will be prevented; and
- there are sufficient mitigating factors or measures to compensate for the increased risk arising from the use of deep structures.

Reason: Portsmouth Water require the use of the highest specification pipework and designs for schemes involving new sewerage systems in SPZ1c to minimise leakage.

The application does not specify the type of foundations proposed for the development. Portsmouth Water would require further information on foundation design be submitted for detailed consideration prior to approval. This should include as a minimum;

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling, if any; and
- d) details of materials to be removed or imported to site.

Public Spaces

No comments received

Southern Water

Further Comments:

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

All other comments in our response dated on 27/04/2017 remain unchanged and valid for the additional information submitted by applicant.

Previous Comments:

The submitted sewer protection measures (easement of 3.5 metres) as shown in drawing no. FB 5728/100 K are satisfactory to Southern water.

All other comments in our response dated on 27/04/2017 remain unchanged and valid for the amended details.

Previous Comments:

The submitted sewer protection measures as shown in drawing no. FB 5728/100 shows that building works within 3 metres of the foul sewer which is not satisfactory to Southern water.

Please note:

-No development or new tree planting should be located within 3.5 metres either side of the centreline of the 675mm foul sewer.

The comments in our response dated on 27/04/2017 remain unchanged and valid for the amended details.

Original Comments:

Please find attached a plan of the sewer records showing the approximate position of foul sewer within the site. The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No development or new tree planting should be located within 3.5 metres either side of the centreline of the foul sewer.
- No new soakaways should be located within 5m of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

The results of an initial desk top study indicates that Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. The proposed development would increase flows into the surface water sewerage system and as a result increase the risk of flooding in and around the existing area, contrary to paragraph 109 of the National Planning Policy Framework.

Alternatively, the developer can discharge surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system. You will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing

connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

Should the Local Planning Authority be minded to approve the application, Southern Water would like the following condition to be attached to any permission. "Development shall not commence until a drainage strategy detailing the proposed means of surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable."

We suggest the following informative: 'The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk' in order to progress the required infrastructure.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme

Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Traffic Management, HBC

Further Comments:

The 39 spaces provided meet with the parking requirements for Havant Town Centre: i.e. 0.5

spaces per 1 bedroom dwelling ($0.5 \times 6 = 3$) and 0.8 spaces per 2 bedroom dwelling ($0.8 \times 25 = 20$) = 23 spaces + 20% for visitors = 28 spaces.

Whether or not this site is deemed to be within the Town Centre area is for the planning team to confirm. If it is not then the amount of parking provided is inadequate (Spaces required are 56 spaces + 20% = 67 spaces).

Waste Services Manager

Can we please ensure that there is an accessible / suitable location with adequate space to accommodate the required amount of waste / recycling receptacles to service this proposed new development, thank you.

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: 14

Number of site notices: 2

Statutory advertisement: 28/04/2017

Number of representations received:

Objections 21 with 22 names

Impact on Neighbouring properties

Shadowing

Loss of light

Privacy

Development too close to our properties

Too high - no compromise over height

Third floor taller than our houses

Still buildings within 24m line of houses

Balconies

Overlooking

Scale of development

Overlooking to bathroom, bedroom and garden - loss of privacy

No objection to development as such but three storey too high close too our houses

View into my living room

Any balcony that overlooks an existing property not acceptable
Concern over position of bin and cycle storage
Smell from bins
Will bins be in shed
Support redevelopment of lower building

Parking

Car parking spaces insufficient - not in Town Centre 67 spaces would be required
Site not big enough for parking required and this reiterates that development is too large
Havant Farm Close and adjacent roads suffer on road parking from residents and visitors to Leisure Centre, Health Centre and Oak Park Centre

Car Wash

Loss of jobs - 4-5 people
Been there since 2012
Customers worried about losing this good place - easy and close to them to have cars cleaned and safe place for them

Trees

Tree removal including cherry tree T4
Provision of more tree planting to provide more privacy
Tree removal has increased road and pub noise, reduced garden birds, reduced privacy.
Impact on wildlife
More trees removed than planned to be planted
Replace felled tree
Do not agree with retention of cherry/willow trees - overhang garden cause mess - remove or cut right back and maintained

Loss of Public House

Stop knocking down our public houses and converting them into flats.
Losing too many in such a short period of time to corporate greed
Concern over loss of family pub
Community pub
Family events held here
Money raised for charity there
Great loss for the community
Only local pub offering safe friendly environment to adults and children
Great staff
Darts and pool teams
Close to bus and train stations
Not a rowdy pub
Child friendly
Loss of pubs in Havant
One of best pubs in Havant serves Leigh Park, Havant and West Leigh
Heart of Leigh Park
Hold private functions
Happy memories of events at this pub
Venue for local charities
Opportunity for someone to buy and keep it available for public to enjoy
Go elsewhere to build

Other Matters

Plans show patio area as part of the existing building **Officer Comment:** Site visits have taken place, photographs of the existing building taken and full assessment made.

Vermin/pest control

Drain on stretched infrastructure doctors, schools etc

Will we be able to use new dropped kerb to enter our property **Officer Comment** This is likely to be a matter between the parties

Support 3 with 5 names

Public House

Run down

State of disrepair - brewery would have sorted it if it had a future

Competition from Weatherspoons

Needs full refit

New Homes

New homes a great idea

Need housing

Hope they get help to buy

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) Loss of Public House and Car Wash business
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity (neighbouring properties and future occupants)
- (v) Affordable Housing and viability issues
- (vi) Highway and parking issues
- (vii) Landscaping
- (viii) Drainage and flood risk
- (ix) Ecological impacts
- (x) Developer Contributions/S106

(i) Principle of development

7.2 The application site is situated within an urban area and represents a brownfield site where further development is considered acceptable subject to the usual development control criteria. Both the Housing Statement and policy CS17 support the development of such sites within the urban area. The site is located close to Havant Town Centre, public transport, retail, leisure and employment opportunities and is considered to be in a sustainable location.

7.3 In this case the proposal would result in the loss of an open Public House which is considered a community use and a Car Wash business which operates within the grounds of the pub. These matters are considered separately below.

7.4 The proposal would result in the provision of 31 small dwellings which would make a valuable contribution to the Boroughs Housing need in a sustainable location.

(ii) Loss of Public House and Car Wash business

- 7.5 The proposal would result in the loss of a public house, which is recognised as a form of community facility in the NPPF (paragraph 70). Policy DM2 of the HBLP(CS) considers the protection of existing community facilities and is relevant to the consideration of this planning application. This policy requires the application to demonstrate that an active marketing exercise has been carried out to ascertain whether the premises are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.
- 7.6 The first issue to assess is the viability of the existing Public House, Savills Ltd have provided a viability study and Marketing Report in relation to the operation of the Public House and market conditions for the Pub Trade.
- 7.7 In summary the information provided states:

The property is owned by Fuller Smith & Turner, a pub company operating both tenanted and managed estates along with a brewery.

The Curlew is tenanted where publicans occupy properties under a lease or tenancy paying rent to the pub company and retaining any profits made thereafter. The publican is generally 'tied' to the pub company for alcoholic and sometimes non-alcoholic beverages.

As the property has been operated by at tenant no accounting information is available.

Public House has suffered from under-investment

Without major refurbishment to provide commercial kitchen and upgrade building it is likely business will decline further over next 2-3 years to a level where the pub is unviable.

Timetable may be shorter due to Environmental Health serving notice that no hot food can be served. Substantial investment needed and unlikely to see a realistic return on investment.

Beer sales are in decline.

Pub quite large making it relatively costly to run.

Assessment of business profitability made. This concludes that the business would almost certainly result in making a loss for the husband and wife team.

There are a number of other pubs in competition with The Curlew located within walking distance.

It is concluded that it is unlikely that an experienced operator would be prepared to take on the business, even paying no rent, there would be insufficient profit for a husband and wife team after the financial costs of running the business were taken into account.

Even if investment were made into the public house, the business that could be generated would still make the business of marginal viability at present and likely to ultimately decline further.

Indicators of the deterioration of trade - rent received for the premises decreased by

23% since 2009. Ratable value assessed for the new rating list a decrease of 48% from previous RV.

- 7.8 Having assessed the current condition of the public house, the general profitability of this type of public house serving the local community together with the information provided in relation to this planning application it is concluded that this pub is unlikely to be viable over the short term even with significant investment which would itself be unlikely to pay back the investment.
- 7.9 In relation to marketing, policy DM2 requires marketing for a period of 12 months, this has been met with the premises marketed from October 2013. Savills have provided full details of the marketing carried out and interest received in relation to the site. In summary the details provided are set out below:

(1) In-house marketing particulars giving full details of the property. Unconditional and conditional offers are invited for the freehold interest, with vacant possession.

*(2) The property was advertised on the property website
www.propertylink.estatesgazette.com
from where full details could be downloaded.*

*(3) The property was further advertised through Savills' website
www.savills.com/leisure, again
from where full details could be downloaded.*

(4) The property was included on Savills monthly Licensed Leisure Property list which is emailed to in excess of 1,500 pub operators/applicants monthly. Between October 2013 and the exchange of contracts, the property has been mailed out at least 37 times. This does not include the individual requests for sale details.

(5) We were specifically instructed not to erect a 'For Sale' board to allow the tenant the opportunity to continue running the pub and to prevent further deterioration of trade.

- 7.10 Whilst it is considered that there are some deficiencies in the marketing when assessed against policy DM2, on balance, it is accepted that substantive marketing has taken place over a long period and that prospective operators in relation to pub or business uses would have been reached through this process. It is recognised that active marketing to potential community uses has not been demonstrated, however the size of the site and the buildings condition are likely to mitigate against such uses without substantial redevelopment and associated costs. It is concluded that adequate marketing has been demonstrated.

- 7.11 In relation to interest the following information has been provided:

The property was always marketed 'inviting offers' with no specific guide so as to not deter any potential buyers. We felt this was appropriate and we received plenty of enquires as a result.

We received no formal offers from public house, restaurant, cafe operators or retailers. This is of course not a surprise given the competition locally and the fact that the pub is not part of any community or village being in a relatively isolated roadside position. Although the pub is in a prominent position access in only from one direction adding to potential pub operators concerns.

- 7.12 It is noted that a number of representations have been received in support of the continued use of the pub and to its community and social role. It is appreciated that the pub has played an important role in peoples lives, in particular providing a venue for family events and for family gatherings and socialising. Whilst these positive roles are recognised it has to be acknowledged that the location of The Curlew is within the urban area relatively close to a large number of alternative venues within Havant Town Centre and the Leigh Park area.
- 7.13 In conclusion, the marketing carried out has demonstrated that the site is not attractive to public house operators and an alternative community use has not been identified for the site. The existing use appears to be in decline and the premises is in a poor condition requiring significant investment. The existing use is therefore considered to be of marginal viability. On balance therefore it is concluded that the loss of the existing community facility can in this case be justified.
- 7.14 The car wash operating at the site was granted planning permission in 2013 and at the time of the application it was anticipated that there would be two full time employees. It is noted that a representation received mentions 4-5 employees. The proposed re-development would result in the business ceasing at the site. The type of use is considered relatively transient in nature and it is noted that a number of car washes operate in the Borough from different locations. It is considered that there are likely to be alternative sites for this use subject to appropriate planning consent. Given that this is an outline planning application it is considered that subject to the land owners consent for the use to continue to operate on site in the short term, there would be an opportunity for the operator to seek alternative premises or for staff to seek alternative employment opportunities. It is not considered that the loss of the car wash would justify refusal of this planning application.

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

- 7.15 The character of the area is mixed in nature as set out in paragraph 1.4 above. The main public view would be afforded from Petersfield Road to the west of the application site.
- 7.16 The proposed development is for a three storey flat roofed building designed with a strong horizontal emphasis. The design when viewed from Petersfield Road has a strong pattern of fenestration with large windows arranged in a regular pattern and providing good light into the flats.
- 7.17 The mass of the elevation is broken up and articulated by the use of contrasting materials (brick, timber boarding and concrete) and projecting balconies and piers. Overall the height of the building would be lower than the pitched roof two storey Parkway Centre to the north.
- 7.18 It is considered that the building would provide a new positive frontage to Petersfield Road which is lacking with the existing building whilst retaining landscaping and trees to the southern side of the site. It is recognised that boundary treatment and landscaping to the Petersfield Road frontage would be an important element to the acceptability of the scheme in the public realm. A condition in relation to boundary treatments is recommended and landscaping is covered in detail by the Reserved Matters stage.
- 7.19 Public views to the east of the building from Leigh Road would be much more limited

given the set back from public vantage points and the intervening houses. The horizontal emphasis of the building would again be apparent although the rear of the building would be stepped in form and this would reflect the nature of the site which narrows towards its southern side.

- 7.20 Car parking, bin and cycle storage is also located to the east of the building and would only be glimpsed if at all at a distance from Leigh Road.
- 7.21 Overall, it is considered that the building is well designed and would provide an attractive building in the Petersfield Road street scene subject to appropriate high quality materials. It is also necessary to ensure that roof equipment is considered in detail to avoid potentially unattractive add on's to the horizontal design features and a planning condition in relation to this matter is recommended.

(iv) Impact upon residential amenity (neighbouring properties and future occupants)

- 7.22 It is considered that the main impacts from the proposed development would be to properties in Havant Farm Close (and in particular No's 7-15) and to No's 47 and 49 Leigh Road. The relationships of these properties to the development site have been considered in detail and this has resulted in changes to the proposed development.

Havant Farm Close

- 7.23 The properties in Havant Farm Close are two storey terraced properties with relatively short rear gardens and primary windows facing north towards the application site. The proposed flats would be three storeys in height and set at an angle to the dwellings.
- 7.24 The application has been considered against Havant Borough Council Borough Design Guide SPD 2011 which sets criteria for the consideration of impacts between residential properties and in particular the relationship between three and two storey properties. This guidance states that:

In order to maintain a reasonable relationship between new dwellings and neighbouring properties, the following minimum distances should apply:

Where a new dwelling or the development is more than two storeys in height an additional four metres per storey should be added to the separation distance e.g. a separation distance of 24 metres is required between the new three storey building and existing two storey dwelling.

Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts. However, the design should aim to mitigate these effects as far as possible by carefully designing the internal floor layout to concentrate habitable rooms away from adjacent properties where overlooking could be an issue. The council could also impose a planning condition as part of a planning consent, requiring obscurely glazed first floor bathroom or secondary windows to protect residential amenity. Furthermore walls and fences or the use of soft landscaping could help screen views. The type and species of planting used should be appropriate for its context.

- 7.25 In relation to separation distances, the building has been slightly repositioned during the application process and now generally achieves the 24m separation distance. It is also noted that a direct back to back relationship is avoided by the angled relationship between the flats and the existing houses.

- 7.26 During the application process the design of the south-east facing elevation has also been altered to reduce concerns in relation to overlooking. The main changes relate to:
- A reduction of balconies and the introduction of balcony screens;
Reduction in full height glazing;
Reduction in the number of windows.
- 7.27 It is considered that subject to the imposition of appropriate planning conditions the overlooking can be reduced such that an acceptable relationship between dwellings can be achieved.
- 7.28 Whilst landscaping is a reserved matter, it is important to consider boundary treatment and opportunities that may be afforded for landscaping at the outline stage. The position of the bike store has been amended in the course of the application to increase planting opportunities at the reserved matters stage, as recommended in the Landscape Architect's consultation response.
- 7.29 In terms of boundary treatments, the proposals include parking and vehicular maneuvering close to the southern boundary. It is considered appropriate to ensure that appropriate boundary treatment is provided. A condition in relation to boundary treatments is therefore recommended.
- 7.30 Concern has been raised in relation to light and shadowing from the proposed development. It is however noted that the proposed building would be located to the northern side of the existing properties in Havant Farm Close which would prevent loss of light excepting possibly early and late in the summer months. The proposal has also been assessed against the Daylight check in the Borough Design Guide and it is confirmed that any impacts would be limited and acceptable.
- 7.31 Subject to conditions it is considered that the impacts of the development on the properties in Havant Farm Close would be acceptable.

No's 47 and 49 Leigh Road

- 7.32 These two storey properties are located either side of the proposed access with flank walls facing the route. It is considered that subject to appropriate boundary treatments the access route and nearby car parking can be accommodated without undue impacts on these properties.
- 7.33 No.49 is set at an angle to the proposed flats. The direct line of sight from No.49 would be over the rear garden of the property with the three storey flats set 40m off. The nearest part of the flats would be closer approximately 21.5m off but at an angle which would reduce direct window-to-window impacts to some extent. It is also noted that existing vegetation on the boundary between the development and No.49 is due to be retained, which provides screening at ground floor level. Furthermore, with the revised location of the bin store this has generated scope for further screen planting adjacent to this boundary. Taking all of these factors into account, on balance it is considered that an acceptable relationship can be formed between the new development and No.49.
- 7.34 A bin store is proposed close the boundary with No.49. Its siting has been subject to discussion during the application process, however it needs to be accessible for

residents and for bin collection. It is an enclosed store within a building and on balance it is considered that the position of the store is now acceptable.

- 7.35 No.47 is orientated such that it would not be directly overlooked and is set well off the proposed flat building.
- 7.36 Overall, subject to appropriate planning conditions it is considered that the impact between the proposed flats and the existing residential properties is acceptable.

Amenities of future occupants

- 7.37 The proposed development comprises 31 flats comprising 25 two bed and 6 one bed properties. The development would provide relatively small flats ranging in floorspace for 1 bed units between 38.1sqm and 47sqm and for 2 bed units between 47.8sqm and 57.1sqm. Some of the units benefit from balconies and all have access to communal space around the building. The Council have not adopted internal space standards and whilst the flats are considered to be small and below the Technical housing Standards it is considered that the units set in significant grounds would provide an acceptable living environment for future occupants in a sustainable location well served by local facilities.
- 7.38 The site is located adjacent to a main road and a condition in relation to noise insulation/window specification is recommended to ensure that the internal environment to the flats is acceptable.

(v) Affordable Housing and viability issues

- 7.39 The proposal would provide for 31 flats. Policy CS9 (Core Strategy) requires development to deliver on average 30-40% affordable housing unless a lesser requirement has been transparently justified on viability grounds. This would equate to the provision of 10-13 units. The Housing Officer has confirmed that there is a high need for affordable housing in the Borough.
- 7.40 In this case the application has been submitted with a Viability Assessment which concludes that *the only method of bringing forward (as encouraged by the NPPF) is to reduce the affordable housing contribution to nil which is justified by the NPPF, CIL Regulations 2010 (as amended), and the RICS Guidance Note 'Financial Viability in Planning' (1st Edition).*
- 7.41 The Council has tested the Viability of the scheme independently at the developers expense. This testing has concluded that the lack of affordable housing on site or a contribution is justified on viability grounds. In these circumstances it is considered that the applicant has justified transparently on viability grounds the lack of affordable housing as required by policy CS9.

(vi) Highway and parking issues

- 7.42 The proposal is to provide an improved access to Leigh Road to serve the development and to close the existing vehicular access to Petersfield Road. There would however be a pedestrian link provided for residents onto Petersfield Road.
- 7.43 The Development Engineer has considered the proposals and raised no objections to the proposed development. The layout allows for the parking and maneuvering of vehicles within the site including bin lorries. There are likely to be changes to the

access point to Leigh Road and the existing access onto Petersfield Road would need to be closed and the kerbs, verge/footway re-instated. Conditions are recommended to ensure closure of the access, provisional of parking and turning and detailed design of Leigh Road access. An informative is recommended in relation to the need for a S278 Agreement.

- 7.44 With regard to car parking, the scheme would provide 39 car parking spaces. Car parking is unallocated and is assessed against the Havant Borough Council Parking SPD 2016. This sets car and cycle parking standards for areas in Havant Town Centre/Waterlooville Town Centre and other areas of the Borough. This site is located close to but outside Havant Town Centre as designated in the Local Plan. The parking standards allow for such areas stating:

Proposals within the Havant and Waterlooville Town Centre boundaries will be expected to have a reduced or even zero standard of vehicle parking provision in order to maximise the use of land and discourage the use of private motor vehicles in accordance with the requirements of the NPPF. A reduced standard can also apply in instances where a site is located less than 800 metres from the centre of the town (when measured as an on the ground walking distance, not 'as the crow flies').

In this case the Train Station is 550m, Meridian Centre 800m and the Bus Station 900m from the site. It is considered that the site is in a sustainable location and a reduced standard of parking would be appropriate. Within the town centre the requirement is 0.5 spaces per 1 bed dwelling and 0.8 spaces per two bed dwelling ($6 \times 0.5 + 25 \times 0.8 = 23$ spaces). There is also a requirement for an additional 20% for visitors = 28 spaces. The provision of 39 spaces exceeds the town centre requirement but is considered to better reflect the needs of this development outside but in close proximity to the town centre. Car Parking is therefore considered acceptable.

- 7.45 In relation to cycle parking, a long stay cycle storage building is proposed within a cycle store building. This shows parking for 62 spaces. The requirement in the Parking Standards is 56 spaces, a limited amount of visitor cycle parking is also proposed.
- 7.46 Conditions in relation to car and cycle parking are recommended.
- 7.47 A footpath for residents to access Petersfield Road, is proposed, this would allow residents to access bus stops and routes to Havant & Southdowns College and beyond. A condition to secure the route is recommended.

(vii) Landscaping

- 7.48 Landscaping is a reserved matter, however amendments have been sought during the course of the application to ensure that there is scope for some boundary landscaping along the edge of the site with residential properties. It is important to ensure that any planting does not result in inappropriate species being provided.
- 7.49 Existing important trees (willow and oak) are retained in the development and should help to ensure an attractive setting to the building when viewed from the Petersfield Road. New tree planting and hedge planting should form part of the reserved matters submission.

(viii) Drainage and flood risk

- 7.50 In relation to drainage and flood risk, the site is located in Flood Zone 1 (low flood

Risk) and within a Source Protection Zone. Further details in relation to the proposed drainage to address issues raised by consultees have been submitted during the course of the planning application. The siting of the main building has been amended to protect the line of the main sewer crossing the site.

- 7.51 Foul water drainage would link to existing drainage systems and this is considered acceptable in principle. A foul water drainage condition is recommended to ensure that details are acceptable.
- 7.52 Surface water drainage provides soakaways, permeable surfacing and diffusers so water drains to the ground water. Subject to appropriate conditions the drainage proposals are considered acceptable in principle and initial concerns of consultees have been addressed.
- 7.53 In relation to the impact on the Source Protection Zone, Portsmouth Water have raised no objection to the proposal.

(ix) Ecological impacts

- 7.54 The site lies within the built up area and has been used as an active public house and beer garden with an additional car wash. An Ecological Appraisal and Phase 1 Bat Survey has been submitted with the application. This confirms low potential for bat roosts in the pub building to be demolished and moderate potential for bats in the willow tree (to be retained). It also makes recommendations for ecological enhancements. A condition is recommended to ensure that the ecological enhancements are provided.
- 7.55 A separate issue is the wider impact of residential development on the Solent SPA resulting from increasing recreational pressure on the coast resulting from additional residents within the Borough. This is addressed below in the Developer Contributions section of this report.

(xi) Developer Contributions/S106

- 7.56 The proposal is CIL liable and the CIL contribution will be calculated at the Reserved Matters Stage.
- 7.57 With regard to the impact on the Solent Special Protection Area, 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 with regard to 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 Local Planning Authority at the end of June 2014 requires a payment of £181 per dwelling to the Solent Recreation Mitigation Project – this is to secure accordance with Policy DM24 of the Havant Borough Local Plan (Allocations) 2014. In this case the required contribution has been secured through the S106 agreement.
- 7.58 The S106 Agreement secures the following:

Financial Contribution:

Solent Recreation Mitigation Project Contribution £5,631

Other Matters:

Management and Maintenance - Common Parts

With these measures in place it is considered that the development will be managed and maintained going forward in the interests of residents, the sites character and the appearance of the surrounding area.

8 Conclusion

- 8.1 The proposed development would result in the provision of 31 residential units contributing to the Boroughs Housing Need. The site is located in a sustainable location close to public transport hubs, retail, leisure, educational and employment facilities.
- 8.2 It is recognised that the development would lead to the loss of a Public house and therefore marketing has been carried out and an assessment made of the viability of the business. Whilst the public house provides a community use, it is not considered that the use is viable and has a longer term future. It is not considered that a refusal of planning permission could be justified based on the loss of the community use.
- 8.3 The development is considered to be well designed and retains important trees, it is considered that subject to conditions the development would have an acceptable impact on the character of the area providing an attractive frontage to the Petersfield Road lacking with the current form of development.
- 8.4 In relation to the impact on neighbours, careful consideration has been given to the relationship with adjacent properties and amendments made during the course of the application to address concerns.
- 8.5 Affordable housing would not be secured as part of the development and this has been justified and tested in relation to development viability in accordance with the Councils housing policy.
- 8.6 In relation to highways the development is considered to allow for suitable access, parking and turning.
- 8.7 Drainage proposals are considered acceptable in principle subject to appropriate conditions. Conditions and a financial contribution would ensure that ecological impacts are suitably addressed.
- 8.8 Finally, a S106 Agreement has been secured to address management and maintenance and an ecological contribution. Planning permission can therefore be recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT OUTLINE CONSENT** for application APP/17/00369 subject to the following conditions

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the

following dates: (a)The expiration of three years from the date of this permission; or (b)The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - landscaping.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

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

Site, Block & Location Plans FB 5728/100 M

Floor Plans 1 of 2 FB 5728/101 F

Floor Plans 2 of 2 FB 5728/102 F

Elevations FB 5728/103 F

SUDS Plan SUDS Plan FB 5728/104 C (For Information layout changed)

Street Scene + Bin & Bike Stores Drawing No. FB 5728/106 E

Planning, Design and Access Statement CL Planning Version 1 dated March 2017

Marketing Report Savills (UK) Ltd dated December 2015

Marketing report Savills (UK) Ltd dated April 2017

Viability Assessment Savills (UK) Ltd dated April 2017

Viability Study Savills (UK) Ltd dated April 2017

Affordable Housing Statement CL Planning Version 01 dated March 2017

Drainage Strategy Report Scott White and Hookins issued June 2017

Proposed Surface Water Drainage Strategy W01651-200 REV PO1

Reason: - To ensure provision of a satisfactory development.

- 4 No development shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect 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.

- 5 No development shall be commenced on site until the existing buildings/structures shall have been demolished and all resultant materials removed from the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 6 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.
- 7 The development hereby permitted shall not commence until details of the measures which will be undertaken to protect the public sewer crossing the site have been submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water). The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.
- 8 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 neighbours residential amenities having due regard to Havant Borough Local Plan (Core Strategy) policy CS16 and the National Planning Policy Framework.
- 9 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.
(iii) The provision of wheel washing facilities during site clearance and construction of the development.
Thereafter, throughout such site clearance and implementation of the development, the approved parking provision, storage compound and wheel washing facilities 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.
- 10 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 occupied 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the building, bin store and cycle store 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 The occupation of the building hereby permitted shall not commence until the existing vehicular access to the site from Petersfield Road has been removed by the installation of full faced kerbs to Petersfield Road and the provision of footway edging to construct a footway and verge to the same level as that on either side of the existing crossing.

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.
- 13 The car parking, servicing 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 having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 14 The proposed development shall not be occupied unless and until the cycle store and visitor cycle parking shown on the approved plans has been constructed and made available for use.

Reason: In the interests of encouraging sustainable modes of transport and having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM13 and the National Planning Policy Framework.
- 15 The building hereby permitted shall not be occupied unless and until privacy screens to balconies shown to balconies facing properties in Havant Farm Close and Leigh Road are glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 have been installed. The balcony screening shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 The building hereby permitted shall not be occupied unless and until a gated and secure pedestrian access for residents has been provided to Petersfield

Road in accordance with the approved plans. The access and secure gate shall thereafter be retained and maintained.

Reason: To ensure that the site is permeable and provides good access to facilities and public transport options having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS16 and the National Planning Policy Framework.

- 17 The building hereby permitted shall not be occupied unless and until the ecological enhancements set out in the Ecological Appraisal and Phase 1 Bat Survey (Phil Smith) have been provided. The enhancements shall thereafter be retained and maintained in accordance with these recommendations. The timing of works in relation to nesting birds or appropriate ecological supervision as set out in the Ecological Appraisal shall also be in accordance with the recommendations in the Appraisal.

Reason: In the interests of biodiversity and wildlife having due regard to policy CS11 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 18 The building hereby permitted shall not be occupied unless the bin storage has been provided in accordance with the approved details. The bin store shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of the flats hereby approved and nearby residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 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, including construction details within root protection areas 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.

- 20 The building hereby permitted shall not be occupied unless and until details of noise insulation including window glazing details have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed flats provide an acceptable internal living environment having regard to the location of the development adjacent to Petersfield Road and having due regard to Havant Borough Local Plan (Core Strategy) policies CS16 and DM10 Havant Borough Local Plan Allocations 2014 policy DM18 and the National Planning Policy Framework.

- 21 Notwithstanding the submitted plans the development hereby permitted shall not be occupied unless and until the altered access to Leigh Road has been constructed in accordance with detailed plans submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the access to the development is constructed to the appropriate standard in the interests of highway safety and having due regard

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

- 22 The development hereby permitted shall not be occupied until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality 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.
- 23 The ground, first and second floor lift and stairwell windows shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and be fixed shut.
Reason: In the interests of the amenities of the occupiers of nearby properties, in the interests of the character and appearance of the building and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 24 The flat 15 bedroom 1 window at 1st floor level in the south east facing elevation of the building shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and be fixed shut.
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 2012.
- 25 The flat roof areas adjacent to flats 25 and 26 shall not be used as external balconies and the adjacent windows shall be fitted and retained with restricted openers with maximum opening of 100mm.
Reason: In the interests of avoiding overlooking to adjoining residential properties having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning policy Framework.
- 26 Notwithstanding the provisions of the General Permitted Development Order no plant, equipment or other additions shall be installed/erected on the roof of the building hereby permitted without the written consent of the Local Planning Authority.
Reason: In the interests of the character and appearance of the area and the design of the building having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS16 and the National Planning Policy Framework.