

Site Address:	Land adjacent to Riders Junior and Infant School, Kingsclere Avenue, Havant, PO9 4RY		
Proposal:	Residential development of 25No. 2 to 2.5 storey 3 bed houses, 5No. 3 storey 4 bed houses and 8No. 2 bed apartments.		
Application No:	APP/16/00492	Expiry Date:	25/08/2016
Applicant:	Mr Legg Portsmouth City Council		
Agent:	Mr Thompson Pope Priestley Architects LLP	Case Officer:	Steve Weaver
Ward:	Warren Park		

1 Site Description

2 Relevant Planning History

APP/16/00464 - Land at rear of 2-56 Blendworth Crescent
Construction of 48 dwellings comprising 20 houses and 28 flats with associated landscaping, car parking, bin and cycle storage. Permitted 29 September 2016.

3 Proposal

- 3.1 The proposal is for the erection of 38 dwellings comprising 25No. 2 to 2.5 storey 3 bed houses, 5No. 3 storey 4 bed houses and a 2 storey block of 8No. 2 bed apartments with associated public open space and landscaping, car parking, bin and cycle storage.
- 3.2 Vehicular access is proposed via Kingsclere Avenue via the green that currently lies to the front of Nos. 6-28 Kingsclere Avenue. The new access itself would feature layby parking spaces along both sides of the road before it enters the main body of the site. All dwellings would be constructed in orange red brickwork with elements of dark timber cladding, and dark grey window frames and tiling for the roofs.
- 3.3 Two further applications were submitted by Portsmouth City Council concurrently with this application. Together these applications seek to develop 3 of the housing allocation sites in Leigh Park as identified by the Havant Borough Local Plan (Allocations) 2014. The other two applications were; Land at Holybourne Road for 9 units and Land rear of 2-56 Blendworth Crescent for 48 units and both have since been granted permission and are under construction. Along with the application the subject of this report these schemes propose a total of 95 dwellings.
- 3.4 100% of the 95 dwellings proposed across the three sites would be affordable units and are proposed to be offered to those living within PO1-PO9 postcodes on Portsmouth City Council's Home Options List, with priority being given to those living in Leigh Park and Havant. The LPA's policy requirement (Policy CS9 of the Local Plan refers) is for 30-40% to be allocated through Hampshire Home Choice, (HHC). Of the 95 new properties are being proposed across the three sites, 33 units (34.7%) across the Blendworth Crescent and Kingsclere Avenue site will be offered up to Havant Borough Council to comply with the locally agreed process for Policy CS9.2 obligations. For the Kingsclere site, subject of this report, 8 units are being offered through HHC and this would be secured by means of a section 106 agreement.
- 3.5 All the rear garden depths of the proposed houses are a minimum of 10m and back to back distances exceed the requirements of the Havant Borough Design Guide. Parking provision is provided either within small parking courts or within the curtilage of the proposed dwellings, with a proportion of visitor spaces .
- 3.6 The planning application is supported by a comprehensive set of plans covering such matters as layouts, elevations, storey heights, external enclosure, external finishes, and includes the following documents:

Design and Access Statement
Affordable Housing Statement
Arboricultural Statement
Drainage and Utilities Assessment
Disano Lighting Details
Ecology Report
Flood Risk Assessment
Heritage Statement
Land Condition Assessment
Landscape Proposals and Works Specification
Play Area Proposals
Transport Statement

4 **Policy Considerations**

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS3	(Skills and Employability)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

LP1	(Leigh Park Housing Allocations (Sites))
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Housing SPD

Borough Design Guide SPD

Parking SPD

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Landscape & Urban Design

From a landscape perspective, the design development of the layout and response to the local context in terms of built-form scale, articulation and façade materials are deemed both positive and appropriate.

The proposed location of the play area and open space is deemed to be appropriate since it will afford opportunity for local play with good natural surveillance to help discourage antisocial behaviour.

I note a play area concept had been submitted and is accompanied by an image board. Although the principle of naturalised timber and steel equipment is deemed appropriate to the setting, I am concerned the amount and scale of equipment is not relative to the size of the open space. The balance between natural surveillance benefit and the residents perception of nuisance noise needs to be carefully struck. I am also acutely aware of our Customer Services and Environmental Quality Ranger teams regularly having to deal with issues and complaints associated with dog / fox / cat fouling and concealed broken glass within loose play surfacing (i.e. sand or play bark). A play area installed as part of a new development in Leigh Park was also recently removed following persistent antisocial activity and vandalism. It may also be appropriate to consult with future residents before finalising the proposals. On this

basis, I recommend that the detailed design open space and play area is conditioned for further development, consultation and submission.

Comments update in regard to updated landscaping plan - landscape management plan and strategy are acceptable and should be conditioned to be adhered to.

Building Control

Location of bin store not shown. No sewer or Fire Authority issues visible at this time. No other comments at this time.

County Archaeologist

I would draw your attention to the Heritage Statement that is included among the documentation attached to the above application on your website. I would concur with the conclusions and recommendations and therefore while there is no indication that archaeology presents an overriding concern I would advise that the assessment, recording and reporting of any archaeological deposits affected by the construction of the new houses, apartments and any access roads be secured through the attachment of suitable conditions to any planning consent that might be granted. For instance:

1) That no development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should initially take the form of a geophysical survey of the site, followed by trial trenches targeted on features identified by the geophysics, with further trenching located within any 'blank' areas. All trenching within the 'blank' areas should be targeted upon the footprints of the proposed new houses and flats as well as along the route of any new access roads, in order to ensure that any archaeological remains encountered are recognised, characterised and recorded. Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

2) That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

3) Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement. Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Education Department

No comments

Southern Water

Southern Water cannot accommodate the needs of this site without development to the local infrastructure - request condition requiring details of drainage scheme and timing.

Officer Comment - *The applicant is aware of this requirement and is in discussions*

with Southern Water; a condition requiring further details of the drainage scheme is recommended.

Traffic Management

If permitted, and the access road is to be adopted, on street parking restrictions on the access road and in the near vicinity will need to be considered and a Traffic Regulation Order required to be undertaken both on the access road and in the near vicinity. The Traffic Management Team therefore request that if the access road is to be adopted that provision is made for a sum no less than £3000 to be provided by the developer to be set aside to allow a TRO be processed within a three year period of the construction of the development.

If permitted, but the access road is not to be adopted, changes to the existing on street parking restrictions will need to be considered as a result and a Traffic Regulation order required to be undertaken in the near vicinity. The Traffic Management Team request that provision is made for a sum no less than £3000 to be provided by the developer to be set aside to allow a TRO be processed within a three year period of the construction of the development. Additionally, the Traffic Team offer to design and process a TRO for the developer as it is anticipated that parking will likely occur along the access road.

Officer comment - *The TRO funding forms part of the S106 Agreement completed in respect of this application.*

Crime Prevention

The National Planning Policy Framework makes clear the Governments continuing commitment to “create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion”.

The national planning practice guidance advises that “Planning should address crime prevention:”

1. Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are matters that a local authority should consider when exercising its planning functions under the Town and Country Planning legislation. Local authorities may, therefore, wish to consider how they will consult their Police and Crime Commissioners on planning applications where they are Statutory Consultees and agree with their police force how they will work effectively together on other planning matters.

2. Crime should not be seen as a stand alone issue, to be addressed separately from other design considerations. That is why guidance on crime has been embedded throughout the guidance on design rather than being set out in isolation.

The site is to the rear of a number of existing dwellings along Dunsbury Way, Brockenhurst Avenue and Kingsclere Avenue. The proposal provides for connectivity between Dunsbury Way and Kingsclere Avenue, within the proposed development there is a high level of permeability. Both of these attributes increase the vulnerability of the development to crime and anti-social behaviour. The proposal shows a large area of public open space, which will contain various types of play apparatus. This area of public open space will attract people from the local area into the development to use the apparatus and enjoy the open space.

Should incidents occur the development will be very difficult to police. To reduce the vulnerability of the development to crime and anti-social behaviour, and to enable more effective policing should incidents occur, I recommend that connectivity is reduced to a single access point if this is not desirable a single access point on each side of the development.

Rear access to some of the plots is via a communal rear access footpath (plots 8 and 9 and 28 to 33 are examples). It is possible to access these footpaths unobserved, which increases the vulnerability of these dwellings to crime and anti-social behaviour. Planning guidance give the following advise: that unsafe access routes should not be created. To reduce the vulnerability of these dwellings to crime and anti-social behaviour the rear access should be re-designed, ideally it should be in curtilage, or if this is not desirable protected from casual unauthorised access.

To provide for the safety and security of residents and visitors an appropriate level of lighting should be provided throughout the development. The existing access from Dunsbury Way should have additional column lighting installed.

Planning Policy

This site is within the urban area and is allocated for residential development under Policy LP1 (ref. L21) in the adopted Local Plan (Allocations).

The Allocations Plan indicates Site Specific Development Requirements applicable to this development and the indicative layout submitted would appear to have had regard to these. Policy LP1 provides an indicative number of dwellings for the site of 26 units. The proposal shows provision for 38 dwellings. Although this is notably higher the layout appears to suggest that this number of dwellings can be successfully achieved whilst still providing useable open space and a reasonable relationship with neighbouring dwellings. Additional dwelling provision in the urban area (such as this site) is supported.

The provision of a new playspace (to be provided and managed by PCC) is a positive of the scheme.

Affordable Housing: The proposed format of delivery by Portsmouth City Council is for the whole scheme to be affordable rent housing. This same format will be repeated at two further sites (Holybourne Road and Blendworth Crescent open spaces). Over the three sites 36% of the dwellings are proposed to be for Havant local lettings through a PCC/HBC Local Lettings Plan/Policy. This will need to be secured through a section 106 agreement.

I remain concerned as to how best to achieve a mixed community when the developments are predominately family housing of one tenure type. Alongside this I recognise that there is great affordable housing need. However, Leigh Park already has a relative high percentage of affordable dwelling stock and therefore care needs to be taken to ensure these developments are not occupied by tenants of very similar socio-economic positions and age profile. Avoiding this will help achieve a mixed community. Mixed communities are advocated by Paragraph 50 of the NPPF.

Parking: Whilst the level of parking proposed exceeds the maximum standards set out in the adopted Residential Parking and Cycle Provision SPD, it is recognised that the draft Parking SPD moves towards minimum parking standards and therefore the proposed level of parking would be appropriate.

Principle of Development: Planning Policy support the principle of this development, recognising its contribution to short term housing delivery and affordable housing need.

Public Spaces

No comments

Portsmouth Water Company

Due to the location and underlying geology of this site we have no concerns and wish to make no comment in regards to protecting groundwater quality.

Environmental Health Manager

Pollution / site drainage, air quality or contamination;

There is no known filled land / made ground / other potentially polluting or contaminating activities or incidents associated with the site; and consequently gross contamination would not be expected. Minor deposits of made ground might be expected, associated with the demolition of the former structure or with the school – given date of construction & demolition, asbestos containing materials may be expected to be found within any associated made ground encountered.

I would suggest that it would be appropriate to include this within the proposed 'contamination discovery & risk mitigation strategy' and to secure this by means of a suitable bespoke condition (suggested wording below).

Condition 1

Prior to the commencement of development approved by this planning permission, the 'contamination discovery strategy' proposed within Ridge Ground Condition Assessment Ref: 151240-815-01 v1 Aug 2015) shall be submitted to and approved by the Local Planning Authority. The strategy shall outline;

i. Precautionary risk mitigation measures to be adopted during groundworks,

ii. Procedures for identification & assessment of contamination-impacted soils, and the management of materials undergoing testing &/or treatment, and

iii. Provisions for reporting assessment activity, notifying the Local Planning Authority of any relevant discoveries, agreeing remedial actions & standards, and evidencing works undertaken.

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

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

B) Documentation in accordance with iii) above; demonstrating that remediation / risk mitigation objectives have been met.

Reason: *Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework; to ensure that risks to site workers, neighbours, and future occupants of the site are minimised*

Drainage Strategy (Pollution Risk)

No adverse comment.

Air Quality & Traffic Generation

No Adverse comment.

Hampshire Fire & Rescue

Building Regulations: Access for Fire fighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Development Engineer

In my previous formal comments I had concerns over the proposed junction onto

Kingsclere Avenue and its required effects on the existing parking site lines and suggested that a plan should be prepared by the developer. The applicants engineering consultant has submitted a draft plan to Hampshire County Council (Highway Authority) as a basis for a Section 278 Agreement. The Highway Authority has asked for modification to the proposal which have not been yet been agreed. I suggested in my previous comments that it might be possible to condition the design of the junction however due to the complexity of the design I no longer suggest this course of action and believe that the design must be approved by the Highway Authority before the application is determined.

Officer comment: *The S278 design of the junction onto Kingsclere Avenue has now been agreed in principle with the Highways Authority on the basis of a revised drawing.*

Housing

This proposal would need to comply with Core Strategy policy CS9. 2 and provide 30-40% affordable housing on-site.

I believe that this site should be considered alongside proposals for two other development sites at Blendworth and Holybourne Road. At this point in time Portsmouth City Council have suggested that they could set aside a total of 33 (34.7%) units across two sites as their affordable housing obligation.

These homes will be available to those applicants registered on Hampshire Home Choice (HHC) with a local connection to the Havant Borough. It is expected that Havant Borough Council receive 100% nomination rights to the 33 unit affordable provision, however Portsmouth City Council are not Partners within HHC. At this stage details of the exact mechanism for nominations is yet to be confirmed, however Portsmouth City Council have agreed that these properties will be advertised through HHC which will be used to generate a short list of applicants from within the Havant and Leigh Park areas. Havant Borough Council will then provide these nominations to Portsmouth City Council to let the properties, subject to any checking procedures that Portsmouth City Council may need to satisfy. This mechanism will ensure that those affordable properties.

Waste Services Manager

We need to ensure that there is plenty of room to accommodate a 26tonne refuse vehicle to collect waste on a bi-weekly basis regarding this planning application.

Open Space Society

No comments

Countryside Access Team

This application acknowledges the existence of two unrecorded footpaths across this development site between Kingsclere Avenue and Dunsbury Way. As both Havant Borough Council and the applicant are aware, an application has been made to this department of Hampshire County Council under the Wildlife & Countryside Act 1981 for a Definitive Map modification to record these paths as Public Rights of Way. We welcome the intention to retain public access across the site within the proposed development, but note that this is proposed along a different route from the paths that are currently used by the public. Under the provisions of section 257 of the Town & Country Planning Act 1991 it is possible, and strongly recommended, that the two un-recorded public paths are formally diverted onto the proposed new path, on the grounds that diversion is necessary 'to enable development to be carried out'.

We therefore ask that, should planning permission be granted, a Condition is made requiring application to be made to Havant Borough Council under section 257 Town and Country Planning Act 1991 for diversion of the two unrecorded footpaths.

Development, in so far as it affects the two paths, should not be started and the footpaths should be kept open for public use, unless or until the necessary order has come into effect, in order to ensure that the unrecorded footpaths remain available and convenient for public use.

We understand it is intended that ultimately this pedestrian access would be formally adopted, together with the roads through the new development.

Officer comment: *This issue has been discussed with HCC's Countryside Access Team in light of the fact that the roads and footpaths within the site are not intended to be offered for adoption. HCC have confirmed that an alternative and appropriate approach would be for PCC to dedicate the new paths as a public right of way, thus enabling the 'claimed' routes to be extinguished. This need not hold up the determination of this application and can be pursued separately by PCC.*

Environment Agency

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.

Condition – Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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.

Pollution Prevention

We recommend you incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes which can be viewed at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg> Although these documents have officially been withdrawn they still offer some best practice examples and advice for pollution prevention for new developments.

Community Team

The Community Team have been fully informed of the planned provision for play and recreational activity and have no reservations in respect of the planning application. In so long as the boundary treatment between the play space and visitor parking is conditioned

Local Lead Flood Authority HCC

Surface water drainage for major developments;

There is not enough information to be able to comment as to the adequacy of the proposed surface water drainage. We would expect to see calculations and information at this stage to show how the surface water will be disposed of, whether there is appropriate space for the required attenuation and the route of exceedance

flows.

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.

Officer comment: *Further details of the surface water drainage design can be secured by condition; arrangements for its maintenance have been included within the S106 Agreement completed for this site.*

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: 67

Number of site notices: One

Statutory advertisement: 10/06/2016

Number of representations received: 8

Summary:

- 6.1 Roads are narrow and would be dangerous with construction site traffic
Comment: *HCC as Highways Authority are satisfied with the proposals provided the access off Kingsclere Avenue is constructed in advance of the main body of the site.*
- 6.2 Traffic generated by development would be dangerous; access should be taken from Dunsbury Way instead.
Comment: *No objections have been received to the development from either HCC as Highways Authority or the Council's own Development Engineer.*
- 6.3 Loss of green to create access will result in loss of playing space for children and will be dangerous
Comment: *The application makes provision for an equipped area of open space as part of the development.*
- 6.4 Sewer system will not be able to cope.
Comment: *The necessary works to join to the sewerage system can be requisitioned from Southern Water by the developer under separate legislation and Southern Water have requested a condition that the drainage details are to be submitted.*
- 6.5 Design appearance and layout of development will not fit in and will be an eyesore. Proposal is too dense and will result in visual impact and loss of privacy to neighbours
Comment: *see 7(ii), 7(iii) and 7(iv) below.*
- 6.6 The site is a rare enclosed open space where children can play safely and dog owners walk away from roads
Comment: *The site has been allocated for residential development; an area of open space will be retained as part of the development.*
- 6.7 The open space is a habitat for wildlife
Comment: *See 7(vii) below.*
- 6.8 Proposal not in community's interest.

Comment: *The development will deliver 38 much needed new homes; all of which are to comprise affordable housing.*

- 6.9 Site should be used for a public park instead.

Comment: *See 6.6 above.*

- 6.10 Two footpaths cross the site and have been identified as possible unrecorded rights of way; development will be highly inconvenient by comparison.

Comment: *See 7(v) below.*

- 6.11 Clarification required regarding proposed hours of work; parking arrangements during construction process.

Comment: *The former is controlled under environmental health legislation; the latter is the subject of a recommended condition.*

7 Planning Considerations

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

- (i) Principle of development
- (ii) Nature of Development
- (iii) Impact on the Character and Appearance of the area
- (iv) Residential and Neighbouring Amenity
- (v) Access and Highway Implications
- (vi) Flooding and Drainage
- (vii) The Effect of Development on Ecology
- (viii) Impact on Trees
- (ix) Crime Prevention
- (x) Contribution Requirements

- (i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The site the subject of this application is allocated by Policy LP1 (L21) (Leigh Park Housing Allocations) of the adopted Havant Borough Local Plan (Allocations). The indicative allocation is for 26 new homes and the principle of developing this area has therefore been established by the allocation of the site in the local plan. The fact that the proposal exceeds the indicative allocation is not considered to prejudice the favourable consideration of the proposal in principle, given the ongoing need to make the best use of available housing land. Whilst objections have been raised by third parties relating to the principle of developing the site and accessing it from Kingsclere Avenue, such matters are anticipated by the detail of the allocation in the Local Plan.

- 7.3 The site has a moderate to low risk for archaeological finds and therefore the County Consultant archaeologist has requested standard conditions for the investigation and reporting of any finds within the site.

- (ii) Nature of Development

- 7.4 The current application is for full planning permission with a single vehicular access off Kingsclere Avenue, albeit still allowing for existing (informal) pedestrian routes to the north west (to Nos 30-44 Kingsclere Avenue) and south east (to Dunsbury Way). In respect to the residential floorspace and proposed density the following factors have been considered;

- The density of residential development
- The mix of dwelling sizes and tenures
- The design and layout of the residential development

The density of residential development

7.5 The application seeks 38 No. dwellings which equates to approximately 27 dwellings per hectare. Core Strategy policy CS9 states that planning permission will be granted for housing proposals which (amongst other matters) *'Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form'*.

7.6 Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As a guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density – Minimum of 60 dwellings per hectare

Medium Density – Minimum of 45 dwellings per hectare

Low Density – Up to 45 dwellings per hectare

Under this assessment, the density of development can be considered to be below the Low Density category.

7.7 However, Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process'*. Furthermore, the allocation of the site requires the retention of public open space within the layout and this, coupled with the access arrangement through the wide green to the front of Nos 6-28 Kingsclere Avenue, and the need to incorporate the informal access routes across the site has had the effect of reducing the developable area below conventional expectations.

7.8 Consequently, although this scheme represents a notably low density development, within an established urban area, the proposed density of 27 dph is considered to be an appropriate density given the restricted development area of the site and the allocation's requirements for the site.

The Mix of Dwelling Sizes and Tenures

7.9 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should *'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities'*. Paragraph 6.24 states that a mix of dwelling types is sought from one and two bedroom flats to terraces and larger detached houses. In this case, the proposal comprises a mix of semi-detached and short terrace family dwellings and two bedroomed flats. This is considered to be an

acceptable mix for this small site. The site is proposed to be 100% affordable and, whilst a mix of tenures is usually sought, the Borough's Housing Officer considers that the homes will provide much needed accommodation in a popular area with good links to transport, health, education and amenity facilities.

- 7.10 As detailed with section 3 of this report, 100% of the 95 dwellings proposed across the three Leigh Park allocation sites, (as submitted concurrently by PCC), would be affordable units and are proposed to be offered to those living within PO1-PO9 postcodes on Portsmouth City Council's Home Options List, with priority being given to those living in Leigh Park and Havant. The LPA's policy requirement is for 30-40% to be allocated through Hampshire Home Choice, (HHC). Of the 95 new properties are being proposed across the three sites, 33 units (34.7%) across the Blendworth Crescent and Kingsclere Avenue site will be offered up to Havant Borough Council to comply with the locally agreed process for CS9.2 obligations. For the Kingsclere site the subject of this report the 8 flats are being offered through HHC and this would be secured by means of the section 106 agreement.

The Design and Layout of the Development

- 7.11 The layout for the scheme has been informed by the position of the site in relation to the access points serving it and needing to be incorporated within the scheme; the nature and form of existing surrounding development; and the need to secure an area of public open space as part of the development.
- 7.12 The layout acknowledges the regular shape of the site, with development being proposed on three sides of a road layout which encircles the public open space. Access into the site for the development is via Kingsclere Avenue and clearly defined and well established pedestrian routes will be created across the site linking the two spurs of Kingsclere Avenue that adjoin the site with the link through to Dunsbury Way to the south east. The dwellings and flats are set out in broadly linear form, in keeping with the character of surrounding street scenes. The layout of the dwelling houses in particular will allow for good natural surveillance of the central public open space which is intended to be equipped and will therefore provide an asset that the local area currently lacks. The flatted part of the scheme is located at the south eastern corner of the site and addresses not only the central open space but also the link route through to Dunsbury Way.

(iii) Impact on the Character and appearance of the area

- 7.13 The site currently is enclosed by existing development, limiting views from the wider area other than through the adjoining greens fronting Kingsclere Avenue. The housing proposed will exhibit a cul-de-sac character that forms a separate identity to the existing development. It is considered that the position of the houses, along with the flats, allows the use of materials and general design to differ from the existing vernacular. The development appropriately exhibits a predominantly 2 to 2.5 storey character where it has a back-to-back relationship with adjoining two storey properties, whilst the 3 storey scale of some of the dwellings is reserved for the southern part of the site where it adjoins the open land of the Riders Schools site beyond. The orange/red coloured bricks will respect the wider character of Leigh Park whilst the muted tones of cladding, window frames and roofing will assist to form a cohesive and individual character for this development.

(iv) Residential and Neighbouring Amenity

- 7.14 The site is bounded to three sides by existing housing. The submitted plans show that the new houses proposed will have rear garden distances in excess of 10m, and first floor window to window distances would be 30m, well in excess of the 20m minimum set out in the Council's Design Guidance, and the resulting relationships between dwellings - even where a 2-2.5 storey scale emerges on the northern part of the site - is considered to be acceptable (the prevailing north-to-south slope of the land will further assist this relationship with adjoining existing properties). The development in this respect is therefore in accordance with both local plan policies and the guidance within the SPD.
- 7.15 With regard to third party concerns about loss of the amenity space, the principle of housing development within this site has already been established through the local plan process and the identification of the site as a housing site within the adopted Allocations Plan. Furthermore the development will deliver a retained area of landscaped open space with some equipment which will arguably improve facilities for young people living in the area compared the unequipped space currently existing.
- 7.16 With regard to concerns raised by residents living adjacent to the new access route through the green between Nos 6-28 Kingsclere Avenue, it is acknowledged that the proposal will generate a new level of noise and disturbance from vehicles passing by to the front of their properties (currently the green provides pedestrian access only to the existing open space). This access arrangement is anticipated in the site's allocation, however, and the loss of amenity to these 12 properties must be weighed in the context of securing the delivery of 38 much needed new homes in the urban area. Layby parking is also provided along the access route which will compensate for the loss of informal verge parking that these properties can utilise under the existing arrangements.

(v) Access and Highway Implications

- 7.17 Vehicular access to the proposed residential development would be provided from Kingsclere Avenue via the green between Nos 6-28 - as stated above, this is anticipated in the site allocation in the Local Plan and the Development Engineer considers that this access is acceptable in principle. In view of his comments regarding the access design however, further work has taken place within the life of the application between PCC and HCC to clarify that the junction layout is one which is likely to benefit from detailed S278 approval and that there are no consequences of this in terms of the availability of on-street parking on Kingsclere Avenue, which is congested particularly at school dropping off and picking up times. Such clarification has now been received, along with a request from HCC that a condition be imposed requiring the junction to be substantially complete before construction commences; an appropriate condition is recommended.
- 7.18 Parking provision is provided in a variety of forms - within curtilage, to the front of the dwellings and within parking courts - and numerically exceeds the adopted standards for allocated parking set out in the Parking SPD. PCC will be the management company for this site and have entered into a legal agreement accordingly.
- 7.19 With regard to the claimed access rights across the site highlighted in HCC's Countryside Access Team's consultation reply, the proposed layout of the site makes appropriate provision for routes across the site linking the north west and south west Kingsclere Avenue frontages with Dunsbury Way to the east, and therefore there

should be no loss of connectivity across the site. This issue has also been discussed further with HCC's Countryside Access Team in light of the fact that the roads and footpaths within the site are not intended to be offered for adoption. HCC have confirmed that an alternative and appropriate approach would be for PCC to dedicate the new paths as a public right of way, thus enabling the 'claimed' routes to be extinguished. This need not hold up the determination of this application and can be pursued separately by PCC.

(vi) Flooding and Drainage

7.20 The Environment Agency Flood Risk Map shows the development site is located in Flood Zone 1. Whilst development is considered appropriate for Flood Zone 1, in accordance with the Technical Guidance in the NPPF, a Flood Risk Assessment has been submitted together with a drainage strategy. The Technical Guidance states that developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems.

7.21 The surface water drainage has been assessed in the submitted Drainage Strategy Report and Flood Risk Assessment; however the Local Lead Flood Authority has requested that further information be supplied and this is the subject of a recommended condition. The necessary works to join to the sewerage system can be requisitioned from Southern Water by the developer under separate legislation and Southern Water have requested a condition that the drainage details are to be submitted. The developer is satisfied with such a condition and is continuing to work on the drainage proposals.

(vii) The Effect of Development on Ecology

7.22 The application site is not covered by or adjacent to any statutory protected sites of nature conservation importance. The Consultant Ecologist has assessed the proposals and concluded that *"Essentially, the site is of marginal ecological interest and comprises a single field of improved grassland situated within a densely-developed landscape. Detailed surveys have been carried out for bats and reptiles, with the results showing that the site does not support significant populations of either."* Conditioning the submitted plans and ecology report are sufficient to protect the ecological interests of the site.

7.23 From a wider perspective, the development will result in an increase in population within the zone of influence for the European sites that are the subject of SPA designation. Mitigation measures for such impacts have been agreed across the PUSH area by Natural England and comprise the payment of a Solent Recreation Mitigation Partnership contribution of £176 per dwelling - this has been secured through the S106 Agreement. As a consequence the development satisfactorily addresses its impacts on the SPA and no further assessment under the Habitats Regulations is required.

(viii) Impact on Trees

7.24 The submitted plans indicate the general retention of the existing trees adjoining the site. These are limited in number and located on or near the site boundaries. The landscape plan should be included within the approved plans list to ensure that accordance with this scheme is achieved and a protection of trees during construction condition should be included within a planning permission.

(ix) Crime Prevention

- 7.25 Concerns have been expressed by the Crime Reduction Officer that the connectivity between Kingsclere Avenue and Dunsbury Way, coupled with the attraction of the new open space facilities, will increase the vulnerability of the site to crime and anti-social behaviour - his recommendation is that a single access point is utilised only. Set against these concerns, it must be recognised that the Local Plan allocation brings with it a requirement for connectivity across the site which will help it integrate into the existing settlement; also that the connecting routes are the subject of a claim for public rights of way with HCC's Countryside Access team. These factors are considered to outweigh the risk of harm through crime and disorder that the Crime Reduction Officer highlights.
- 7.26 The Crime Reduction Officer's comments also highlight the need for careful consideration of the design of means of enclosure and lighting arrangements, in order to create a safe and secure residential environment. As this level of detail is not included in the application documentation it is proposed that further details be reserved by condition.

(x) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

- 7.27 The residential element of the development will not be liable for CIL provided all of the housing provision is affordable; additionally a S106 has been completed in respect to the following matters:-
- (i) Affordable Housing;
 - (ii) A contribution in relation to traffic management if required;
 - (iii) Employment and Skills Plan;
 - (iv) A contribution in respect to the Solent Recreation Mitigation Project;
 - (v) Management of the communal areas;
 - (vi) SUDS bond

8 Conclusion

- 8.1 The submitted plans provide for a satisfactory form of development which achieves an acceptable impact on the character and appearance of the area, and the amenities of neighbouring properties. Technical requirements as to highway arrangements have been appropriately addressed at this stage, with conditions recommended where necessary - the application recognises claimed rights of way across the site. Further details required by consultees as to drainage design can be secured by condition. Relevant ecological interests have been taken into account also.
- 8.2 The proposed development is therefore considered to comply with the Local Plan Core Strategy and Allocations documents, other adopted SPDs and the NPPF, and will deliver much needed new housing in the urban area on a site allocated for residential development. As such the recommendation is for permission subject to the Section 106 Agreement and planning conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00492 subject to the following conditions:

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

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

- 2 No development hereby permitted shall commence until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

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

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

(iii) The provision to be made for wheel washing and the prevention of transfer of mud onto the surrounding roads.

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

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

- 3 No development shall commence until the junction arrangement into the site from Kingsclere Avenue has been substantially constructed in accordance with plans as approved under a S278 or S38 agreement with the County Council.

Reason: In the interests of highway safety and the amenities of the area having due regard to policy CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

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

- 5 No development hereby permitted shall commence 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 visual amenities of the area and the amenities of adjoining properties, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 Prior to the commencement of development approved by this planning permission, the 'contamination discovery strategy' proposed within Ridge Ground Condition Assessment (Ref: 151240-815-01 v1 Aug 2015) shall be submitted to and approved by the Local Planning Authority. The strategy shall outline;

i. Precautionary risk mitigation measures to be adopted during groundworks,
ii. Procedures for identification & assessment of contamination-impacted soils, and the management of materials undergoing testing &/or treatment; and
iii. Provisions for reporting assessment activity, notifying the Local Planning Authority of any relevant discoveries, agreeing remedial actions & standards, and evidencing works undertaken.

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

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

B) Documentation in accordance with (iii) above; demonstrating that remediation / risk mitigation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework; to ensure that risks to site workers, neighbours, and future occupants of the site are minimised.

- 7 No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.

Reason: To ensure that they are constructed to satisfactory standard and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence 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.

- 9 No development hereby permitted shall commence until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should initially take the form of a geophysical survey of the site, followed by trial trenches targeted on features identified by the geophysics, with further trenching located within any blank areas. All trenching within the blank areas should be targeted upon the footprints of the proposed new houses, flats, garages and car parks as well as along the route of the new access roads in order to ensure that any archaeological remains encountered are recognised, characterised and recorded.

Reason: The site is of archaeological significance and it is important that the opportunity should be afforded to excavate the site before development commences and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development hereby permitted shall commence until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 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 and the approved scheme implemented.

Reason: To safeguard the amenities of the locality and in order to reduce the risk of crime and disorder occurring, 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.

- 13 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property, to reduce the risk of crime and disorder occurring, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 14 The children's play area hereby permitted shall not be provided until full details have been submitted to and approved in writing by the Local Planning Authority. These details shall include the type, design and height of the play equipment and the fencing to be erected around the area. Thereafter, this play equipment and fencing shall be retained and maintained in a wholly sound and effective condition.
Reason: In the interests of the visual amenities of the area and safety of users of this facility, having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 15 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Survey (EcoSupport, September 2015). Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.
- 16 The landscaping works shown on the approved plans [ref. 1316-0102 rev A and 1316 0102 Planting Plans] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 17 No dwelling hereby permitted shall be occupied until its related car parking, cycle storage, servicing and other vehicular access arrangements as shown on the plans hereby permitted have been fully completed and made available for use; such provision shall be retained at all times thereafter.
Reason: In the interests of highway safety and the amenities of the area having due regard to policy CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 The development hereby permitted shall be carried out in accordance with the following approved plans:
Design & Access Statement received 9 May 2016
Material Schedule 15 July 2016
Ecology Survey prepared by ecosupport LTD received 9 May 2016
Arboricultural Development Statement ref CBA10579v1 received 9 May 2016
Flood Risk Assessment received Scott White and Hookins received 9 May 2016
Heritage Statement prepared by Wessex Archaeology received 9 May 2016
Land Contamination Assessment prepared by Ridge Property and Construction Consultants received 9 May 2016
Sustainability Report prepared by SRE received 9 May 2016
Transport Statement prepared by Connect Consultants received 9 May 2016
Landscape Works Specification prepared by HPS Landscape Design received 9 May 2016
Planting Plan sheet 1 drwg.no 1316-0101 rev A received 16 September 2016
Planting Plan sheet 2 drwg.no 1316-0102 received 31 October 2016
Site Location Plan drwg.no PP1308.100-01 P2 received 9 June 2016
Site Layout Plan drwg.no PP1308.101-01 P3 received 21 December 2016
House Type H1 Floor Plans drwg.no PP1308/110-01 rev P2 received 9 May 2016
House Type H1 Elevations and Section drwg.no PP1308/110-02 rev P1 received 9 May 2016
House Type H2 Floor Plans drwg.no PP1308/111-01 rev P2 received 9 May 2016
House Type H2 Elevations and Section drwg.no PP1308/111-02 rev P1 received 9 May 2016
House Type H3 Floor Plans drwg.no PP1308/112-01 rev P1 received 9 May 2016
House Type H3 Elevations and Section drwg.no PP1308/112-02 rev P1 received 9 May 2016
House Type H4 Floor Plans drwg.no PP1308/113-01 rev P2 received 9 May 2016
House Type H4 Elevations and Section drwg.no PP1308/113-02 rev P1 received 9 May 2016
Flat Floor Plans drwg.no PP1308/114-01 Rev P1 received 9 May 2016
Flat Floor Plans, Elevations and Sections drwg.no PP1308/114-02 Rev P1 received 9 May 2016
Street Elevations drwg.no PP1308.120-01 P1 received 9 June 2016
Reason: - To ensure provision of a satisfactory development.