
Site Address:	Former site of The Richard Cobden Public House, 74-76 West Street, Havant		
Proposal:	Variation of Condition 7 of Planning Permission APP/16/00140 relating to the pedestrian gates to be added to the rear garden to provide access to the land rear of No. 72 West Street.		
Application No:	APP/17/00034	Expiry Date:	03/03/2017
Applicant:	Mr Harris		
Agent:	Mr Critchley	Case Officer:	Lewis Oliver
	Martin Critchley, Architect		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

Former site of The Richard Cobden Public House, 74-76 West Street, Havant.

West Street lies within the town centre of Havant. The previously permitted use of 74-76 West Street was as a Public House, although the building has been vacant for some time

and is currently being converted into flats. The site is located within the Black Dog Conservation Area but it is not specifically identified as a locally listed building. The area is mixed use in character with residential, retail and some light industry beyond the southern side of West Street. Immediately opposite the site is the former 'Black Dog' public house, now converted and extended into a small housing development. Beyond the rear northern boundary of the site is the Solent Retail park. There is no vehicular access from the north. The adjoining premises to the east remain in use with ground floor retail and residential uses above. The adjacent site to the west is a pair of semi-detached residential dwelling houses.

2 Planning History

97/57676/003 - Change of use of part of land to rear garden area for patrons and construction of patio
, REF, 15/05/1997

GEN/10/00243 - Proposed sale of hot food , , 17/06/2010 16:00:58

GEN/10/00589 - Meeting request to discuss development of site, , 26/10/2010 16:30:55

GEN/11/00423 - Conversion of public house to 6 one bedroom flats, , 04/08/2011 09:48:23

APP/12/00377 - Change of use from A4 (Public House) to Sui Generis (House of Multiple Occupation), and including part demolition and reconstruction of rear extensions, and reconstruction of rear wall and creation of separate cycle store., REF, 09/10/2012

GEN/14/01145 - Proposed development to rear of Richard Cobden Pub - 5 terraced dwellings., , 23/12/2014 16:16:15

APP/15/00363 - Conversion of existing Public House to create 5No flats incorporating removal of existing rear extensions and construction of single and three storey rear extension with associated bin and cycle areas. (approved 14.07.15). Request to

Discharge Condition No.s 3 and 5 dated 22.01.16., PERM,14/07/2015
APP/16/00064 - Method Statement V2. Drawings 1044-721, 1044-722, and 1044-723.
Physical samples of feather-edged cladding board (black) and reclaimed plain clay roof tiles to be hand delivered. Render to be Sandtex Umber Stone. New windows to be painted softwood (white)., UNK,
APP/16/00140 - Revisions to approved application APP/15/00363: Conversion of existing Public House to create 5 No. flats., PERM,06/04/2016
APP/16/00493 - Variation of Conditions 3 and 4 of Planning Permission
APP/16/00140 to subdivision of ground floor south windows, plastic windows at first and second floor on south elevation and alteration to distribution of cladding on north elevation., REF,12/07/2016 - Currently at appeal
APP/16/00849 - Variation of Conditions 2 and 4 of Planning Permission
APP/16/00140 relating to subdivision of ground floor south windows for fire escape purposes and alteration to distribution of cladding on north elevation., PERM,10/10/2016

3 Proposal

Variation of Condition 7 of Planning Permission APP/16/00140 relating to the pedestrian gates to be added to the rear garden to provide access to the land rear of No. 72 West Street. The condition stated that:

The use hereby permitted shall not be implemented unless right of access for cycles and bins is established through the alleyway included within the red line. If a right of way cannot be established the use shall not be implemented until an alternative route for cycles and bins has been agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of the area and of the future occupants of the building and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

4 Policy Considerations

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

Havant Borough Local Plan (Core Strategy) March 2011

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations

FAO Conservation Officer, Development Control

Principal Conservation Officer - No objection .

Due to their location and design the proposed gates will have no adverse impact on the conservation area. .

No conditions

Waste Services Manager

No response

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: 12

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Impact on the character of the building and conservation area
- (ii) Impact on residential amenities

(i) Impact on the character of the building and conservation area
It is considered that due to the location and design the proposed gates will have no adverse impact on the conservation area. As such it is considered that this element would conserve the character and setting of the building and conservation area.

7.2 (ii) Impact on residential amenities
Condition 7 was placed on the original consent to ensure that access was available to the new future occupiers of the new dwellings. Since this original application, the applicant has now acquired ownership of the land at the neighbouring properties Nos. 70 & 72, including a much wider access tunnel, which now provides access to the new proposed gate. It is considered that given this change in circumstances that condition 7 is no longer required. As such the revised access arrangement with new gates would be secure through the amended site plan and is secured through condition 2.

7.3 Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

8 Conclusion

- 8.1 The proposed access arrangement are considered acceptable for future occupants, and the amendments to the scheme are considered to conserve the character and setting of the building and conservation area and is therefore recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00034

(A)

(B) for the following reasons/subject to the following conditions

- 1 The development must be begun not later than 16 April 2019
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design, Access, Sustainability and Heritage Report
Site Plan Drwg.No 1044-131
Block Plan Drwg.No 1044-131
Existing Ground Floor Plan Drwg. No. 1044-231
Existing First and Second Floor Plans Drwg.No 1044-232
Existing Elevation Plans Drwg.No 1044-331
Existing Elevation Plans Drwg.No 1044-401
Proposed Ground Floor Plan Drwg.No 1044-431
Proposed First & Second Floor Plans Drwg.No 1044-432
Proposed site plan 1044-221B received 6th January 2017
Proposed South Elevation drwg.no 1044 532 rev B received 23 September 2016
Proposed Elevations Variation drwg.no 1044 533 rev C received 23 September 2016
Proposed Flat 2 Bed 1 drwg.no 1044 724 received 15 August 2016
Proposed Flat 2 Bed 1 drwg.no 1044 725 received 15 August 2016

Reason: - To ensure provision of a satisfactory development.

- 3 All works of external repair, restoration and replacement shall faithfully match the original features and materials, unless otherwise agreed with the Local Planning Authority in writing. Any written variation shall be carried out in accordance with the approved details. The tiles for the rear north elevation shall be David Cover & Sons Ltd - Heritage Edwardian and render to be Sandtex Umber Stone.
Reason: To secure a satisfactory and sympathetic form of development and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The windows at ground floor level within the front elevation of the building shall be retained unless otherwise agreed in writing with the Local Planning Authority.
Reason: In order to retain important features or materials which may be of benefit in maintaining the history or character of the area and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and The National Planning Policy Framework, March 2012.
- 5 If, during development, soil or groundwater that appears to be impacted by contamination is found to be present, no further development shall be undertaken until an appropriate assessment has been undertaken, and a report detailing how that contamination is to be dealt with, has been submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing, all works outlined in the submitted report shall be adhered to.
Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, and DM17 of the Havant Borough Local Plan (Allocations) (2014) and the National Planning Policy Framework, 2012; there is a low risk of the presence of Contamination associated with historic uses of land or buildings at the site that if present, could pose a risk to future site occupiers.
- 6 No part of the development shall be brought into use before the bin storage shown on the approved plan is provided and thereafter shall be kept available for this purpose.
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 National Planning Policy Framework, March 2012.