

Recommendation: **GRANT PERMISSION**

Demolition of existing retail units (No's 5 and 7) and erection of part 4-storey, part 5-storey building with 9no. flats (3no. 1-bed and 6no. 2-bed); cycle and refuse store. This replaces two extant permissions including:

No. 5 East Street -

APP/16/00281 - Demolition of existing retail unit and erection of 4-storey building with 1No.1 bed and 3No.2 bed flats; cycle and refuse store. Permitted - 23/5/2016

No. 7 East Street -

Demolition of single storey retail unit and construction of four storey building comprising 3No. 2 bed and 1No. 1 bed apartment with associated landscaping, cycle parking and refuse provision. (Revised Application).

This application proposes one larger building in place of the existing retail units and 9no. flats instead of a total of 8. There would be pedestrian access from the front of the building from East Street and whilst no parking is proposed, there would be vehicular access for servicing from the rear on the Pallant. The building would be partly 4-storey (on the East Street frontage) and partly 5-storey at the rear which would be achieved by excavating below ground level. Cycle and bin storage for all flats would be provided at the rear of the building. The design would be traditional, in keeping with the extant permissions and the character of East Street.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

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

5 Statutory and Non Statutory Consultations**Building Control, Havant Borough Council**

Bedrooms are shown as inner rooms above first floor level which will not comply with Approved Document B. Lower level bedroom windows should have suitable MOE provisions via windows

Officer note:

The agent has confirmed that all windows as shown on the submitted plans will comply with Approved Document B

Conservation Officer

Summary of full response: _

In line with Policy CS16 which advises that new development should respond to local distinctiveness and Policy CS11 which advises that development should protect and where possible enhance heritage assets, the proposal includes several architectural features which would be in keeping with the historic character of the streetscene. These includes those referred to in Para 7.4. The proposed building would be of an appropriate height, achieving a vertical emphasis which is characteristic of this part of the conservation area and results in a building which forms a cohesive flow with the juxtapositions of the existing urban grain. Overall the proposal is considered to not result in an adverse impact on the visual amenity of the streetscene or the character of the conservation area.

From my perspective, I am content we have a workable package. The manner of execution and detailing will be crucial. I recommend that planning permission be granted subject to the following conditions:

1) The demolition hereby granted permission shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. The redevelopment shall commence within one month following the completion of the demolition work, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with Section 17(3) of the Act and (a) to prevent premature demolition of the building and the creation of a "gap site" which will be prejudicial to the character and amenities of the Conservation Area.

2) Notwithstanding what is shown on the drawings or submitted with the application, no work shall commence until full details, including samples of the external materials and finishes have been submitted to, and approved in writing by the local planning authority. All work shall be carried out in full accordance with such approval.

Reason: To ensure the materials and finishes are appropriate to this key site with St Faiths conservation area.

3) No work shall start until window, door and manufacturers details of the proposed windows have been submitted and approved in writing by the local planning authority. The window details to comprise:-

- a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
- b) full size glazing bar section,
- c) the method of opening and external finishes.

All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To ensure the detailing is appropriate to this key site within the St Faiths conservation area.

4) Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To protect the character and appearance of the conservation area.

County Archaeologist

Summary of full response:

Please include conditions to cover:

1. Scheme of Investigation to be submitted and approved by the LPA prior to any construction.
2. Following completion of fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment.

Given the existing structure on the site it is unlikely that any archaeological investigation is going to be possible before the current structure is demolished. The most suitable programme of archaeological work is likely to be a strip map and record of the footprint of the new building following demolition and prior to construction. Because of the potential sensitivity of the site it is important that a specification of archaeological work is submitted and approved before demolition so that if necessary there can be monitoring of aspects of the demolition process, in particular grubbing out of foundations or removal of areas of slab.

FAO Mr P Marshall, Development Engineer

Initial response:

Now the two sites have been combined, it appears that the right of way is not available and therefore all servicing will be from East Street. The existing servicing of the two shops does not include the "living servicing" that is required by 9 residential properties. By "living servicing" I mean the stopping to unload shopping to take into flats, stopping to take children/babies out of the car, taxi stopping to pickup drop off customers. There are double yellow lines along the frontage of the development but parking for loading and unloading is not illegal. I am therefore greatly concerned with the possible effect on the safety and amenity of users of the Highway.

Officer comment:

In response to this, the agent has submitted a revised red line plan which shows the red line extending up to the vehicular access on the Pallant. A revised ownership Certificate B was also submitted.

Further response from Development Engineer: .

The Highway Authority accepts the fact that the previous shops had limited frontage servicing from East Street. The Developer has now submitted an amended plan showing that it is possible for the proposed building to be serviced from the Pallant and therefore the amount of servicing from East Street should not increase

If there is an increase in stopping on East Street to service the new building this can be controlled by rigorously enforcing or modifying the existing traffic regulations

Landscape Team

No response received .

Portsmouth Water Company

Summary of the full response:

On the basis of information provided Portsmouth Water do not have any objection to the planning application however would wish to see the following requirements communicated and conditioned as part of any permission granted:

1. Land Contamination Desk Study has been carried out.
2. A Construction Environmental Management Plan be submitted and approved to support the pollution prevention and mitigation measures proposed for the development.

All potential risks posed by the development and its proximity to the public water supply must be considered as part of this application.

Portsmouth Water require further information on foundation design be submitted for detailed consideration. 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.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works are in a sensitive groundwater catchment and there are potentially significant risks associated with groundworks in this area. Piling has the potential to impact on the drinking water source and therefore the applicant is advised to contact Portsmouth Water to discuss the details of the piling method statement.

Retail and Town Centres

Economic Development raise no objections to this proposal

Southern Water

Summary of full response:

No development or new tree planting should be located within 3 metres either side of the centreline of the public sewers.

No new soakaways should be located within 5 metres of a public sewer.

All existing infrastructure should be protected during the course of construction works.

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.

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 detailed design for the proposed basement should take into account the possibility of the surcharging of the public sewers. We request that should this application receive planning approval, the following informative is attached to the consent:

“Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

Traffic Management, HBC

The HBC parking supplementary Document makes it clear that 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.

The creation of 9 dwellings without sensible car parking provision will inevitably lead to vehicles being parked on the few unrestricted streets in the Town Centre area, at some distance from the development.

Officer comment: Through the extant planning permissions for each site, a total of 8no. flats have already been approved with no parking provision given that they would be located in a sustainable, town centre location. This application would increase that number by 1no. unit and it is considered that this would not be such a significant increase so as to warrant a refusal of the application.

Waste Services Manager

No objections

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: 20

Number of site notices: 2

Statutory advertisement: 10/02/2017

Number of representations received: 4

5No. objections received from 4no addresses. A summary is provided below:

Comment	Officer Comment
I object to this development as it will block light, and make the street very dark. A development with 4 and/or 5 storeys is too high for this narrow street. The design is out of keeping with the rest of the street which has three storey buildings along it.	See the Planning Considerations of the report.
We feel there is little to commend this particular scheme compared to those previously submitted on an individual basis for 5 and 7 East Street. Indeed, as has been pointed out by the Highway Authority, with no rear access, there is likely to be a noticeable amount of casual parking for loading and unloading on what, at peak periods, is busy stretch of road. We continue to believe that the best way forward, is for this stretch of East Street (nos. 5,7,9 and 11(the former Streets site)), together with 10a The Pallant, to be developed as a single entity, rather than on a piecemeal basis. All these sites have in the last two to three years been granted planning permission for redevelopment but no redevelopment has taken place. To ensure that meaningful regeneration of this part of the town centre takes place, Havant Borough Council needs to take the initiative, purchase the relevant land and invite serious developers to put forward proposals, that will result in rebuilding work actually taking place.	The plan has now been amended to show that access for service vehicles can take place from the Pallant. It is not possible at this time to consider the development of the wider East Street as a single entity due to different land owners. This is not possible at this time due to budgetary constraints.
There has been no consultation with the Havant Club about building against the wall.	This is a civil matter outside of planning control.
The window in the east wall of No. 3 is a fire escape from the flat at the top of the building.	The agent has confirmed that they have met with No. 3 East Street and have agreed to discuss the relocation of the windows and guttering if required.

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) Loss of the retail unit
- (iii) Appropriateness of the design and the effect on the conservation area
- (v) Impact on the residential amenity
- (vi) Parking provision
- (vii) Developer contributions

(i) Principle of development

The site is located in an urban area whereby development is acceptable in principle subject to other development control considerations. For this site in particular the loss of the retail units and development in the conservation area are important considerations. Policy DM20 (Historic Assets) of the Allocations Plan advises that planning permission will be granted for development that conserves and enhances the historic assets of the Borough and sets out the development management requirements for planning applications that affect or have the potential to affect heritage assets. One of the requirements is for applications to include a heritage statement which in the case of this application has been included and assessed by the Conservation Officer. The loss of the retail units are addressed by the consideration of Policy DM2 of the Core Strategy.

(ii) Loss of the retail unit

The units have been vacant for some time and the loss and replacement of these units with residential development, has already been established thorough the extant planning permission on each site.

(iii) Appropriateness of the design and the effect on the conservation area

East Street contains several buildings of historic character, several of which are statutorily listed. Due to the era in which the buildings were constructed, many feature architectural detailing such as parapets, projecting gables, wooden windows, quoin detailing etc. The St Faiths Conservation Area Appraisal 2007 describes East Street as:

'In terms of scale, the range of buildings is considerable across the subarea from single storey shops to 3 1/2 storey houses and flats with shops at ground floor. The height of buildings varies from street to street and within streets. East Street in particular has an interesting mix of two and three storey building and variation in how the buildings address the street – some with parapets, some pitch roofs and some projecting gables (figure 2). It is this variation that provides interest and vibrancy to this part of the conservation area. There is a consistency throughout this character area to the building line which is hard to the back of pavement broken only by the churchyard. Even here the raised graveyard wall and trees help continue the important sense of enclosure in the central core of the town'.

In line with Policy CS16 which advises that new development should respond to local distinctiveness and Policy CS11 which advises that development should protect and

where possible enhance heritage assets, the proposal includes several architectural features which would be in keeping with the historic character of the streetscene. The proposed building would be of an appropriate height, achieving a vertical emphasis which is characteristic of this part of the conservation area and results in a building which forms a cohesive flow with the juxtapositions of the existing urban grain. The larger building would be more inkeeping with the adjoining neighbouring properties.

The Conservation Officer has been consulted and has advised that coordinated incremental development of East Street as opposed to a larger redevelopment plan, offers the best chance of securing an appropriate development that knits into the present historic street frontage to East Street. He has confirmed that he is satisfied with the general proposal, but the manner of execution and detailing would be critical and has therefore suggested the inclusion of several conditions relating to materials and finishes. Overall the proposal for a larger building is not considered to result in an adverse impact on the visual amenity of the streetscene or the character of the conservation area.

One particular area which has merited detailed consideration is the proposal to introduce a recessed frontage onto East Street at ground floor level with the use of bronze grills protecting the defensible space to the front of Flat 2. Whilst recessed frontages are not untypical of the former commercial character of the street, the use of an intervening detail such as grills will be a new feature in the street scene. Discussions with the agent have identified that the intention for the grills is to act as a high quality design detail, and the scope is there to introduce a feature of delicate geometric design which could visually uplift the frontage. Consequently it has been concluded that this element of the design will serve to preserve or enhance the Conservation Area, although it will be necessary for samples of the grills to be provided for approval in order to ensure that an appropriate design quality is achieved.

(iv) Impact upon residential amenity

Concern has been raised that the proposal would block out light and result in a loss of privacy to the flats opposite the site on East Street. In terms of a potential loss of privacy the new development would be located over 10m in distance, which is considered sufficient in urban design terms so as not to result in a direct loss of privacy, particularly given that the properties are located in a tight knit historic urban environment. The proposal may affect the light allowance currently enjoyed by the residents in flats on the south side of East Street however, given the concentration of development in this town centre location, it would be unreasonable to refuse the application given the relationship between properties along the remainder of East Street - furthermore, the orientation of the properties is such that direct loss of light is unlikely to occur throughout much of the day.

The building would be attached to No. 9 East Street which is currently a single storey retail unit. However, this unit does have an extant permission (APP/14/00576) for a 4-storey residential development so if constructed, the eastern elevation of the proposed development would attach to this. On the opposite side, development would adjoin No. 3 East Street.

(v) Parking and highways considerations

As with the previous scheme, the proposal does not include any parking provision for the properties. The reason being that the site is in a central town centre location and is therefore considered to be highly accessible by other means of transport and therefore

considered to be a sustainable location. The Council's Development Engineer has been consulted and has advised that whilst it is accepted that local planning policy allows for development with no parking provision in a town centre location, they are still concerned over the servicing for the proposed units in terms of refuse collections, deliveries etc. However, the proposal would be serviced in terms of refuse etc from the servicing access to the rear of the site which would also be used by the development at No. 9 if constructed. This road would not contain any opportunity for residential parking however, it would provide a servicing area therefore reducing the potential impact of this occurring on East Street.

(vi) Developer contributions

A contribution towards the Solent Disturbance Mitigation Projection is required as the proposal is for new residential development. The relevant contribution has already been paid and the paperwork completed. The proposal therefore accords with Policy DM24 in that respect. The proposal is also liable to make a contribution of £54,251.79 towards CIL. This would be payable on the commencement of development.

8 Conclusion

The proposal is considered to be acceptable for the reasons outlined above and is therefore recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00061 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The demolition hereby granted as part of this permission shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. The redevelopment shall commence within one month following the completion of the demolition work, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To accord with Section 17(3) of the Act and to prevent premature demolition of the building and the creation of a "gap site" which will be prejudicial to the character and amenities of the Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 No development shall take place until a Land Contamination Desk Study has been carried out identifying the previous land uses and a qualitative risk assessment presenting the potential sources, pathways and receptors and their linkages.

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 No development shall take place until the applicant has secured the implementation of a programme of archaeological work 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works are in a sensitive groundwater catchment and there are potentially significant risks associated with groundworks in this area. Piling has the potential to impact on the drinking water source and therefore the applicant is advised to contact Portsmouth Water to discuss the details of the piling method statement and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 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. Such details shall include the measures which are to be taken to safeguard or divert existing public foul sewers crossing or in the vicinity of the site. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: In order to safeguard the satisfactory operation and future maintenance of the existing public foul sewer which lies within the site, and to secure suitable means of drainage for the new development, and having due

regard to Policies CS16 and CS19 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 Construction of the development shall not commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details.
Reason: In the interests of the visual amenities of the streetscene and St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 Notwithstanding the details shown on the approved drawings, no work (other than works of demolition) shall commence until samples and details of all external materials and finishes, including the columns, stone detailing and 'bronzed security grills shutters', have been submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 10 No work (other than works of demolition) shall start until further details of all proposed doors and windows have been submitted to and approved in writing by the Local Planning Authority. The door and window details to be submitted shall include:
 - a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
 - b) full size glazing bar section,
 - c) the method of opening and external finishes, and
 - d) manufacturers' details.All work shall be carried out in full accordance with such approval and be retained thereafter.
Reason: To ensure the detailing is appropriate to this key site within the St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 11 Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the development. The development shall thereafter be carried out in accordance with the approved details.
Reason: To protect the character and appearance of the conservation area having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 No development (other than demolition) hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site (including the pedestrian right of way at the rear 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 13 No development (other than demolition) shall commence 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 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 2012.

- 14 The cycle 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.

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

Site Plan - DN: 2226 P02

Proposed section - DN: 2226 P14

Bike Store - DN: 2226 P15

Proposed streetscene - DN: 2226 P10

Topographical Survey - DN: JOB-15171

Site and location plan - DN: 2226 _PO1 Rev A

LGF and GF plans - DN: 2226 P03

FF plans - DN: 2226 P04

SF plans - DN: 2226 P05

TF plans - DN: 2226 P06

Fourth Floor plans - DN: 2226 P07

Proposed south elevation - DN: 2226 P09

Proposed north elevation - DN: 2226 P11

Proposed west elevation - DN: 2226 P12

Proposed east elevation - DN: 2226 P13

Reason: - To ensure provision of a satisfactory development.