
Site Address: Warner House, North Street, Havant
Proposal: Construction of third floor to existing frontage building (Warner House) to provide 5 x 1 bedroom flats together with associated secure cycle parking and refuse/recyclables storage facilities.
Application Type: Full Planning Permission
Application No: APP/23/00427 Expiry Date: 10/08/2023
Applicant: Ms Atkins
 Tristmire Sub Limited
Agent: Mr Pickup Case Officer: Leanne Richardson
 Pickup Town Planning
Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site comprises a three storey building located on the eastern side of North Street and south of Prince George Street. Warner House currently comprises commercial units at ground level (fronting North Street) with residential accommodation occupying the upper floors. The site lies within Havant Town Centre and is approximately 100m from Havant Railway station. Whilst not located within a Conservation Area, the site is bounded to the north, south and west by St Faiths Conservation Area.
- 1.2 The site immediately east of the application site is currently under construction (APP/20/00251) to provide 29 apartments to be arranged predominately over three floors with a feature fourth storey element immediately adjacent to the application site.

2 Relevant Planning History

93/55688/000 - Alterations to ground floor entrance lobby, PERM,

98/52768/001 - Change of Use from Class A1 (Retail) to Class A3 (food and drink), PERM, 13/08/1998

APP/15/01088 - Variation of condition 4 with respect to hours of opening; removal of condition 5 with respect to provision of screening for roof plant and variation of condition 6 to amend approved plans to provide for relocation of plant to lower roof – all of planning permission APP/14/01036 (which provided for Change of use of existing Class A1 and A2 units to a class A3 restaurant; extensions to existing units 2 and 3 and use of area under part of canopy above for outside seating; rear extensions to unit 3 with extraction and ventilation equipment above and on first floor roof; alterations to shopfronts and entrance doors) together with discharge of conditions 2 and 3 of same permission with respect to acoustic performance and fume mitigation. , PERM, 21/09/2016

APP/20/00251 - (AMENDED PROPOSAL) Construction of 29 No. one and two bedroom apartments in a part 2 and a half / part 4 storey extension fronting onto Prince George Street together with the provision of infill flexible use (Classes

A1/A2/A3) town centre commercial units to North Street frontage following the demolition of existing 1 and 2 storey retail development to rear. (Approved 31.03.2021). Request to discharge condition No/s 4, 5, 6 and 8 (27.05.2021). Request to discharge condition No. 14 (24.06.2021). Request to discharge condition 9 (recd 25.10.23). Request to discharge condition 11 (received 19.12.2023)., PERM,31/03/2021 and under construction.

APP/20/00689 - Subdivision of existing units including blocking up of flank walls to create 3 No. units together with new shopfronts., PERM,15/10/2020 and under construction.

3 Proposal

- 3.1 The proposal relates to the construction of an additional floor to provide 5 x 1 bedroom flats above an existing three storey building together with associated cycle and refuse stores. All of the flats would meet the nationally described space standards.
- 3.2 Cycle parking provision for the additional units would be provided within the ground floor of the existing building with a dedicated refuse store to be located to the south adjacent to existing refuse stores. Given its sustainable location, no additional parking is proposed to serve the additional flats.
- 3.3 The additional storey would be constructed in horizontal timber cladding with grey powder coated aluminium windows to match the existing building.

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)

CS17 (Concentration and Distribution of Development within the Urban Areas)

CS21 (Developer Requirements)

CS4 (Town, District and Local Centres)

CS6 (Regeneration of the Borough)

CS9 (Housing)

DM11 (Planning for More Sustainable Travel)

DM12 (Mitigating the Impacts of Travel)

DM13 (Car and Cycle Parking on Residential Development)

DM2 (Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

DM20 (Historic Assets)

DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

AL3 (Town, District and Local Centres)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Site adjacent to St Faiths Conservation Area

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

This work would need Building Regulation consent. The present on going construction is being controlled by an Approved Inspector

- 1) With the additional floor and flats being built consideration of waste bin storage size / storage will be necessary to comply with AD H
- 2) Compliance with AD B requirements regarding hose length or rising mains may have to be considered
- 3) Compartmentalisation of corridor should be considered within common areas

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the 'HRA?', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council

b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Conservation Officer

Site

The site is located in Havant Town Centre on North Street. It comprises a three-storey block of apartments with commercial units at ground floor fronting into North Street. The block is externally finished with a wooden cladding above ground floor. Some windows have Juliette balconies. The site is not within the designated St Faiths Conservation Area, however the boundary extends around the site on all sides.

Proposal

Construction of third floor to existing frontage building (Warner House) to provide 5 x 1 bedroom flats together with associated secure cycle parking and refuse/recyclables storage facilities.

Legislative and Policy Context:

When assessing the proposal, the following legislation and policy context is taken in consideration. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard

to the desirability of preserving or enhancing the character and appearance of that area.

NPPF

The revised NPPF sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

195. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

202. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

203. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

207. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

208. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Local Plan

Local planning policy comprises the adopted Havant Borough Local Plan Core Strategy 2011, along with the Allocations Plan 2014. With regards to local planning policy, the following are relevant:

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CS16 (1a) of the Core Strategy states 'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.

Policy DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement (full requirements of which are set out in the policy wording).

Assessment

The proposed additional floor would increase the scale of this building which fronts onto North Street. However, given that there is a prevailing scale of 4-storey buildings, that being the one opposite and the development approved to the rear of this building, the proposed scale of the building and its relationship to the immediate surroundings appears appropriate, which is essential in such a prominent site.

The additional floor has been designed to match the existing building, finished with a natural wood cladding. A Heritage Statement has been submitted with the application which sets out the context of the adjacent St Faiths Conservation Area and assess the impact of the proposed development on the setting of the conservation area. It concludes that whilst the additional floor on Warner House would be visible, it would be of the same design as the existing building and would not be harmful to, or have a negative impact on, the setting of the conservation area.

The findings of the heritage assessment are concurred with and as such, no objection is raised to the principle of the additional floor, subject to the matching materials being used.

Conclusion

In summary, it is considered that the proposals would preserve and enhance the special qualities of the adjacent conservation area, meeting the test set out in Section 72 of the T&CPA 1990 (Listed Buildings and Conservation Areas).

Councillor Gillian Harris

No comments received

Councillor Imogen Payter

No comments received

Councillor Phil Munday - St Faiths

No comments received

Crime Prevention -Minor Apps

No comments received

Environment Agency

We have reviewed the information as submitted and set out our position below.

Environment Agency Position

We have no objection to the proposal as submitted.

Advice to Applicant/LPA Flood Mitigation

Although we have no objections to the proposed development, the developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- o Adequacy of rescue or evacuation arrangements
- o Details and adequacy of an emergency plan
- o Provision of and adequacy of a temporary refuge
- o Details and adequacy of flood proofing and other building level resistance and resilience measures
- o Details and calculations relating to the structural stability of buildings during a flood
- o Whether insurance can be gained or not
- o Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants. In all circumstances where warning and emergency response are fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Environmental Permit

Planning permission does not remove the requirement for an Environmental Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Hampshire Highways

This falls under our standing advice so we will not be providing a formal response on

this application.

Landscape Team, Havant Borough Council

Planning Application APP/23/00427 Warner House, North Street, Havant

Construction of third floor to existing frontage building (Warner House) to provide 5 x 1 bedroom flats together with associated secure cycle parking and refuse/recyclables storage facilities.

From a landscape perspective we have the following comments:

- The introduction of an additional storey is deemed to be too dominant in the streetscape to the detriment of the character of North Street and contrary to HBC design guide and policy CS16 which states 'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design: Responds to, draws inspiration from and respects local context and: Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors

Officer comment: *An assessment of the appropriateness of the scale of the proposed development is contained in the Planning Considerations in Section 7 below.*

Natural England Government Team

Thank you for your consultation on the above dated 17 July 2023 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED HABITATS SITES - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on your appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment dated 14 July 2023, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Norse South East, Operations Director

No comments received

Nutrient Team, Planning Policy

Thank you for consulting the nutrients team.

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

The applicant should be advised that the Council's strategic mitigation scheme is to be charged at £3,300 per kilogram of nitrogen (as at 1/4/23) which is to be increased annually at the start of the financial year in line with the Cost Price Index. In addition, it should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:
<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

Portsmouth Water Company

Portsmouth Water have reviewed the application and associated documents for APP/23/00427 and have no concerns regarding impacts to groundwater quality. Therefore, we do not recommend any planning conditions to be included on the planning permission.

Waste Services Manager

No comments received

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: 57

Number of site notices: 2

Statutory advertisement: 23/06/2023

Number of representations received: 3 (2 x objection; 1 x support)

Comment	Officer Comment
Objections The plans are incorrect	Following a further site survey, the applicant submitted amended plans to rectify the errors contained within the original plans. This resulted in the relocation of the proposed cycle stores at ground floor level
The location of the refuse bins is insufficient	The applicant has confirmed that the use of a single storey building within the former arcade of shops to store refuse and recyclables was an informal agreement which ceased when the adjacent building was demolished to allow the site of the former North Street Arcade (to the east of Warner House) to be redeveloped. This application will result in the provision of refuse storage facilities that will be able to be used by the residents of Warner House.
The original refuse bins have been demolished	See above
Existing residents have no cycle stores	The proposed development would provide 5 cycle spaces which is in accordance with the Council's Parking SPD. Provision of cycle spaces for existing residents cannot be considered as part of this current application.
There is no car parking	Given the site is within a highly sustainable location, the Highway Authority raise no objections to a car free development and the Parking SPD also allows for zero parking in Havant town centre
Noise and disturbance during construction	Any noise and disturbance during construction works would be controlled by separate legislation
Will the existing residents be relocated	The relocation of existing residents during construction works is a private matter between the parties involved and is not a material planning consideration
The design of the development is out of character with the area	The design of the building is considered satisfactory in this town centre location and no objections have been raised by the Boroughs Conservation Officer. See also Section 7 below.
The materials are inappropriate	Details of the materials to be used on the external surfaces will be controlled through a condition; however the use of materials to match the existing are considered acceptable in principle.
Support	

Supporting the provision of further homes within the Borough.	Noted - see 'Principle of Development' in Section 7 below.
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7 Planning Considerations

Habitat Regulations Assessment / Appropriate Assessment

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

Recreational Pressure

- 7.2 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations) and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.
- 7.3 The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has entered into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water quality

- 7.4 There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast SPA cannot be ruled out.
- 7.5 Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has entered into a legal agreement to secure the mitigation package.

Appropriate Assessment conclusion

7.6 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has entered into a legal agreement to secure the mitigation packages.

7.7 In other respects, having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways & Parking
- (v) Drainage and Flood Risk
- (vi) CIL

(i) Principle of the Development

7.8 The Council's Five Year Land Supply Update March 2023 indicates the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF). However, there is still a need to carry out a balancing exercise in assessing whether there would be adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

7.9 The site is within Havant Town Centre as shown in Policies CS4 and AL3 (Town, District and Local Centres) and Policy CS17 supports the development of sites within the urban area. Policy CS4 states that residential development on upper floors can make an efficient use of town centre land while adding to the mix of dwelling types and tenures available in the borough. Chapter 11 of the NPPF further supports development that makes efficient use of land and seeks to ensure that developments make optimal use of the potential of each site.

7.10 The addition of 5 flats would contribute, albeit modestly, to the Council's five-year housing supply requirement which is afforded significant weight in the overall planning balance.

7.11 Given the site is located within Havant Town Centre, containing a wider range of options with regard to public transport, retail, leisure and employment opportunities, it is considered to be in a sustainable location and the development is acceptable in principle.

(ii) Impact upon the character and appearance of the area including Heritage Impacts

7.12 Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

"Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to

conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest."

- 7.13 Policy CS16 (1a) of the Core Strategy states *'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:*

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.

- 7.14 Policy DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserve and enhance the historic assets of Havant. It also states that applications which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement (full requirements of which are set out in the policy wording).

- 7.15 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

- 7.16 In consideration of the adjacent site (APP/20/00251), Officers concluded that the proposed design and scale, extending upwards to four storeys, was appropriate to its local context and would not be visually intrusive or out of character with the area. Having regard to the Landscape Officer's views, there are existing examples of 4-storey buildings within the vicinity and it is not uncommon for higher density developments to be located in sustainable town centre locations such as this. Therefore, the principle of extending upwards of four storeys is appropriate in this prominent town centre location.

- 7.17 A Heritage Statement has been submitted which sets out the context of the adjacent St Faiths Conservation Area and assesses the impact of the proposed development on the setting of the conservation area. It concludes that whilst the additional floor on Warner House would be visible, it would be of the same design as the existing building and would not be harmful to, or have a negative impact on, the setting of the Conservation Area. The Borough's Conservation Officer concurs with the findings of the submitted Heritage Statement and raises no objection to the proposed development subject to details of the materials to be used on the external surfaces to be secured through condition.

- 7.18 Overall, the scale of development and its relationship to the immediate surroundings would be appropriate in this town centre location. The proposed development would preserve and enhance the special qualities of the adjacent St Faiths Conservation Area and can be considered to comply with policies CS11 and CS16 of the Core Strategy, policy DM20 of the Allocations Plan, and meet the statutory requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) Impact upon residential amenity

- 7.19 The main impacts in terms of residential amenity relate to the proposed flats immediately east of the site which are currently under construction.

- 7.20 With regards to the proposed building, windows are proposed in the eastern elevation

which would serve a communal corridor leading to the private entrances of the proposed flats. Two side facing windows are proposed to the western elevation of the adjacent building currently under construction which would be secondary windows serving living spaces. The orientation of the openings is such that it would provide a satisfactory relationship between the two buildings and it is not considered that the proposed development would result in an unacceptable level of overlooking, loss of privacy or overbearing impact to neighbouring residential properties.

- 7.21 With regards to noise and disruption during construction. Any disruption during construction is only temporary and a consequence of all development, however, should any disturbance be excessive, this would be dealt with under separate Environmental Protection legislation.
- 7.22 The proposal would provide for 5 x 1 bedroom flats ranging between 49sqm to 55sqm thereby complying with the Nationally Described Space Standards. It is noted that the proposed units do not have access to outside amenity space, however, whilst regrettable, this is not uncommon in town centre locations. Overall, the proposed flats are considered to provide an acceptable living environment for future occupants in this sustainable location which is well served by local facilities.

(iv) Highways & Parking

- 7.23 The Havant Borough Parking SPD identifies Havant Town Centre as a highly accessible location where reduced or even zero standards of vehicle parking provision can be considered in order to maximise the use of land and discourage use of the private motor vehicle. In this case, given the highly sustainable location of the site, the development of 5No. 1-bed flats with zero parking provision, is consistent with the aims of the SPD.
- 7.24 Cycle parking provision would be provided within the curtilage of the building with sufficient space to accommodate 5 cycles. This is considered acceptable and would encourage cycling as a primary mode of travel and accords with Havant's Parking SPD. Refuse stores would also be located to the rear of the building. The Highway Authority have not objected to the proposal and therefore it is considered that given the sustainable location of the site, the provision of a car free development is acceptable in this location and the development would not have a significant adverse impact on the highway network.

(v) Flood Risk and Drainage

- 7.25 The site is within Flood Zone 1 which has a low probability of flooding and is therefore suitable for residential development. In terms of future flood risk (climate change), only a very small portion of the northern corner of the site would fall within an area of at future risk of flooding, however, no excavation works are proposed as the proposal relates to the construction of a roof extension, therefore there would be no material risk to future residents, who would have a safe means of access and egress available outside of any flood zone (current or future).
- 7.26 With regards to foul and surface water drainage for the development this would be discharged to the main public sewer which would fall within the remit of Building Control.
- 7.27 It is noted that the Environment Agency have drawn attention to the potential need for a Permit to build in this location; their advice can be added by way of informative to

any decision.

(vi) Developer Contributions/CIL

- 7.28 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the Council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiner's Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Havant.
- 7.29 The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The gross increase in new internal floor space for the dwelling has been calculated as 365sqm, which would be £49,666.07 and a Draft Liability Notice has been sent to the agent.
- 7.30 The S106 Agreements secured in respect of the HRA have secured the following:
- (i) Financial Contribution for the Solent Recreation Mitigation Strategy
 - (ii) Financial Contribution in respect of Nutrient Neutrality

8 Conclusion

- 8.1 The proposed development would make an efficient use of the land and would make a positive contribution towards the Boroughs housing need in a sustainable location. The design and scale of development is considered to preserve and enhance the character of the adjacent Conservation Area.
- 8.2 Given the site is located within a sustainable location close to public transport links, retail and employment facilities, the proposed cycle parking provision and zero parking complies with the aims and objectives of the Parking SPD.
- 8.3 The proposal also meets the Habitats Regulations with both recreational and water quality pressures adequately mitigated against. The proposal accords with the development plan when considered as a whole and is recommended for conditional permission.

9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00427 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plan / Ground floor 23.3401.103 P5
Proposed Third Floor Plan 23.3401.105 P5
Proposed First and Second Floor Plan 23.3401.104 P5
Proposed West and East Elevations 23.3401.118 P3
Proposed North and South Elevations 23.3401.109 P3
Proposed Sections 23.3401.111 P3
Location and Block Plan 23.3401.112 P3
Design and Access Statement

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application, no development shall commence until samples and / or a full specification of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Prior to first occupation of the development hereby approved, secure cycle and refuse storage shall be made fully available in accordance with the approved details and shall be retained thereafter for their intended purpose.

Reason: To provide a satisfactory standard of development, in the interests of highway amenity and having due regard to the Havant Borough Council Parking SPD 2016, and policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 5 The development hereby permitted shall not be occupied until:

(a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and

(b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified 7 that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that

was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity. Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

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