
Site Address: The Swan, Jessie Road, Havant, PO9 3TH
Proposal: Erection of 3 two-bed dwellings (Use Class C3) on the land adjacent to the public house, utilising new vehicular access, with associated parking and landscaping, including reconfiguration of beer garden and car park of the public house.
Application Type: Full Planning Permission
Application No: APP/23/00588 Expiry Date: 29/09/2023
Applicant: Punch Partnerships (PML) Limited
Agent: Miss Lai Case Officer: Lesley Wells
 CPC Planning Consultants
Ward: Bedhampton

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies to the north of Jessie Road to the west of Ernest Road and to the east of St Michaels Road. The Swan Public House occupies the site which includes car parks, public house gardens, landlord's garden and other ancillary areas.
- 1.2 The location is except for the Public House located in a residential area characterised mainly by terraced houses.
- 1.3 The site falls within Flood Zone 1 and would continue to do so on current information up until 2015 with climate change. The site area is approximately 0.25 hectares.

2 Planning History

90/50980/002 - Display of externally illuminated signs on the building and externally illuminated free-standing pole sign on Jessie Road frontage., ZHIS,20/04/1990
90/50980/003 - Construction of play area and installation of play equipment fronting Ernest Road., PERM,
07/50980/004 - Display of 1No. name sign and No. externally illuminated amenity boards to front elevation., PERM,16/07/2007
50/00892 - for the erection of dwelling houses and the installation of roads and sewers, bUNK,08/05/1950
PAP/17/01189 - Construction of No. 2 bed terraced dwellings with associated accesses, car parking and amenity space following reconfiguration of existing Swan Inn access, car park, minor alterations to the public house and beer garden alterations., PERM,15/03/2018
PAP/18/00551 - Display of 1No. externally illuminated facade sign, 1No. non-illuminated facade sign, No. non illuminated post mounted hoarding signs, No. externally illuminated wall mounted poster cases, 1No. externally illuminated hoarding fitted to existing post, No. non-illuminated back-to-back poster cases fitted to existing sign, No. building lights (south elevation), No. up/down lights (south elevation)., PERM,18/07/2018

3 Proposal

Erection of 3 two-bed dwellings (Use Class Cc) on the land adjacent to the public house (PH), utilising new vehicular access, with associated parking and landscaping, including reconfiguration of beer garden and car park of the public house.

The differences to that previous approved under reference PAP/17/01189 are:

A reduction in car parking provision for the public house from 22 spaces to 21, with an increase and change in layout to the PH garden.

Reconfiguration of the car park layout.

Existing access on the corner of Jessie Road & St. Michael's Road to remain, with access directly onto Jessie Road to be block off.

Private Tenant's Garden removed, replaced with PH Garden and Smoking Shelter, bringing the area directly opposite the garden area to the new dwellings to the east. Some internal layout changes to the dwellings; but not to the elevations.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPED December 2011

Havant Borough Council Parking SPED July 2016

Havant Housing Delivery Statement March 2022

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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturist - No Objection

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The site had planning approval for the same scheme in 2018 (PAP/17/01189) and the scheme has now been resubmitted owing to the expiry of the 2018 permission. The previous Arboricultural comments accepted the removal of a line of prominent lime trees from the site, with an expectation there would be replacement planting provided as part of the landscaping of the scheme.

The supporting information (Arboricultural Implications Assessments and Method Statement Ref 17970-AIA3 29 June 2023) records the two small groups of trees to the north and west of the site, which will have limited impact on the development and are to be retained. With appropriate tree protection measures, as set out in the supporting information, the development would not have a detrimental impact on the trees on site or adjacent to the site.

Therefore, if the officer were minded to grant permission for the application, the details of tree protection measures, landscaping works, including tree planting should be secured by condition prior to commencement.

The proposed works, subject to the conditions listed below would be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

a) Tree protection measures:

The development hereby permitted shall only be carried out in accordance with the Arboricultural Implications Assessments and Method Statement Ref 17970-AIA3 29 June 2023.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

b) Landscaping:

A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, to include at least three heavy standard trees (12-14cm girth at 1.5m above ground level), shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance and to safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies CS16 and DM8 of the Havant Core Strategy (2011) and the National Planning Policy Framework.

Officer Comment: *If permission is granted the above conditions are recommended.*

Building Control - Comment

This work would require Building Regulation consent
SWS have a public sewer in pavement of Ernest Road which if incorrectly plotted could be on the site or within 3m of the development.

No other comments at this time

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>

Former Councillor Pamela Crellin - Barncroft - No Comment

Former Councillor Yvonne Weeks - Barncroft - No Comment

Crime Prevention - Minor Apps - No Comments

Environmental Health - No Objection

I have considered the above application which involves the erection of 3 two bed dwellings on the land adjacent to the Swan PH. The site appears to be predominantly residential and some commercial activities within the vicinity. To ensure that the future residential dwellings are sufficiently protected from external noise, in particular noise coming from the Public House, we recommended that the following condition be imposed.

Noise Assessment Condition _

Prior to commencement of the development, a noise assessment shall be submitted to the Council for a written approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve 'Good' internal noise levels for rooms- and (if provided) external amenity standards in accordance with the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport & commercial noise sources.

Pre-Occupation Noise condition

Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this residential unit, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Noise in Amenity Spaces.

Prior to the commencement of the development hereby approved, a scheme will be provided to demonstrate that the external noise levels within the curtilage of residential units and amenity areas for the site will conform to the "Design criteria for external noise" upper guideline value of 55 dB LAeq,T and preferably with the desired LAeq,T level of 50 dB as specified in section 7.7.3.2 of BS 8233:2014.

Guidance on the noise mitigation works to be provided to ensure noise reduction for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason:

To protect the amenity of future residents in accordance with Council Policies.

Construction/ Demolition Management

No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of: (a) provision of boundary hoarding; (b) hours of operation; (c) means to control dust and emissions to air; (d) means to control noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority. The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development shall be constructed in accordance with the approved statement.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Artificial Light condition

Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained, and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment, and local residents from light pollution.

Informative regarding Hours of Work:

You are hereby advised to ensure that no works or ancillary operations associated with any demolition, excavation, clearance, and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8.00 – 13.00. This is to protect the occupants of nearby residential properties from noise and vibration nuisance.

Informative regarding Bonfires: You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e., demolition, excavation, clearance, and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action. This is to protect the occupants of nearby residential properties from smoke pollution.

Informative regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is to protect the occupants of nearby residential properties from dust pollution.

Please do not hesitate to contact me if you wish to discuss any of the above matters raised or would like further explanation. Jonathan Driver of this office will likely provide separate comment on other issues.

Officer Comment: *If permission is granted the above conditions and informatives are recommended.*

Hampshire Highways - Final Comments - No Objection

The Highway Authority previously recommended refusal for this application in responses dated 15 December 2023, 4 March 2024 and 21 March 2024 due to insufficient parking on site to meet the surveyed demand. This therefore lead to overspill parking onto the highway network that was already subject to high levels of parking stress leading to highway safety concerns.

In response to these comments, the applicant has revised the site layout to provide 21 parking spaces. The Highway Authority are satisfied that this parking quantum provides sufficient parking to accommodate the maximum parking demand recorded during the parking surveys undertaken in September 2023. The proposed site layout is shown within drawing 17.2292.100 Rev P23. Tracking of private cars accessing and egressing the parking spaces is demonstrated within the following drawings:

1710-46-SPO7, 1710-46-SPO8, 1710-46-SPO9, 1710-49-SP10, 1710-46-SP11, 1710-46-SP12 and 1710-46-SP13.

The tracking provided confirms that the movements whilst being undertaken within an extremely tight layout to facilitate the additional parking spaces are achievable. On balance, considering the low flow and low speed nature of the site being a car park, the Highway Authority are minded to accept the tracking shown and the revised layout that has been provided.

Drawing 1710-46-SP14 also shows the ability of a 10m rigid vehicle to manoeuvre within the site and access/egress in forward gear to ensure the revised layout can accommodate the revised movements. The applicant has confirmed that any deliveries are to be planned outside of operational hours of the public house due to the overrunning of one parking space to undertake the manoeuvre. The Highway Authority are content that even if a vehicle is left overnight in that particular parking space then the movement would not be so restricted within the car park as demonstrated within the drawing as any available space not occupied by parked vehicles could be utilised to undertake the manoeuvre. This should be appropriately managed by the owners/operator of the pub. The Highway Authority recommend a condition to be secured should any future planning consent be given to ensure out of hours servicing occurs to avoid servicing being undertaken from the highway.

During direct discussions with the applicant, the Highway Authority raised questions as to whether the bollards were suitable mitigation to prevent conflicts with manoeuvring vehicles and those patrons accessing and egressing the Public House given the tight manoeuvres and reversing distances required. The Planning Authority should consider whether alternative measures such as a 1.0m high wall or other suitable alternative measures would provide greater protection.

Having regard to the above, the Highway Authority provide no objections to this planning application subject to an appropriate planning condition being placed to ensure servicing and deliveries occur at the Public House out of hours to avoid servicing being undertaken from the highway.

Officer Comment: *If permission is granted conditions as to hours of servicing and deliveries to occur outside of opening hours of the PH and that the onsite car parking is provided before the development on the 3 dwellings commences.*

Hampshire Highways - Further Comments Objection

Thank you for your re-consultation on the above planning application. The Highway Authority previously recommended refusal for this application within a formal response dated 15 December 2023.

In response to these comments, the applicant has submitted a revised Technical Note (hereafter, TN) which the Highway Authority have reviewed and have the following comments to make.

The Highway Authority have revisited the initial assessment work and the parking surveys undertaken in more depth. The scope of the parking survey has outlined the use of Hulbert Road (B2150) as being available for overspill parking. The results of the parking survey confirms that no parking occurs along the B2150 in the area studied, with a parking stress of 0% recorded. The B2150 is a classified road which provides access to the north to Asda roundabout and onwards towards the A3(M), and south towards Havant. Given the busy nature of the corridor, and presence of dropped kerb accesses to properties, on-street parking along this road is not considered suitable, which is reflected in current levels of parking stress observed within the survey. As a result, the Highway Authority does not consider that visitors to the Public House will park along the B2150.

Park Lane was also recorded with 0% parking stress recorded over the study period. Whilst this is not a classified road, the Highway Authority understand that this is a commuter route and parking should not be encouraged.

The surrounding streets included within the study area cover an extensive area, and visitors to the public house are likely to park as close as possible (namely Jessie Road, St Michael's Road, Ernest Road and St Nicholas Road). Focussing on these roads specifically, the maximum parking stress has been recorded as follows on a Friday-Sunday (during the peak periods recorded for the public house):

Recorded Parking Stress (%)

Friday Saturday Sunday

Jessie Road 63% 69% 69%

St Michael's Road 58% 58% 79%

Ernest Road 108% 108% 108%

St Nicholas Road 53% 59% 47%

Including Hulbert Road and Park Lane in the assessment work for calculating the total parking stress of the surrounding streets has therefore skewed the overall parking stress. Discounting these streets and only including St Michael's Road, Ernest Road and St Nicholas Road provides a parking stress of 73%, 75% and 78% Friday-Sunday respectively.

The results of the parking survey suggest that the peak demand at the Public House falls on a Friday-Sunday. Overspill parking would occur on a Friday and Saturday where the parking demand recorded suggests the proposed parking provision will be 5 and 7 spaces short respectively (the parking demand can be accommodated within the proposed parking numbers on a Sunday). This consequently pushes the parking stress onto Jessie Road to 94% on a Friday and 112% on a Saturday. Therefore, any displaced parking from Jessie Road will have an impact on the parking stress of St Michael's Road, Ernest Road and St Nicholas Road, increasing the parking stress.

The Highway Authority have undertaken a review of the appeal decisions with a particular focus on the application in Fareham where no objections had been provided by the same Highway Authority in 2023. The general trend suggests that whilst overspill parking was accepted, it did not push the parking stress to the level that the overspill parking would from this site. Generally, the overspill parking for those approved at appeal lead to a maximum parking stress of c. 40% which is not the case for this application.

As a result of the revised parking stress assessment undertaken within this response, it has been demonstrated that the proposed development will result in further overspill parking on the local highway network. This results in parking stress levels of 94% and 112% on Jessie Road at peak times (Friday and Saturday), which is either close to or over parking capacity. The applicant is proposing 14 parking spaces which is a reduction in parking in accordance with Havant Borough Council's Parking Standards.

The Highway Authority are therefore concerned that the under provision of parking on site does not accord with adopted parking standards, which would encourage the parking of vehicles on the public highway and so interrupt the free flow of traffic and cause a hazard to road users and a loss of amenity for existing residents and/or users of any formal on road parking.

The applicant has therefore failed to demonstrate that the proposed under provision of parking would not result in overspill parking which will cause stress on the local highway network.

The Highway Authority therefore maintains its reason for refusal in the response dated 15th December 2023

Hampshire Highways - Pending Ultimate Comments - Objection

In response to previous comments raised by the Highway Authority dated 25 August 2023 the applicant has submitted a revised Technical Note (ref. 1710-46/TN/01), additional parking surveys (ref. 1710-46/TN/03) and supporting drawings which the Highway Authority have reviewed and have the following comments to make.

Access to Dwellings

The width of both vehicle crossovers providing access to the dwellings are 5.0m. The proposed access on Jessie Road is c. 20m from the junction with Ernest Road. It has been confirmed that the access onto Ernest Road is a new access and not an extension of the existing. This is noted. Both accesses can therefore be constructed via a S171/184 license.

Visibility:

2.4m X 43m visibility splays in accordance with HCC TG3 for both proposed vehicular accesses on Jessie Road and Ernest Road are shown within drawing 1710-46-VS01. It is agreed that appropriate visibility can be achieved from both access points. 2.0m X 2.0m pedestrian visibility splays in accordance with HCC TG3 are also shown on the drawing and are agreed.

Vehicular Parking:

The applicant has confirmed that the proposed parking bays are to be 2.4m X 4.8m in accordance with Havant Borough Council's Parking Standards. This is noted. EV charging space requirements should be confirmed with the Planning Authority as this may need additional space to accommodate the charging infrastructure and for safe operation.

Dwellings:

The aisle width for those parking spaces to be accessed via Jessie Road is to be 6.0m. This is agreed to be an appropriate width to manoeuvre into spaces.

Public House:

The proposed car parking arrangement is shown within drawing 1710-46-PL01 Rev A.

Parking Occupancy Survey

In response to previous concerns raised by the Highway Authority the applicant has undertaken a parking occupancy survey of The Swan Inn Monday-Sunday between 12:00-00:00, based on 30-minute beats.

The results of the survey suggest that at peak demand on a Friday and Saturday, the proposed parking provision leads to a deficit of 5 and 7 spaces respectively encouraging overspill parking on the wider highway network. On a Sunday, the peak demand is only slightly lower than the proposed parking provision. The Highway Authority are aware that regular events are also held at the public house where the parking would not be able to be accommodated within the proposed provision. Appropriate parking should be provided to accommodate the peak parking demands at the very minimum to minimise any overspill parking on the highway network occurring.

Parking Stress Survey

The applicant has undertaken a survey to assess the parking stress of nearby residential roads over a period of Monday-Sunday. The survey suggests that the greatest parking stress occurs on a Saturday and Sunday with a maximum parking stress of 69% recorded along Jessie Road within the direct vicinity of the site. This coincides with the peak parking demand of the Public House as identified within the parking occupancy survey as laid out above. The Highway Authority are concerned that the deficit of parking at the Public House will lead to an overspill of parking on the highway network leading to a potential highway safety issue particularly during periods where parking stress is greatest.

Cycle Parking:

The applicant confirms that cycle parking for the proposed dwellings is to be provided in accordance with Havant Borough Council's Parking SPED. This is agreed.

Deliveries, Refuse Storage and Collection Public House:

Swept path analysis for a rigid vehicle accessing and egressing the site is shown within drawing 1710-46-SP06 Rev A. The Highway Authority is satisfied that there is appropriate space within the parking layout to accommodate these movements.

The RTN states that refuse collection is undertaken by a private contract. The applicant should ensure that the dimensions of the refuse vehicle undertaken via the private contract can track within the car parking layout. Should this encroach on spaces then refuse and service should be undertaken out of hours allow for the refuse to manoeuvre appropriately. The applicant should be made aware that servicing from the highway for the Public House is not acceptable and should only be undertaken internally.

Dwellings:

The applicant has confirmed that the dwellings comply with the darg and carry distances for refuse as laid out within Manual for Streets. The fire tender is also able to access dwellings in line with the required distances. This is agreed.

Recommendation

Having regard to the above, the Highway Authority recommend refusal to this application for the following reason:

LACK OF ONSITE PARKING

The proposed development fails to provide adequate provision for on-site parking which would encourage the parking of vehicles on the public highway and so interrupt the free flow of traffic and cause a hazard to road users and a loss of amenity for existing residents and/or users of any formal on road parking.

Reason: In the interests of public amenity and safe operation of the highway

Hampshire Highways - 1st Comment - Further Information Required

To support this application, a Transport Statement (hereafter, TS) has been submitted, which the Highway Authority have reviewed and have the following comments to make.

Policy Status

The TS provides a summary of the relevant transport planning policies.

Previous Planning Consent

Planning consent was previously provided for the construction of 3 dwellings and alterations to the Public House (planning reference PAP/17/01189). It is however noted that as part of this planning consent the layout for the Public House has been altered reducing the available parking on site. This is discussed further within this response.

Site Location

The proposed development is located on land currently occupied by a Public House. The site is in a residential area.

Sustainable Access

Walking and Cycling:

Footways flank both sides of the carriageway along Jessie Road varying between 1.5m and 2.0m in width. Along Ernest Road and St Michaels Road, footways fluctuate in width however are present on both sides of the carriageway. Junction crossing points are equipped with dropped kerbs, however, lack tactile paving. No formal crossing facilities are present within the vicinity of the proposed site.

Regarding cycling, National Cycle Network (NCN) Route 22 runs circa 2.0km east of the proposed development site providing connections to Portsmouth and the wider cycle network.

Pedestrian and cycle access into the Public House will be via Jessie Road/St Michaels Road and Jessie Road/Ernest Road for the proposed dwellings.

Buses:

The closest bus stops are located along the B2140 Hulbert Road, circa 200m west from the site, however these are only served by school services 654, SD4 and SD5 at typical school pick up and drop off times.

Bus service 21 runs from stops circa 250m east of the site along Park Lane providing frequent connections to Havant and Portsmouth. Alternatively, bus route 20 and 37 can be accessed from bus stops along Purbrook Way circa 600m north providing connections to Waterloo, Clanfield and Petersfield.

Rail:

The site is located circa 1.1km north of Bedhampton railway station which provides services to Havant, Portsmouth, Southampton, Brighton, and London.

Personal Injury Accidents (PIA)

The applicant has provided PIA data using the Crashmap database for a period between 2017-2021. The use of Crashmap data is unacceptable and PIA data should be obtained from Hampshire Constabulary records for the most recent 5-year period.

The data submitted is also nearly 2 years out of date which is also unacceptable. Notwithstanding the above, the Highway Authority have undertaken their own internal review of accident data for the most recent 5-year period from May 2018-April 2023 and are content that no alternative conclusions are to be made. Therefore, the applicant is not required to obtain any further data sets.

Within the study period a total of 5 accidents have occurred, 4 'slight' and 1 'serious', with 2 of these 'slight' accidents occurring within 200m of the proposed site. The Highway Authority is content that these are all isolated accidents with no particular trend that is unlikely to be exacerbated by the quantum of development.

Local Facilities

The TS provides a summary of local facilities and services within the vicinity of the proposed development site, with the majority located within the acceptable walking and cycling distance

Site Access Public House:

Access into the public house is to remain in the southeastern corner of the site via Jessie Road/St Michaels Road. The secondary existing access via Jessie Road/Ernest Road is to be closed and the dropped kerb to be reinstated with full height kerbs. The applicant should be made aware that they will require a S171/184 license to undertake these reinstatement works on the highway.

Dwellings:

Two vehicular accesses are proposed, one along Jessie Road and the other via Ernest Road in the form of a vehicle crossover. The width of both vehicle crossovers should be confirmed. The distance from the junction should be confirmed for the access along Jessie Road. Additionally, should the dropped kerb along Ernest Road be an extension of an existing vehicular access, the full length should be confirmed.

Dropped kerbs should be no greater than 10.0m in length to be undertaken via a S171/184 license, otherwise it is likely that a minor S278 agreement would be required to facilitate these access points.

The applicant should be made aware that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway. Details of this procedure can be found via the following link: [Apply for a vehicular access | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/apply-for-a-vehicular-access).

The TS states that visibility splays have been provided within appendix C to support these access arrangements in accordance with Manual for Streets Guidance. This drawing does not appear to be submitted, and in the absence of visibility splays, the Highway Authority are unable to confirm whether the access(es) are suitable. Visibility splays should be drawn in accordance with HCC TG3 and pedestrian intervisibility splays should also be submitted for consideration.

Parking Provision Vehicular parking:

The dimensions of parking spaces should be confirmed to ensure compliance with HBC's standards.

Dwellings:

6 parking spaces (2 per dwelling) are proposed for the proposed dwellings in accordance with Havant Borough Council's Parking SPED. For those parking spaces being accessed via Jessie Road, the aisle width should be confirmed to ensure that there is appropriate space for vehicles to manoeuvre and access the allocated parking spaces. This should also be supported by tracking for a private car at a minimum speed of 10mph.

Officer Comment: *Additional information has been sought from the applicant's agent, with the above consultation response provided to the agent to ensure they are aware of Highway's requirements if permission is granted.*

Landscape - No Objection

The proposal mirror the approved planning application PAP/17/01189 and as such we have no landscape objection.

Recommend to condition soft landscaping, hard landscaping, boundary treatment and building material specification.

Officer Comment: *If permission is granted the above condition is recommended.*

Natural England - Comments

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation this application could have a significant impact on:

- Solent Maritime Special Area of Conservation (SAC)
- Solent and Southampton Waters Special Protection Area (SPA) and Ramsar
- Portsmouth Harbour SPA and Ramsar
- Chichester and Langstone Harbour SPA and Ramsar
- Solent and Isle of Wight Lagoons SAC

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Mitigation measures need to be secured as set out in the AA.
- We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is on line to view.

Nitrates Team - No Objection

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

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/>

Officer Comment: *the applicant is aware that there are alternative sites for mitigation.*

Norse South East, Operations Director - No Comment**Waste Services Manager - No Comment****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: 19

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 5

Representations

The following is a summary of the representations received.

Amenity

Loss of privacy - due to overlooking

Loss of trees

Significant reduction in daylight

Add to pollution, noise & fumes

Noise & disturbance from construction vehicles

Disruption during development - adverse impact on amenity

Noise & disturbance from public house once properties occupied

Add to further congestion within the locality

Lights from vehicles parking - adversely affect amenity

More housing need, but not at expense of community.

Highways & Parking

Exacerbate existing on-street parking problems within area

Add to congestion within the area - adverse impact on road safety

Accesses are dangerous - no turning on site - highway hazard

Parking should be off Ernest Road

No visitor parking for proposal - parking in road causing problem for existing residents, which includes parking across driveways.

Double yellow lines needed in Jessie Road.

PH will lose its parking - where will customers be parked?

Active PH with main events - car park often full - no capacity in Jessie Road or side roads

Existing congestion on Jessie Road exacerbated by yellow lines.

Children's Home & school within 100m - safety concerns.

Cars frequently parked on pavements next to pub - when functions held - park entire length of Jessie Road - makes access difficult

Existing problems with double parking - impedes access to emergency vehicles

Major accident on the A27 - Jessie Road becomes congested as used as a cut through, which regularly occurs - proposal would exacerbate this - often at speed

Traffic calming measures should be in place

Ecology & Trees

Loss of trees - adversely impact on area and ecology

Viability of public house

Proposal may undermine the viability of the public house - enjoyed facility

Risk to pub music licence from potential noise complaints from future occupiers - adversely impact on operation of pub

Other Matters

Taken in Council land

Lack of neighbour consultation

Noise from public house adversely affects amenity

Officer comment: Many of the issues raised above are addressed in Section 7 below.

The roads and pavements around the site are adopted highway. The Highway Authority has been consulted over the proposal, who have not identified any encroachment, which is not apparent from the plans

Public consultation followed normal practice, with 2 notices displayed on the site, in Jessie Road & Ernest Road.

Noise and any disturbance issues arising from the operation of the PH would be a matter for Environmental Health.

7 Planning Considerations .

Habitat Regulations Assessment & Appropriate Assessment .

The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HA) and an Appropriate Assessment (AA) of the proposed development.

Recreational Pressure

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.

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

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 pSPA cannot be ruled out.

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

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.

7.1 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 (existing & future)
- (iv) Access & Parking
- (v) Impact on trees & landscaping
- (vi) Viability of Public House
- (vii) Flooding & Drainage
- (viii) Impact on ecology
- (ix) Developer contributions

(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.

7.3 The erection of 3, 2 bedroom terraced dwellings, with associated development has already been found to be acceptable on the application site, following the grant of permission under reference PAP/17/01189 on 15/3/18, which was not implemented and has since expired. That said, there have been some changes to the proposal since the grant of permission in 2018 which includes the loss of one further car parking space for the PH and the removal of the tenant's garden, with the garden for the PH, which includes a smoke shelter, located next to rear garden of one of the proposed dwellings. As to the other proposed changes these are set out under Section 3 above.

7.4 As to the planning policy position, the only material change since the grant of planning permission in 2018, is the Council can no longer demonstrate a 5 year land supply, which currently stands at 1.81 years, with a 20% buffer. The proposal would add a modest addition to the Council's housing stock, if permission is granted.

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

7.5 The proposed new dwellings are located to the east of the PH. They are traditionally designed as a short terrace with hipped roofs, tile hanging to the first floors which front both Jessie Road and Ernest Road. Parking would be to the front of two dwellings, with vehicular access off Jessie Road, with the parking for the third house which fronts Ernest Road, to the rear of this property.

7.6 Private garden areas are provided to the rear, with landscaping to the front. The proposed development, which has already been found to be acceptable, is considered to be an attractive addition to this mainly residential area.

7.7 The provision of a vehicular access for the two dwelling off Jessie Road with a new access off Ernest Road, together with the stopping up of the existing access at the junction with Jessie Road and Ernest Road is considered to be acceptable. Landscaping is proposed to the front of the 2 dwellings fronting Jessie Road.

- 7.8 The physical changes to the PH involve the replacement of existing windows, with a style to match existing but with acoustic glass within the seating area on the eastern side to the rear. The bollards to the front of the public house would be replaced with two 1.2m high walls, for safety purposes. These changes would not impact on the character or appearance of the area. The grassed sitting out area to the front would also be replaced by car parking for the PH. The loss of the grassed area to car parking was found acceptable under permission reference PAP/17/01189 and remains the case.
- 7.9 The PH garden now lies entirely to its rear, resulting in the loss of the tenant's garden. Due to existing walling and fencing (to be replaced to the rear and to the east with a 1.8 m acoustic high fence), this would not have a visual impact on the appearance of the area.

(iii) Impact upon residential amenity (existing & future)

Impact on existing residents

- 7.10 Representations have been received which includes concerns regarding loss of privacy, disturbance and car parking issues.
- 7.11 The erection of 3 dwellings on the site, has already been found to be acceptable by the grant of planning permission under reference PAP/17/01189. The main impacts in relation to existing neighbours are considered to be 1a Ernest Road, 9 and 13 Jessie Road, the properties to the south of Jessie Road, and to 2 St Michael's Road.
- 7.12 1a Ernest Road would be to the rear of the three dwellings and close to the parking for the house facing this road. The three properties would have rear gardens in excess of 12m in depth and would be over 14m from the flank wall of No.1a which meets the requirements of the Council's Borough Design Guide SPED. The existing trees along the northern boundary are to be retained. There is also an existing 1.8m high wall along this boundary.
- 7.13 No. 9 Jessie Road is to the west of the PH on the opposite side of St Michael's Road, with a separation distance of approximately 28m. 13 Jessie Road is located on the opposite side of Ernest Road with a separation distance of approximately 20m with the road in between. These relationships are considered to be acceptable.
- 7.14 The properties to the south of Jessie Road are set approximately 30m from the proposed dwellings, with the road in between. Due to the separation distance the proposal would not give rise to an adverse loss of amenity to existing residents in Jessie Road.

7.15 As to 2 St Michael's Road the flank wall of this property, has a minimum (approximate) 6 metres separation distance from the rear boundary of the public house garden, with a landing window at first floor. The public house's garden is proposed to the south of this dwelling. This was previously approved along part of this boundary under reference No. PAP/17/01189, with car parking opposite the flank wall of the dwelling itself. The PH's garden would be all along the boundary with 2 St. Michael's Road, following the loss of the tenant's garden. It is proposed that the wooden fence along this boundary would be replaced with a 1.8m acoustic timber fence and if granted this would be secured by condition. The Council's Environmental Health Team has been consulted over the proposal and raises no objection to the PH's garden relationship with 2 St Michael's Road.

Impact on future occupiers

7.16 The size of these 3, 2-bed properties would comply with the Government's Technical housing standards – nationally described space standard and would be built to energy efficient standards.

7.17 The rear garden to the proposed dwellings would be to the north, with garden in excess of 12m, which would exceed the minimum requirement in Havant's Design Guide SPED of 10m. The rear garden of the proposed dwelling to the east of the PH would abut its garden. (Previously this garden abutted the tenant's private garden). In response to concerns about potential noise and disturbance a 2.4m high acoustic fence would be provided along this boundary (together with a 1.8m acoustic fence along the rear boundary, where the PH's garden abuts 2 St Michael's Road boundary). On balance this is considered to be acceptable. The Council's Environmental Health's Team has raised no objection to the proposal, subject to conditions.

7.18 Each dwelling would have two car parking spaces. Turning area is also provided for the 2 properties which front Jessie Road. This level of car parking complies with Havant's Car Parking SPED and would benefit from EV Charging points. Cycle and bin storage are also provided for each dwelling.

7.19 The proposal would provide a satisfactory level of accommodation for future occupiers, in accordance with Policy CS16 of the Core Strategy.

(iv) Access & Parking

7.20 Representations have been received from third parties which include existing on-street parking problems and increased congestion within the area adversely impacting on road safety and amenity.

Access for the Public House

7.21 The application was accompanied by Technical Highway Notes. The Highway Authority (HA) was consulted over the application.

- 7.22 Access into the public house is to remain in the southeastern corner of the site via Jessie Road/St Michaels Road, which is acceptable to the HA. The secondary existing access via Jessie Road/Ernest Road is to be closed and the dropped kerb to be reinstated with full height kerbs. The HA has advised that the applicant should be made aware that they will require a S171/184 license to undertake the reinstatement work to the highway. If permission is granted this would be an informative on the decision notice.

Accesses for the dwellings

- 7.23 As to the accesses to the dwellings, the HA has advised as follows:

"The width of both vehicle crossovers providing access to the dwellings are 5.0m. The proposed access on Jessie Road is c. 20m from the junction with Ernest Road. It has been confirmed that the access onto Ernest Road is a new access and not an extension of the existing. This is noted. Both accesses can therefore be constructed via a S171/184 license."

Visibility:

2.4m X 43m visibility splays in accordance with HCC TG3 for both proposed vehicular accesses on Jessie Road and Ernest Road are shown within drawing 1710-46-VS01. It is agreed that appropriate visibility can be achieved from both access points. 2.0m X 2.0m pedestrian visibility splays in accordance with HCC TG3 are also shown on the drawing and are agreed."

- 7.24 Therefore the proposed accesses for the dwellings are acceptable.

Parking for the dwellings

- 7.25 As stated above, the proposed parking provision for the 3, 2 bed dwellings complies with Havant's Car Parking SPED, with 2 parking bays of 2.4m x 4.8m spaces provided for each dwelling. For those dwellings fronting Jessie Road a turning area is provided, to enable vehicles to enter and leave the site in a forward gear. If permission is granted a condition would be imposed on the decision notice, requiring the onsite parking to be provided before the occupation of the dwellings and therefore retained. As to cycle (and bin) provision this would be provided for each unit in their garden or to the side of the residential development. As to EV Charging Points this has been agreed with the agent and if permission is granted would be the subject of a condition.

Parking for the public house

- 7.26 Concerns have been raised by third parties that the proposal would exacerbate existing on street parking problems and add to congestion within the area, adversely impacting on road safety and amenity.

- 7.27 Policy DM14 of the Havant Borough Local Plan (Core Strategy) for car and cycle parking on development which are not residential states that:

"Development will only be permitted where it provides parking for cars, motor cycles and cycles in accordance with the relevant standards. Such parking provision must be appropriately located in relation to the development and be practical for its intended use."

- 7.28 Initially the total number of parking spaces associated with the public house would have been reduced from 24 to 14 spaces, resulting in the loss of ten parking spaces for the public house. In support of this material loss of car parking provision for the PH two car parking survey were undertaken which in total covered 7 days. This was undertaken using the Lambeth methodology to derive the number of available spaces with a 200m walk from the site. Based on the use of 5.0m parking spaces, a total of 100 unrestricted parking spaces were identified. The conclusion of the two surveys is as follows:

"1.9 The on site surveys for Monday to Thursday show low demand, below the number of parking spaces that is to be retained. From the on street parking surveys a maximum stress level of 50% was calculated, with at least 50 spare parking spaces within a 200m walk of the site on the busiest day surveyed. It is worth noting that these peak occupancy periods are often in the late evening and early hours of the morning, from 12:00am-01:00am.

1.10 The Friday to Sunday surveys, as presented in 1710-46/TN02, show that there will be some overflow parking for short periods, but indicate that can comfortably be accommodated on street in the immediate vicinity.

1.11 Based on the above, it is considered that this development would have no significant impact on the roads in the vicinity of the site across any of the days surveyed."

- 7.29 Under reference PAP/17/01189 the loss of 2 onsite car parking spaces for the public house was agreed.

- 7.30 The HA recommended refusal of the proposal due to inadequate on-site parking, which would result in the parking of vehicles on the public highway, interrupting *"...the free flow of traffic and cause a hazard to road users and a loss of amenity for existing residents and/or users of any formal on road parking."* The Local Planning Authority (LPA) concurred with the assessment of the Highway Authority, which was conveyed to the applicant's agent. This resulted in further discussions, which ultimately resulted in an amended Proposed Site Plan which shows 21 on site car parking spaces for the public house. The HA was reconsulted on this material change to the number of onsite car parking spaces who advised: *" The Highway Authority are satisfied that this parking quantum provides sufficient parking to accommodate the maximum parking demand recorded during the parking surveys undertaken in September 2023."* The LPA concurs with this assessment, with an adequate level of onsite car parking to be provided for the public house.

- 7.31 The HA has also advised that *"Drawing No. 1710-46-SP14 shows the ability of a 10m rigid vehicle to manoeuvre within the site and access/egress in forward gear to ensure the revised layout can accommodate the revised movements."* The HA has also advised *"... that the applicant has confirmed that any deliveries are to be planned outside of operational hours of the public house due to the overrunning of one parking space to undertake manoeuvre."* In view of this the HA has recommends a condition to secure that out of hours servicing occurs to avoid servicing being undertaken from the highway. Such a condition is recommended, together with a condition requiring the public house car park to be provided before the commencement of the development on the 3 dwellings to the east.

7.32 The HA also raised the question as to whether the bollards to the front of the public house are suitable mitigation to prevent conflicts with manoeuvring vehicles and those patrons accessing and egressing the PH given the tight manoeuvres and reversing distances required. In response to this an amended plan has been submitted, replacing the bollards with 1.2m high walls to the front of the public house, which would be conditioned to be erected if permission is granted.

7.33 As per the existing position no cycle provision has been provided on site for the PH, which is undesirable, but not in itself sufficient to justify a reason for refusal.

(v) Impact on trees & landscaping

7.34 The proposal is accompanied by an Arboricultural Implications Assessments and Method Statement Ref 17970-AIA3 29 June 2023, which records the two small groups of trees to the north and west of the site,. The Council's Arboricultural Officer (AO) was consulted over the proposal, advising that the existing trees would have a limited impact on the development and are to be retained. No objection is raised by the AO to the proposal with a recommendation that "*... the details of tree protection measures, landscaping works, including tree planting should be secured by condition prior to commencement.*" As to the tree protection measures if permission is granted this would be a pre-commencement condition, which has been agreed with the agent, together with all the recommended condition.

7.35 As to soft and hard landscaping this is shown as existing and proposed on the Proposed Site Layout Plan, with no specific details provided. If permission is granted a condition as to soft and hard landscaping, together with boundary treatment, would be imposed on the decision notice.

(vi) Viability of Public House

7.36 Policy CS19 seeks to protect social infrastructure and Policy DM2 reinforces this through its requirement to protect the change of use or loss of any premises or land currently or last used as a community service or facility, this includes public houses. The proposal retains the PH, and there is no evidence before the LPA that the proposed development would have a material impact on the operation or future viability of the PH.

(vii) Flooding & Drainage

Flooding

7.37 The site falls wholly within Flood Zone 1, and based on current information, would remain so with climate change in 2115. Overall, the development is at a low flood risk (less than 0.1%. AEP) and so is suitable for the residential development proposed.

Drainage

7.38 The foul and surface water drainage for the proposal, would link into an existing public sewer. The provision of foul and surface water drainage for the proposal would fall within the remit of Building Control.

(viii) Impact on ecology

- 7.39 The application site is within 50 metres of Pipistrelle Bat species roost. Due to the nature of the development it is not considered to have an adverse impact on the ecology of the area, complying with policy CS11 of the Havant Borough Core Strategy (2011). Furthermore a condition requiring the submission of details of external lighting has been recommended.

(ix) CIL

- 7.40 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 dwellings has been calculated by the agent as 239.40 sqm, which would be £32,575.50 .

8 Conclusion

- 8.1 The proposed development is considered acceptable in principle and would have an acceptable impact on the character and appearance of the area adding a modest addition to the Council's housing stock.
- 8.2 The impact of the development on nearby and future residents has been fully assessed which has led to amendments to the proposed development. It is now considered that the proposal would have an acceptable impact on neighbours and would provide a satisfactory environment for future residents.
- 8.2 The highway implications of the proposal, including onsite parking have been considered, with the modest reduction in parking for the PH now considered acceptable. The proposed dwellings provide adequate car parking and cycle provision. The new accesses to the highway have been assessed by the Highway Authority, with no objection raised.
- 8.3 The impact on existing trees, ecology and drainage has been assessed and found to be acceptable.
- 8.4 Developer contributions in relation to CIL will be required with nitrates and the SRMS contributions secured.
- 8.5 The proposal is considered to accord with the development plan as a whole and the National Planning Policy Framework and conditional planning permission is recommended.
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9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application PAP/23/00588 for the following reasons

1 **GENERAL**

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:

Plans

Proposed Site Layout Plan - Drawing No. 17.2292.100 rev P24
Proposed Roof & Floor Plan - Drawing No. 17.2292.101 P3
Proposed Elevations - Drawing No. 17.2292.102 P1
Proposed Context Elevation - Drawing No. 17.2292.103 P3
Location & Block Plan - Drawing No. 17.2292.104P1
Proposed PH Ground Floor - Drawing No. 17.2292.106P1
Proposed South Elevation - Drawing No. 17.2292.107P1

Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP07
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP08
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP09
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP010
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP11
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP12
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292. SP13
Swept path analysis of a large car (4.8m long) - Drawing No. 17.2292.SP14

Documents

Planning Application
Cover Letter dated 16/6/2023
European Site Avoidance & Mitigation Checklist
Occupancy Calculator
Solent Budget Calculator
Arboricultural Impact Assessment
Parking Provision
Transport Statement

Technical Note Ref: 1710-046/TN/05

Reason: To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, or roof conversion shall be constructed within the curtilages of the three dwellings without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the neighbouring properties and to ensure adequate parking provision having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Deliveries and collections to the public house shall only take place outside of the operational hours of the public house, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To avoid servicing of the public house taking place from the highway in the interests of highway safety having regard to policy DM11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted shall only be carried out in accordance with the Arboricultural Implications Assessments and Method Statement Ref 17970-AIA3 29 June 2023, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework.

6 **PRECOMMENCEMENT**

Prior to commencement of the development, a noise assessment shall be submitted in writing to the Local Planning Authority for approval of external noise levels including reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve 'Good' internal noise levels for rooms and (if provided) external amenity standards in accordance with the criteria of BS8233:2014. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport and commercial noise sources having regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. This is a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 7 Prior to the commencement of the development hereby approved, a scheme shall be provided in writing to demonstrate that the external noise levels within the curtilage of the residential units and amenity areas for the site shall conform to the "Design criteria for external noise" upper guideline value of 55 dB LAeq,T and preferably with the desired LAeq,T level of 50 dB as specified in section 7.7.3.2 of BS 8233:2014.

Guidance on the noise mitigation works to be provided to ensure noise reduction for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the development and be retained thereafter.

Reason: To protect the amenity of future residents having regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. This is a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 8 No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of:
- (a) provision of boundary hoarding;
 - (b) hours of operation;
 - (c) means to control dust and emissions to air;
 - (d) means to control noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority.

The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development shall be constructed in accordance with the approved statement.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained, and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment, ecology, and local residents from light pollution having regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 10 The car parking and servicing arrangements shown on the approved plans to serve the public house hereby permitted shall be made fully available for use prior to the commencement of the development of the three dwellings hereby approved and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

11 **ABOVE GROUND**

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

12 **PRIOR TO OCCUPATION**

The car parking, servicing and cycle arrangements shown on the approved plans to serve the three dwellings hereby permitted shall be made fully available for the 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.

- 13 Prior to occupation of the three dwellings hereby approved visibility splays of 2.4m x 43m for the accesses shall be provided, with the visibility splay kept free of obstruction.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 A scheme of hard and soft landscaping, including boundary treatment and details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, to include at least three heavy standard trees (12-14cm girth at 1.5m above ground level), shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and

species in the next planting season.

Reason: To ensure a satisfactory appearance and to safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies CS16 and DM8 of the Havant (Core Strategy) 2011 and the National Planning Policy Framework

- 15 Prior to occupation of the three dwellings hereby permitted a report shall be submitted in writing to the Local Planning Authority to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for these residential unit, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Prior to occupation of the public house garden the acoustic fence shown on the Proposed Site Layout plan drawing number 17.2292.100 rev P24 shall be erected along the northern and western boundaries and shall thereafter be retained and maintained in the approved positions.

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

- 17 Prior to the use of the public house car park hereby approved details of the wall to replace the bollards as shown on the Proposed Site Layout plan drawing number 17.2292.100 rev P24 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be erected prior to the use of the approved public house car park and thereafter retained and maintained.

Reason: In the interests of health and safety for the patrons of the public house having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

18

1. 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 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.

- 19 Prior to the occupation of the development hereby approved details of Electric Vehicle Charging points for the three dwellings shall be submitted to and approved in writing by the Local Planning Authority. The Charging Points shall be installed in accordance with the approved details prior to the occupation of each individual dwelling and retained at all times thereafter.

Reason: In the interests of energy efficiency having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

20 **POST OCCUPANCY**

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.