

Site Address: Eastleigh House, Bartons Road, Havant, PO9 5NA
 Proposal: Landscaping scheme to create a new setting for Eastleigh House and
 3No. single storey one bedroom terraced wheelchair accessible dwellings for the over
 55s.
 Application No: APP/21/00636 Expiry Date: 11/08/2021
 Applicant: Harding
 Agent: Cutts Case Officer: Lesley Wells
 Wessex Planning Ltd
 Ward: St Faiths

1 Site Description

2 Planning History

99/57258/003 - Single storey side extension to east elevation (revised application),
PERM.27/05/1999

99/57258/004 - Listed Building Application for internal alterations, demolition of outbuilding and erection of single storey side extension to east elevation (revised application). PERM.27/05/1999

APP/15/01104 - LBC for the Conversion of Eastleigh House from a single dwellinghouse to B1 offices and two dwellinghouse along with the erection of a two storey extension to provide a further single dwellinghouse including landscaping, parking and turning areas., PERM.04/03/2016

APP/15/01103 - Conversion of Eastleigh House from single C3 dwellinghouse to B1 offices and two C3 dwellinghouse along with the erection of a two storey extension to provide a further single C3 dwellinghouse, plus the construction of a courtyard development of 10 terraced houses, including landscaping, parking and turning areas., PERM,04/03/2016

APP/16/01077 - Residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building.(approved 21.01.17) Request to discharge condition No.s 2,5,6,7,8,9,and 14 (26.05.17). Request to discharge condition No/s 2,5,6,7,8, 9,13 and 14 (15.01.18). Request to discharge condition No.3 and 16 (07.02.18). Request to Discharge Conditions 5 and 14 (20.06.2018)., PERM,27/01/2017

APP/16/01078 - Listed Building Consent for residential development to provide 9 dwellinghouses along with the continued use of Eastleigh House as Class B1(a) offices and the demolition of outbuildings to the rear of the building., PERM,27/01/2017

APP/18/00492 - Application for Non-material change to Planning Permission APP/16/01077 relating to substitute brick samples and removal of brick queuing to elevations., PERM,14/06/2018

APP/18/00894 - Erection of 1No. 3bed dwelling including landscaping and parking.(18.01.19). Request to discharge condition No.s 3,5,6,9,10 and 13. (09.04.19)., PERM,18/01/2019

APP/19/00156 - Internal alterations to allow conversion from offices (class B1(a)) to form 6No one bed flats (C3 residential units) (Approved 12/09/2019). Request to Discharge Conditions 7, 8a), 9 and 11 (28.01.2020).
[Note: Grampian Condition applies, contact LPA for details], PERM,12/09/2019

APP/19/00157 - Listed Building Consent for internal alterations to allow conversion from offices (class B1(a)) to form 6No one bed flats (C3 residential units) (Approved 12/09/2019). Request to Discharge Condition 6 (28/01/2020)., PERM,12/09/2019

APP/20/00366 - Provision of 5no. 1 bedroom retirement bungalows., REF,20/11/2020
- see below for reasons.

3 Proposal

- 3.1 Landscaping scheme to create a new setting for Eastleigh House and 3No. single storey one bedroom terraced wheelchair accessible dwellings for the over 55s.

- 3.2 Planning permission was refused on 20/11/20 under reference APP/21/00636 for the erection of 5 no. 1 bedroom retirement bungalows, for the following reasons:

"1 In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the water quality of the Solent European Sites as specified in the Habitats Regulations Assessment that has been undertaken on this planning application. As such, it is contrary to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 policies E16, EX1 and E12 of the Pre-Submission Havant Borough Local Plan 2036, paragraph 175(a) of the NPPF and The Conservation of Habitats and Species Regulations 2017 (as amended).

2 The proposed development would be located within the immediate setting of a designated heritage asset (Eastleigh House), (the setting of which forms part of its significance), and is considered to result in significant harm to the setting. The application fails to assess the significance of this asset, including the contribution made by its setting and the impact that the proposed development would have on the significance of the designated heritage asset. It is therefore contrary to policies CS11 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of Havant Borough Local Plan (Allocations) 2014, emerging policy E13 of the Pre-Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

3 The proposed development would adversely impact on the amenity area of the future occupiers of Eastleigh House and would amount to an overdevelopment of the site due to inadequate amenity space for future occupiers of the development, which would be significantly harmful to the amenity of residents. The amenity space of plots 4 and 5 would also be dominated by adjacent trees further negatively impacting their amenity value. The proposal is therefore contrary to the adopted Borough Design Guide SPD 2011, policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policies E1 and H1 of the Pre-Submission Havant Borough Local Plan 2036, and the National Planning Policy Framework."

The refusal of planning permission is the subject of an appeal.

- 3.3 The revised scheme includes the following changes to the refused proposal:

Reduction in number of units from 5 to 3, with each unit designed for just one person, with disability access..

The development would be terraced with a north/south orientation with access from the south.

Built in a style that would give the appearance of an ancillary building to a large regency style house.

Decorative features such as a dovecot and brick quoin details enhance the appearance of the building, whilst being in keeping with the historic character of the heritage asset.

The terrace would be 'joined' to the main house by a new garden wall with a gated archway.

Three garden terraces, with direct access to the shared communal garden to the north
Landscaping and reinstatement of the communal garden, following the installation of sub-surface drainage system.

Materials of yellow brick and slate to match those of the main house.

- 3.4 As to reason 1 above, the applicant has entered into a legal agreement to secure the mitigation for the Solent Recreation Mitigation Strategy and nutrient neutral development. Therefore, condition 1 has been addressed by the proposal. As to conditions 2 and 3 this is covered under Section 7 below.

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)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

HB1	(Havant and Bedhampton Housing Allocations)
DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E22	(Amenity and pollution)
IN1	(Effective provision of infrastructure)
E2	(Health and wellbeing)
E1*	(High quality design)
H1*	(High quality new homes)
E13	(Historic environment and heritage asset)
E12	(Low carbon design)
E16	(Solent Special Protection Areas)
IN3	(Transport and parking in new development)
EX1	(EX1 Water Quality impact on the Solent European Sites)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Grade II
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist - Final Comment - No Objection

I have no objection to the proposal providing the work is carried out in accordance with the Barrell Arboricultural Method Statement and Tree Protection Plan.

Arboriculturalist - 2nd Comment - Further Information Required.

Thank you for sending this method statement and tree protection plan through. However I still need an updated report and plan showing the new proposal on these plans. While it most likely looks achievable I still need this information to ensure protection of the trees

Arboriculturalist - 1st Comment - Further Information Required.

In order for me to comment fully an AIA, AMS and TPP will need to be submitted please.

Building Control, Havant Borough Council

A Building Regulation Application will be required for this work

There is a Public Sewer within the ground of Eastleigh House which is near to proposed development investigation work needed to ensure new development will be 3m away or consult Southern Water Services

Compliance with Approved Document B5 Fire Authority Access provisions

Bin store and bin sizes to comply with Approved Document H

Community Infrastructure

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:

(e) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the additional dwelling and its respective number of bedrooms. See

<http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>.

b) Issue the Nutrient Neutrality Unilateral Undertaking. See

<https://www.havant.gov.uk/nitrogen-developers>

Conservation Officer - No Objection

Proposal Landscaping scheme to create a new setting for Eastleigh House and 3 No. single storey one bedroom terraced wheelchair accessible dwellings for the over 55s.

The Site -

Eastleigh House was built as a residential dwelling in the early 19th century. It appears to have been part of a larger farmstead in the C18 which included a surviving remnant of a listed barn which is not part of the adjoining garden centre. It includes later additions including a later Regency build and frontage. The house is well set back from Bartons Road and accessed via a sweeping driveway which leads to the front entrance of the house which faces south.

This was meant to take advantage over the wider views of the countryside however, this open land is now currently being developed for housing. The east elevation of the house faces a private sunken lawn. The north area of the house has recently been developed with 10no. dwellings. However, the open space about the east and to some degree south of the site, in addition to being enclosed by a mature tree screen along the boundaries, makes for an enclosed and established setting for the listed building.

The building was listed in 1952 (Grade II). It displays the typical characteristics found at that time; shallow pitched roof, refined regency proportions, built in yellow brick with a Flemish bond. A two-storey block has been added to the southern end of the original building and a further later additional has now been converted into two residential dwellings under a previous planning permission.

Planning Background

The land to the north of the dwelling has been developed with 10no. residential dwellings, with the original access and the open space to the south and east of the main house being retained. To the south of the site, development is under way for a large housing site.

With regards to the main listed building itself, a previous permission granted approval for a change of use to office use (Class B1), but subsequently left vacant by the tenants. Since then a further application has been approved to convert the main house into 6 x 1no. bed apartments. This is currently being implemented.

Internally a high proportion of original features remain throughout such as fireplaces, windows, shutters, skirting boards and mouldings and have been incorporated into the most recent conversion.

An application was submitted last year for the development of 5no. retirement bungalows within the remaining grounds of the house, however this was refused and then subsequently dismissed at appeal.

Legislative and Policy Context

Section 66 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 listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework

The revised NPPF (July 2021) 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:

189. 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.

194. 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.

195. 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.

196. 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.

197. 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.

199. 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.

200. 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.

Historic England Advice

In addition to the advice laid out in the NPPF, Historic England has published planning advice in the form of Good Practice Advice Notes (GPA's) and Historic England Advice Notes (HEANs). Most relevant to this application will be GPA2 – Managing Significance in Decision Taking in the Historic Environment and GPA3 – Setting and Views.

GPA2 states at paragraph 4 - 'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest'. It also advises that an assessment of significance is required as part of the application process including the understanding of the nature of the significance, the extent of that significance and level of significance. Paragraph 11 states 'to accord with the NPPF, the application will need to undertake an assessment of significance to inform the application process an extent necessary to understand the potential impact (positive or negative) of the proposal and the level of thoroughness proportionate to the relative importance of the asset whose fabric or setting affected'.

GPA3; the Setting of Heritage Assets defines setting as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral".

GPA3 advises a broad approach to assessment, undertaken a series of steps that apply proportionately to the complexity of the case, from straightforward to complex;

Step 1 – identify which heritage assets and their settings are affected

Step 2 – Assess the degree to which these settings make a contribution to the significance of the heritage asset or allow significance to be appreciated.

Step 3 – Assess the effects of the proposed development, whether the beneficial or harmful, on that significance or on the ability to appreciate it.

Step 4 – Explore ways to maximise enhancement and avoid or minimise harm.

Step 5 – Make and document the decision and monitor outcomes.

Local Planning Policies

Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) 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 CP16 (High Quality Design) (1a) of the Core Strategy states that "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 that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.
2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

Emerging Policy E13 from the Draft Local Plan 2036 provides similar advice to existing Policy CS11, but also adds that where harm cannot be avoided, mitigation may be proportionate to the impact and the significance of the heritage assets and fully incorporated into the development proposals.

Proposal

The proposal is for a revised scheme following the refusal of the previous application.

The proposal is now for the provision of 3no. single storey, 1no. bedroom units within one building, designed as an outbuilding to the main house.

The proposal also includes the landscaping of the formal garden to Eastleigh House which has become neglected over a number of years. Three parking spaces would be provided for the residential units at the end of the tear drop driveway.

Assessment of the proposal

The new building is in the style of what would have been an ancillary building to a large regency style house such as a coach house or ornate stable block. The materials of yellow brick and slate would match those of the main house. The inclusion of decorative features such as a dovecot and brick quoin details enhance the appearance of the building, whilst being in keeping with the historic character of the heritage asset. Three separate entrance doors would access each of the units. The proposed building is low in height and as such, does not detract from or dominate the southern elevation of Eastleigh House.

Previously the setting for the heritage assets was much wider than it currently exists. Open fields to the south provided views to and from the south elevation of Eastleigh House. Open space and gardens, including mature landscaping, existing to the north adjacent to Bartons Road. A sunken lawn is still located to the immediate east of the house and the site is still enclosed by very mature landscaping. However, the loss of land to the north and south for housing development has significantly altered the setting of Eastleigh House. The main setting is now confined to the sunken lawn area and the sweeping driveway which lies to the south elevation and still allows some appreciation of that aspect.

Unlike the previous proposal which would have resulted in the loss of the sunken garden, the new building would be located to the south east of the main house, outside of the sunken garden, but facing onto it. A curved wall is proposed which would link the main building and the new building, which includes arched openings to provide an access into the garden area. A landscaping scheme is proposed to improve the sunken lawn area with new planting and the addition of a historic sundial feature.

It is considered that whilst the new building would be in close proximity to the main house, it has been designed in such a way that it respects the significance of the main heritage asset. The garden wall provides a successful link between the two buildings and the retention and enhancement of the sunken garden is welcomed and will retain an important historic aspect of the setting.

Overall, is it considered the level of harm caused as a result of the proposed development would be negligible. This is due to the careful design of the building which would be incorporated into the setting of the main house and the retention and enhancement of the sunken garden, which is key as this is the remaining setting to the main house.

Conclusion

No Objection subject to the following conditions:

1. No development shall commence on site until details, including labelled samples (manufacturer, type and where it is to be used) of all external materials (including finishes), have been submitted to, and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved material specification.
2. Notwithstanding the approved plans, the development hereby permitted shall not commence until detailed drawings of the windows and doors have been submitted to, and approved in writing by the local planning authority. . The details to comprise:-
 - a) Plans to clearly identify the window and door in question and its location within the property. Where a large number of windows and doors are involved the windows should be cross referenced to an elevation drawing or floor plan for the avoidance of doubt.
 - b) 1:20 elevation and plan; 1:5 section and full size glazing bar detail. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading).
 - c) The materials used, method of opening and finishes. The works shall be carried out in full accordance with such approval and be retained thereafter.
3. Details of the siting and design of any proposed external meter boxes/metalducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any such features shall thereafter be provided in accordance with the approved details.

NB – Please can the Heritage team be consulted on the details relating to hard surfacing to ensure that the paving areas and parking spaces are of an appropriate material. _

Officer Comment: *if permission is granted, Conservation would be consulted over the details relating to hard surfacing.*

Councillor Imogen Payter

No comment.

Councillor J Branson - St Faiths

No comment

Councillor T Pike - St Faith's

No comment

Crime Prevention -Minor Apps

No comment.

Developer Services, Southern Water - No Objection

Please find the attached extract from Southern Water records showing the approximate position of a public sewers within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" (southernwater.co.uk/media/3027/ds-tree-planting-guide.pdf) and the Sewerage Sector Guidance (water.org.uk/sewerage-sector-guidance-approved-documents) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required.

This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Officer comment: the above condition is recommended, with an informative added to the decision notice in respect of the need for a formal application to connect to the public sewer.

Environment Agency

No comment.

Hampshire Highways - No Objection

The revised landscaping and internal layout arrangement will not have an impact on the public highway. The Highway Authority therefore raise no objection to the proposed development.

Landscape Team, Havant Borough Council - Final Comment

From a landscape perspective we have the following comments in relation to this application:

- Having reviewed the submitted sketch view of the proposed 3 no. dwelling our initial concerns with regards to the potential negative impact on the grade 2 listed building have been suppressed. I agree with the conservation officer that the proposed development has the appearance of an ancillary building.
- Recommend to condition soft landscaping, hard landscaping, external building materials and lighting.

Landscape Team, Havant Borough Council - 1st Comment

- We have concerns of the proximity of the development to the grade 2 listed building and the impact this will have on the landscape setting of Eastleigh House. HBC townscape, landscape and seascape character assessment built form and development strategy states 'The surviving elements of the 19th century estates, and their landscape setting should be protected from further erosion by development.'
- We require a plan showing the relationship with the existing listed building the proposal and more details on the material proposed.
- We have concerns with the proximity to existing trees and the lack of arb information does not provide transparency on the impact on root protect areas.

Nutrient Team

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/21/00636.

Portsmouth Water Company

We have no adverse comments to make from a groundwater quality protection perspective.

Public Spaces

No comment.

Traffic Management Team

The Traffic team have no adverse comment to make.

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: 20

Number of site notices: One

Statutory advertisement: 25/06/2021

Number of representations received: 1

Comment	Officer Comment
:I live in the "Broadleaf" development to the north of this application (on the land previously owned by Eastleigh House and developed by IBEX Homes). When purchasing the property we were told that there was to be a second gate to enter the Eastleigh House and 3 x Bungalow site. This gate is now missing. I would like to see this gate returned (as per the original plan) to keep this Eastleigh House development separate from our private development of 10 houses.	This is not material to the consideration of the application.

7 Planning Considerations

Appropriate Assessment

- 7.1 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) of the proposed development. 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), Policy E16 of the Submission Havant Borough Local Plan 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 confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24. This has been secured by a legal agreement.

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 pSPA cannot be ruled out.
- 7.5 The applicant has agreed a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development at Warblington, in order to mitigate the impact of the developments in terms Nutrient Neutral Development. This has been secured by a legal agreement.

Conclusion

- 7.6 The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effects on 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 legal agreements to secure the mitigation packages.

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

- (i) Principle of development
- (ii) Retirement Accommodation
- (iii) Impact upon the Listed Building and character and appearance of the area
- (iv) Impact upon residential amenity
- (v) Trees and Landscaping
- (vi) Access and Parking
- (vii) Developer Contributions & CIL

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. The Council cannot demonstrate a 5 years land supply of housing, which is currently 4.3 years. The addition of three new bungalows in such a location would make a contribution, albeit a very modest one, to the Council's overall housing requirements.

(ii) Retirement Accommodation

The proposal is for a terrace of three single storey retirement bungalows. Within the Borough there is a recognised need for such accommodation, as provided for by Policies CS9 (6) and DM7 of the HBLPCS and Policy H5 in the Submission Havant Borough Local Plan.

Policy CS9 (6) provides for accommodation for the ageing population in sustainable locations and that such accommodation is flexible so that it can adapt to the changing and particular needs of individual occupants. The site falls within the settlement policy boundary, with Dobbies (ie a garden centre) to the west, which includes a small Sainsburys and a clothing outlet. Also to the west on Bartons Road, buses are available to Park Parade Shopping Centre, Havant Town Centre and Portsmouth. The proposal has been designed to accommodate the end user, with access to a small private area and a communal landscape garden to the north, which would be sited in an appropriate location.

The proposal is considered to accord with Policies CS9 (6) and DM7 of the HBLPCS and Policy H5 in the Submission Havant Borough Local Plan. However, to ensure that this provision is made available to the retirement community and those with disabilities, a condition is recommended to restrict occupancy.

(iii) Impact upon the Listed Building and character and appearance of the area

Section 66 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 listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy CS11(4) of the Havant Borough Local Plan (Core Strategy) (HBLPCS) requires that development:

"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 DM 20 of the Havant Borough Local Plan (Allocations) provides for development that conserves and enhances the historic assets of Havant Borough in line with the NPPF.

Eastleigh House is a Grade II Listed Building which lies immediately to the north and west of the proposal. Whilst there is residential development to the north, south and east of Eastleigh House, to the south and east are open amenity areas which provide the setting to the listed building. In addition, to help retain this setting, when the residential development to the south was granted, an area of open space immediately to the south of the application site was provided, with built development, in the main, set further into the site.

The proposal is for 3 single storey bunaglows, with each unit designed for just one person, with disability access. The development would be terraced with a north/south orientation with access from the south. In terms of the character of the new build, this would be in yellow brick and slate to match those of the main house, and in a style that would give the appearance of an ancillary building to a large regency style house, and utilise decorative features such as a dovecot and brick quoin details.

The terrace would be 'joined' to the main house by a new garden wall with a gated archway, and feature three garden terraces, with direct access to the shared communal garden to the north. Landscaping and reinstatement of the communal garden is proposed, following the installation of sub-surface drainage system.

The Council's Conservation Officer (CO) has been consulted over the proposal and has advised:

"It is considered that whilst the new building would be in close proximity to the main house, it has been designed in such a way that it respects the significance of the main heritage asset. The garden wall provides a successful link between the two buildings and the retention and enhancement of the sunken garden is welcomed and will retain an important historic aspect of the setting."

Overall, it is considered the level of harm caused as a result of the proposed development would be negligible. This is due to the careful design of the building which would be incorporated into the setting of the main house and the retention and enhancement of the sunken garden, which is key as this is the remaining setting to the main house."

Subject to conditions, which are recommended, the CO has no objection, to this revised proposal for the site. (All of the pre-commencement conditions recommended have been agreed with the applicant's agent.)

Consequently, it is considered that the proposal would preserve the setting of the listed building, meeting the requirements of Policies C11, CS16 of the HBLP (Core Strategy), DM20 of the HBLP (Allocations) and E13 of the Submission Havant Borough Local Plan and the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iv) Impact upon residential amenity

Policy CS16 of the HBLPCS seeks quality design in all developments, both for existing and proposed residents.

Existing residents

The terraced proposal has a south north orientation, with the footpath access to the south. Doors and windows are proposed in the south elevation, the latter of which would service bathrooms and kitchen/dining areas. The separation distance from the boundary would be approximately 5.1m, with additional planting proposed along the southern boundary. Additionally, the front of the development would face an area of public open space provided for the residential development to the south. Therefore the proposal would not overlook the private amenity areas of occupiers of this estate.

As to the neighbouring property to the east, this is set in a large plot, with the dwelling sited relatively close to Bartons Road. The eastern boundary benefits from mature trees, which would effectively screen the proposal from the property to the east minimising any issues with overlooking or loss of privacy.

With regard to Eastleigh House to the north, the proposal would have doors and windows in the north elevation. Due to the layout of the proposal to the south east of Eastleigh House with a minimum separation distance of 8m the proposal would not adversely impact on the residential amenity of the occupiers of Eastleigh House, by reason of overlooking or dominance.

Future residents.

The proposal is designed as retirement homes for one person, with disability access. The internal layout has been designed to provide 1 bedroomed accommodation that is sufficiently sized for a wheelchair ie approximately 39 sqm. Each bungalow would have an open plan kitchen/dining/living area, a single bedroom, a bath room and a separate hallway. The proposal satisfies the minimum gross internal floor areas and storage (ie 39 sqm) as set out in the Government's 'Technical housing standards - nationally described space standard'.

To the rear of each dwelling a small private terrace area would be provided separated from each other by hedging but overlooking the shared communal area, which would be shared with the residents of Eastleigh House. As previously mentioned, to the front of the dwellings additional planting would be provided along the southern boundary. Whilst modest and not meeting the garden depth of 10m recommended in the Borough Design Guide, the available private and communal amenity space is considered appropriate to meet the needs of the single person occupiers of the development. Overall the design and size of the proposal is considered to be appropriate and accord with Policy CS16 of the Havant Borough Local Plan and Policy E1 of the Submission Havant Borough Local Plan.

(v) Trees and Landscaping

The Council's Arboricultural Officer has been consulted over the proposal and following the submission of additional details raises no objection, subject to the imposition of conditions regarding the development proceeding in accordance with Barrell's Arboricultural Method Statement and the submitted Tree Protection Plan.

Such conditions are recommended.

As for the landscaping, the applicant's agent has advised:

"The landscaping of the eastern garden is a key element of the scheme that works with the new 'outbuilding' to replace the current denigrated setting of the Listed Building and provide an enhanced and enclosed new one."

The proposed landscaping scheme is set out in drawing number M369-200 Revision P1 and would secure, amongst other matters, the re-instatement of the former levels and the removal of large spoil mounds from the former sunken garden, following the installation of a sustainable urban drainage system for the housing scheme to the north. This is considered to be desirable, both for the setting of the listed building and for its residents and those of the proposal.

The Council's Landscaping Officer (LO) was consulted. After receiving further information the LO has no objection to the proposal, subject to conditions relating to the submitted landscape plan, external building materials and lighting. Such conditions are recommended.

(vi) Access and Parking

The proposal would use the existing access to Eastleigh House from Bartons Road to the west of the site, which has given rise to no objection from the Highway Authority. Three car parking spaces and three cycle racks are proposed. This level of parking and cycle provision accords with Havant's Car Parking SPD and Policy DM13 of the HBLPCS. Adequate bin storage is also shown.

(vii) Developer Contributions & CIL

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.

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 by the agent as 122.88sqm, which would be £14,613.94. Exemption is not sought.

8 Conclusion

The design of the proposal and the reduction in number of bungalows from five to three has addressed the significant impact on the setting of Eastleigh House and the amenities of future occupiers. The proposal would be a modest addition to the Council's housing stock with the necessary mitigation packages provided for the SRMS and for neutral nitrogen development. The development would not adversely impact on the appearance of the area or residential amenity and is acceptable in parking terms. The proposal has addressed the previous reasons for refusal. The recommendation is conditional planning permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00636 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:

Planning Design and Access Statement
Heritage Statement
Barrell's Arboricultural assessment and method statement received 14/7/21
Tree Protection Plan received 14/7/21
Tree Protection Overlay received 17/8/21 - Drawing No. SLTPO.01
Location Plan received 16/6/21
Site Layout
Coloured South & West Elevation Entrance Detail - Drawing No. Detail.01
Proposed Floor Plans and Elevations - Drawing No. Plans.pe Revision A
3D Sketch view of proposal received 2/9/21
Landscape Plan M369-200 Revision P2

Reason: To ensure provision of a satisfactory development.

- 3 Occupation of the development hereby approved shall be restricted to:
- a) Persons over the age of 55, unless in the case of a couple where one person is over the age of 55, the second person shall not be under the age of 50; or
 - b) Persons with mobility issues such that they require use of a wheelchair; or
 - c) Persons living as part of a single household with persons with mobility issues as set out in b) above; or
 - d) Persons who are living in the approved development as part of a single household with such a person as defined in b) above who have either:
 - 1. Died while living in the approved development; or
 - 2. Moved to reside in an institutional care home.

Reason: To secure the development for retirement accommodation and for those with mobility issues, for which there is a recognised need within Havant Borough, having regard to Policies CS9 and DM7 of the Havant Borough Local Plan (Core Strategy) 2011, Policy H5 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 4 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, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 5 Notwithstanding the approved plans, the development hereby permitted shall not be commenced until detailed drawings of the windows and doors have been submitted to, and approved in writing by the local planning authority. The details to comprise:-

a) Plans to clearly identify the window and door in question and its location within the property. Where a large number of windows and doors are involved the windows should be cross referenced to an elevation drawing or floor plan for the avoidance of doubt.

b) 1:20 elevation and plan; 1:5 section and full size glazing bar detail. The details to include the position of the window within the opening (depth of reveal) and method of fixing the glazing (putty or beading)

c) The materials used, method of opening and finishes.

The works shall be carried out in full accordance with such approval and be retained thereafter.

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, Policies E1 and E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 6 Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any such features shall thereafter be provided in accordance with the approved details.

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, Policies E1 and E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 7 The landscaping works shown on the approved plans, reference drawing no M369-200 Revision P2, titled Landscape Plan, shall be carried out in accordance with the approved details, within the first planting season following occupation of the development hereby permitted. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 8 Notwithstanding any description of materials in the application no above ground construction works shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: To ensure the appearance of the development is satisfactory and having due regard to Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 9 No above ground construction works shall take place until a full specification of the external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in accordance with any terms of such approval unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the locality is not impacted upon by external lighting levels and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A to H of Schedule 2, Part 1 of the Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of Eastleigh House, which is a Grade II Listed Building, residential amenity and parking provision and having due regard to Policies CS11, CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1, E13 and IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 11 The car and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and sustainable travel and having due regard to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 12 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, as shown in the Barrell's Arboricultural Assessment Method Statement received 14/7/21 and Tree Protection Plan received 14/7/21 shall be carried out in full and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policies E1 and E18 of the Submission Havant Borough Local Plan.

- 13 Prior to the commencement of development, details of the measures to be undertaken to protect the public sewer during the course of demolition and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full accordance with the approved measures and retained thereafter during the construction work for the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the public sewer having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policies IN1 and E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

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

Reason: To safeguard the amenities of the locality and trees on and adjacent to the site and ensure that all such drainage provision is constructed to a satisfactory standard, having due regard to Policies CS11, CS16, CS19 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E18, E20, and E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

15 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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.

16 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed 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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.