
Site Address: 34 Havant Road, Emsworth, PO10 7JG
Proposal: Change of use from a holiday home for the Charing Cross Holiday
Dialysis Trust to C3 dwellinghouse with ancillary annex (no internal alterations).
Application No: APP/21/00498 Expiry Date: 16/07/2021
Applicant: Mr Mandiwall
Agent: Ms S Roberts Case Officer: Graham Speller
Critchley Architecture And
Design (CAAD) Ltd
Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site is located on the southern side of Havant Road and is occupied by a large detached building last used as a Dialysis Treatment Centre and Holiday Home until April 2021 when the Charing Cross Hospital Dialysis Holiday Home Ltd sold the site to move premises.
- 1.2 The building is on the list of Local Buildings of Historic Interest and is therefore classed as a non-designated heritage asset.
- 1.3 There is an existing access off the A259 Havant Road, with a large forecourt parking area in front of the principal building.
- 1.4 There is a detached building directly behind (south) of the principle building which contained the medical centre for patients undergoing dialysis treatments.
- 1.5 The surrounding area is residential in character with properties of varying styles and design.

2 Planning History

90/50553/001 - Reduce/remove lower limbs overhanging adjacent property reduce height by approximately 10ft and reshape crown on Oak covered by TPO 1395, ZHIS,03/04/1990

99/50553/006 - Replacement of existing Dialysis Treatment Unit to rear of property, PERM,23/03/2000

98/50553/005 - Removal of the eastern stem, crown raise up to 5 metres, reshape the crown's radius by 1.5/2 metres and reduce the height by 2 metres of an Oak tree (T2) in the rear garden subject to TPO 1524, PERM,07/12/1998

97/50553/004 - Raise crown to 5 metres, remove lowest limb to west and remove all epicormic growth: Oak tree overhanging 11 Kingsey Avenue (T1 of TPO 1395), PERM,23/04/1997

94/50553/003 - Raise to 8m & reduce by 20% thin by 30% and balance crown of Oak T2 - Raise to 5m, reduce by 30% and thin by 20% crown of Oak T3 - both covered by TPO 1524., PERM,

92/50553/002 - Erection of car port to east elevation., PERM,

04/50553/007 - Application to crown reduce Oak T1 by 25% subject of TPO 1524., PERM,24/03/2004
 06/50553/008 - Application for crown reduction of 15% to western section of the canopy of a Common Oak tree (T2) subject to TPO 1524. , PERM,03/10/2006
 APP/13/00224 - Crown reduce 1No. Oak (T1) by 2m from top, north, south and west sectors and 2.5m from east sector to original points remove dead, crossing and epicormic branches; subject to TPO 1395., PERM,26/04/2013
 APP/14/00537 - Crown reduce 2No. Oaks (T2, T3) by 1.5m back to previous pruning points, subject to TPO 1524, PERM,01/07/2014
 APP/14/00865 - 4.5m Crown reduction to south west aspect and 2m crown reduction to height of 1No. Copper Beech tree , WD,22/08/2014
 APP/21/00774 - Erection of 4 No. 3bed. bungalows and Fell 3 No. 'U' Category TPO Trees, under consideration

3 Proposal

- 3.1 Change of use from a holiday home for the Charing Cross Holiday Dialysis Trust to C3 dwellinghouse with ancillary annex (no internal alterations).

4 Policy Considerations

National Planning Policy Framework 2021
 Havant Borough Council Borough Design Guide SPD December 2011
 Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

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

E13	(Historic environment and heritage asset)
E16	(Solent Special Protection Areas)
EX1	(EX1 Water Quality impact on the Solent European Sites)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_H2	(Buildings of Local Historic Interest)
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Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Conservation Officer

The application site is a flint brick, Edwardian style, large detached property dating from the 1890's. It has had several alterations since its construction and is not eligible for statutory listing but is locally listed. It was previously used as a Rectory and then converted into a convent in the 1970's and then lastly a dialysis treatment centre. It is not located within a conservation area.

Assessment

The proposal would comprise a change of use to a single dwelling. Minimal structural alterations are proposed and certainly none which would affect the character of the building. The heritage asset in this instance would not be harmed and as such, no objection is raised on heritage grounds.

Conclusion – No Objection

Councillor Julie Thain-Smith

No comments received.

Councillor Lulu Bowerman

No comments received.

Councillor R Kennett

No comments received.

Developer Services, Southern Water

The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

The 300 mm public surface water sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.

- No new development or new tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No new 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.

Natural England Government Team

Thank you for your consultation on the above dated 21 September 2021 which was received by Natural England on the same date.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites within the Solent, including the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, and the Solent Maritime Special Area of Conservation (SAC) and has no objection.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

European sites – Chichester and Langstone Harbour SPA and Ramsar site, Solent Maritime SAC

Natural England has received a revised Habitats Regulations Assessment (HRA) dated the 17th September 2021. Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We note that alternative occupancy figures have been used in the calculation based on the Office of National Statistics's average home room size, and averages for holiday accommodation. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. Conclusions that inform the use of a bespoke calculation need to be capable of removing all reasonable scientific doubt as to the effect of the proposed development on the international sites concerned, based on complete, precise and definitive findings. The competent authority will need to explain clearly why the approach taken is considered to be appropriate. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty with predicting inputs such as occupancy.

The revised HRA ascertains that the occupancy of the property will decrease upon conversion from a holiday home for dialysis patients to a single dwellinghouse. The HRA screens out likely significant effects to designated sites within the Solent.

Based on the information submitted, Natural England considers that the proposed development will not have likely significant effects on designated sites within the Solent, including the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, and the Solent Maritime SAC, and has no objection to the proposed development.

In line with the Habitats Regulations, we note that you have made a record of your decision that likely significant effects can be ruled out within your revised HRA dated 17th September 2021.

Nutrient Team

I can confirm there's sufficient capacity in the Council's strategic mitigation scheme for this development.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 12

Number of site notices: At least one site notice exists

Statutory advertisement: Not applicable.

Number of representations received: 1

One letter of representation has been received raising no objection to the proposal.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Loss of existing (last) use
- (iii) Impact on heritage asset
- (iv) Impact upon the character and appearance of the area
- (v) Impact upon residential amenity
- (vi) Compliance with Habitats Regulations
- (vii) CIL

(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 management criteria.

(ii) Loss of existing (last) use

7.3 The existing building has permission for a specific use for a dialysis holiday home and the original permission in the 1970's states that the property should be used for no other use in (what is now) Use Class C2 Residential Institutions (albeit the application makes reference to it being a D1 use).

7.4 There are no policies specifically governing a change of use from C2 to C3 and, as such, the loss of the existing or when last in use is considered acceptable. It would also appear that the building was once a dwellinghouse.

(iii) Impact on heritage asset

- 7.5 As noted above, the property is included on the list of Local Buildings of Historic Interest and is therefore classed as a non-designated heritage asset on the Local List.
- 7.6 There would be no loss or change to any original features and there is no proposed change to the setting of the locally listed building.
- 7.7 The conservation officer considers that the heritage asset in this instance would not be harmed and as such, has no objection on heritage grounds.

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

- 7.8 There would be no external alterations and the site is located in a residential area and the use of the building as a dwelling is considered acceptable and would have no adverse impact on the character of the area.

(v) Impact upon residential amenity

- 7.9 There would be no adverse impact upon residential amenity as a result of the development.

(vi) Compliance with Habitats Regulations

- 7.10 As a proposal resulting in new residential accommodation, the Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file.
- 7.11 Upon the receipt of additional information regarding the former use and occupancy, a revised HRA/AA was carried out. The revised HRA considered that the occupancy of the property would decrease upon conversion from a holiday home for dialysis patients to a single dwellinghouse. The screening under Regulation 63(1)(a) found that there would not be any likelihood of significant adverse impacts on designated sites within the Solent, including the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, and the Solent Maritime Special Area of Conservation (SAC).
- 7.12 The revised HRA/AA was subject to further 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 and raise no objection.
- 7.13 The applicant has also submitted a water calculation demonstrating that no more than 110 litres of water per person per day can be achieved.

(vii) CIL

- 7.14 The proposal is not CIL liable and there would only be a CIL charge if new floor space over 100 sqm was proposed.

8 **Conclusion**

- 8.1 The proposed change of use is considered acceptable and recommended for approval.
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9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00498 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:

21020-110 - EXISTING AND PROPOSED LOCATION PLAN

21020 410 - PROPOSED FLOOR PLANS

Reason: To ensure provision of a satisfactory development.

- 3 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 Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.