
Site Address:	Land Rear of, 60 - 62 Hazleton Way, Waterloooville, PO8 9BT		
Proposal:	3No. 1 bed flats and 1No. 2 bed flat to rear of 60-62 Hazleton Way, Waterloooville.		
Application No:	APP/15/01286	Expiry Date:	12/05/2016
Applicant:	Mr Hall		
Agent:	Mr Oliver	Case Officer:	David Eaves
	The Town Planning Experts		
Ward:	Cowplain		

Recommendation: **REFUSE PERMISSION**

1 Site Description

The site lies to the rear of a block of shops and takeaway premises with first floor flats above. There is also a flat at ground floor level to the south of the proposed development site.

There is vehicular access to the rear of the premises and open parking and garages. There are rear access to some of the commercial properties and to the flats. To the north of the site is a Childrens Nursery and its associated outdoor play area. To the west are residential bungalows which back onto the parking and garage area. The area to the rear of the shops and takeaways appears in a poor condition.

2 Planning History

62 Hazleton Way

07/53984/005 Relief of Condition 8 of Planning Permission 03/53984/002 to permit opening on Sundays and Bank Holidays. Refused April 2007

05/53984/004 Construction of two bedroom self contained house, to rear of shop. Refused December 2005

04/53984/003 Relief of Condition 8 of Planning Permission 03/53984/002 to permit opening on Bank Holidays. Refused 2004

03/53984/002 Change of use from A1 (Retail) to A3 (Hot food take away) and construction of replacement single storey rear extension. Permitted February 2004

3 Proposal

3No. 1 bed flats and 1No. 2 bed flat to rear of 60-62 Hazleton Way, Waterloooville.

The proposal is to erect a pair of two storey buildings to the rear of the existing fish and chip shop and a tack shop. The building would be split by the staircase access to the flats at first floor level and would attach to the existing walkway serving the flats at first floor level. The buildings would be brick faced and incorporate shallow pitched roofs with concrete tiles.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

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)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
-----	--

Havant Borough Council Borough Design Guide SPD 2011

Havant Borough Residential Parking And Cycle Provision SPD 2010

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, (Fire Access Consultation)

No comment

Engineering/Drainage

No comments received

Planning Policy

Principle of development

The site is within the identified urban area where further residential development is acceptable (CS17).

Whilst there are no prescriptive density standards within the Local Plan (Core Strategy) the resulting density of this development would be 200 dwellings per hectare (dph), this raises concerns about the residential amenity for the residents of the new homes having regard to Policy CS16 High Quality Design.

Promoting Havant Borough's Economy

The applicant should ensure that the development would not adversely affect the servicing of the retail units.

Housing

The proposal will contribute to achieving the Borough's housing targets. It falls below the threshold for affordable housing requirements.

Parking Provision

The 2 parking spaces proposed falls short of that identified in the adopted Residential Parking and Cycle Standards SPD (linked with Policy DM13). Based on the plans submitted (and assuming allocated parking to particular dwellings) the scheme should provide 5 spaces. If the parking was to be shared/communal (unallocated) the requirement would be 4 spaces. Whilst it is recognised that the location of this development is fairly sustainable, the SPD only applies lower parking standards in the most accessible area of the Borough i.e. Havant and Waterlooville Town Centres. However, the developer has submitted justification for the parking provision which the case officer may wish to consider. The plans indicate that provision for cycle parking has been taken account of.

Infrastructure

The proposal will need to comply with all aspects of policies CS20, DM11 and DM12.

Community Infrastructure Levy

Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the Borough.

Also, the SRMP contribution will be payable in accordance with policy DM24.

Conclusion:

The principle of this development is supported by the Local Plan. However, the more detailed policies relating to matters such as parking and amenity need to be sufficiently addressed in order for the overall scheme to be acceptable.

Development Engineer - Highways

The Highway Authority has no adverse comment on this application providing the that existing access to Hart Plain Avenue and the servicing area can be included within the application and its use linked to the occupation of the flats.

The Planning Authority is advised that the developer seeks to erect 4 new flats, consisting of 3No. 1 bed flats, and 1 No. 2 bed flat. The HBC standards are 1 parking space per one bed flat and 2 spaces for a two bed flats. I would suggest that developer should mark a plan with the location, of the 5 spaces associated with the development.

Waste Services

No concerns.

Landscape Team

From a design quality perspective, I have several concerns regarding the proposed layout arrangement and setting:

Proposed ground floor unit windows will face an adjacent blank façade, existing timber boundary fencing and proposed brick courtyard walls lacking both an attractive outlook and limiting natural light ingress.

First floor units have a slightly improved outlook across adjacent rear backyards and garages, but they also have windows facing each other across the access steps, which seems of detriment to resident privacy.

Im concerned the staggered placement of the cycle stores at the bottom of the communal access steps will create a lurking opportunity that is not sufficiently overlooked and contrary to secure by design principles.

The application appears largely reliant on existing communal provision that already serves and is well used by the existing retail units and first floor accommodation.

The single additional parking bay will effectively close off an existing means of pedestrian access to the shops. I am unconvinced there is sufficient visibility to safely manoeuvre a vehicle into and out of this space. I recommend that vehicle tracking is undertaken to demonstrate this bay is achievable.

I am concerned the proposed 2no cycle stands adjacent to the shop unit further obstruct pedestrian movement, particular anyone using a wheelchair. How will the shop rear entrance and the ground floor 1 bedroom flat be accessed if cycles are placed in both stands and the additional parking bay is occupied?

It is not clear how the 8no bin store will function are the bins to be contained or screened? How are the bins to be accessed when the parking bay is in use?

Crime Prevention -Minor Apps

No comments received

Hampshire Highways

No comments received

Public Spaces

No comments received

Traffic Management, HBC

From the traffic management perspective, the provision of parking spaces in the plan is still not particularly clear but it appears probable that insufficient capacity is available for the size of development. Contrary to the inference contained within the applicants planning statement, the location is not considered as a highly accessible area compared with other locations across the borough and cannot be assumed potentially to attract residents without motor vehicles. In accordance with the guidance promulgated in the appropriate Supplementary Planning Document there would be a requirement for 5 new parking spaces (one each for the one bedroomed flats and 2 for the two-bedroomed flat). Evidence from local knowledge tends to suggest that this degree of spare capacity is not generally available at peak times (evenings and weekends) within the service area to the rear of the precinct which risks overflow residents parking in the bays to the front of the shops with consequential commercial impact for the businesses there if customers are unable to stop. (This layby has already been subject to discussions with retailers there complaining about lack of spaces because of non-customer parking).

Of the three potential parking spaces identified (none of which are additional to existing capacity), anecdotal evidence tends to show that garages linked to flats are often used to supplement inadequate storage space rather than for car parking and the third bay appears to be situated across the access path to the west side of the existing shops.

In the event that approval is granted for the development it is requested that provision

is made for a sum not less than £3000 to be set aside to allow a TRO (Traffic Regulation Order) to be processed on the surrounding adopted road network to mitigate unsafe or obstructive parking practices that may result from displaced parking problems within a period of 5 years from the completion of the development.

Environmental Health

No objection subject to condition and informatives.

Condition: Acoustic mitigation measures

Informatives:

Hours of Work

Bonfires

Dust Control

Light Pollution

Hampshire Biodiversity Information Centre:

Within 500m Protected and Notable Species - Great Crested Newt.

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: 16

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary:

As co-owner of the access road - objection - I have not been consulted with regard to the proposed development and would wish to be involved in the process.

Comment:

Cert B now served on objector.

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity/adjoining uses
- (iv) Highways matters
- (v) Developer Contributions CIL/SRMP

- (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.

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

The proposed development would be located to the rear of a parade of shops and takeaways with flats above. The siting is such that it would have a limited impact from public vantage points. The proposed development would be within a rear service area which is currently rather unattractive although it is noted that to the south of the proposed site is a ground floor flat and rear garden area. Parking appears to be shared and there is a row of garages in a poor state of repair. The proposed flats would have a cramped appearance projecting to the rear of the existing building competing with rear servicing to the ground floor commercial uses and providing limited usable amenity space this is relevant to the consideration of whether adequate amenity space/servicing can be provided.

(iii) Impact upon residential amenity/adjoining uses

It is considered that the main impacts from the proposed development would be to the flat to the rear of No58 Hazleton Way, to the flats above 60-62 Hazleton Way, to 6, 8 and 10 Eglantine Close and the Nursery at 64-66 Hazleton Way. In addition the living environments that would be afforded to the occupiers of the proposed flats has to be considered.

The flat to the ground floor at the rear of No 58 is a single storey unit with a small rear garden area and windows facing to the rear over the garden. The proposed two storey flats would project beyond the flat at No58 and would result in an overbearing mass and bulk of the new building when viewed from the rear windows and garden area of the existing flat. This would be harmful to the residential amenities of the occupants of the existing ground floor flat. Proposed first floor windows would also increase overlooking to the garden area although it is recognised that this area is already overlooked by the existing first floor flats.

The flats above 60-62 have first floor windows facing out onto the walkway area. The proposed development would result in the outlook from these windows being more constrained with the wall and roof of the proposed flats appearing dominant from inside the existing flats. This would be harmful to the residential amenities of the occupiers of these existing first floor flats.

The properties in Eglantine Close are bungalows with rear facing windows and relatively short gardens. When viewing these properties from the walkway to the rear of the existing flats there is a distant view into the rear windows and some garden areas of these properties. It is noted that the existing garages reduce this to a degree. The proposal would result in the two storey flats being sited much closer to these properties and although the flats proposed are lower than the existing flats they would have primary windows at first floor level facing these properties including full length french doors and Juliet style balconies. It is considered that the properties in Eglantine Close would be overlooked and that the degree of privacy currently afforded to the rear of these properties would be lost.

In relation to the nursery at 64-66 Hazleton Way, the main issues are considered to be the relationship of the proposed flats to the outside play area of the nursery. As the extension would be on the south side of the nursery there would be a reduction of sunlight and there are proposed first floor windows. On balance whilst unfortunate, it is not considered that this relationship would be sufficient on its own to warrant a refusal

of planning permission.

Overall in relationship to the impact on neighbouring residents it is considered that the proposal has a harmful impact on the residential amenities of adjoining residents.

In terms of the proposed residents for the flats there are a number of concerns. As pointed out by the Landscape Officer the proposed ground floor unit windows would face an adjacent blank façade, existing timber boundary fencing and proposed brick courtyard walls lacking both an attractive outlook and limiting natural light ingress. First floor units have a slightly improved outlook across adjacent rear backyards and garages, but they also have windows facing each other across the access steps, which would be detrimental to resident privacy.

There are also concerns about the adequate functioning of the external spaces and in particular how proposed parking, cycle parking and bin stores would function and the relationship with access for the commercial use at ground floor level.

The proposed buildings would be split by the existing stairs to the first floor flats. If permission were to be granted noise insulation would be required to prevent unacceptable disturbance to proposed residents as recommended by the Environmental Health Officer.

The relationship with adjacent uses in particular takeaway uses is considered problematic. At ground floor level there is rear access to the adjacent commercial use to the rear of plot 2. There is also an extract for the fish and chip shop to the side of the existing building. It is noted that Environmental Health have raised no objections to this relationship which is similar at first floor level to the existing flats.

(iv) Highways matters

Access to the flats would be from a private access area. There appears to be communal car parking in operation with regard to the existing open car parking area. There are also garages to the rear of the proposed flats. It is not clear whether these are used for parking at present or for storage although it is noted that the agent states they are not used for parking at present. Two garage spaces are shown to go with the proposal and the agent has stated that these would be refurbished for parking use. A car parking survey has been carried out on one day (a Friday) which shows 10 of the 12 rear spaces used at peak times. The frontage layby parking is more appropriate for shop users although there is evidence of resident parking taking place. The proposal is for 3x1 bed units and 1x2 bed unit. The Council's Residential Car Parking Standards require for allocated parking 1 space per 1 bed unit and 2 per 2 bed unit. For shared/communal parking this would be 0.9 per 1 bed unit and 1.3 per two bed unit. An additional parking space is shown on the plan but this is not practical given that it would block a pedestrian route. Assuming that the two garages were available for parking and that these were allocated to two of the 1 bed flats this would lead to a requirement for a further 2.2 spaces to be accommodated in the communal area.

It remains very difficult to assess whether in fact there are enough car parking spaces in the communal area to accommodate the additional need. The previous application for 1 house was refused in part in relation to adequate parking not being demonstrated. It is considered that this remains the case. HBC Traffic Management have commented on the application and there are existing concerns about the impact of resident parking on the front layby which impacts on shop users. On the basis of the information available it is not considered that adequate car parking provision for

the 4 additional units of accommodation has been demonstrated.

(v) Developer Contributions CIL/SRMP

The proposed development would be liable to a Community Infrastructure Levy contribution. As the application is recommended for refusal an informative is required to confirm the requirement should planning permission be granted at appeal.

With regard to the impact on the Solent Special Protection Area, this development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice with regard to all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June 2014 requires a payment of £176 per dwelling to the Solent Recreation Mitigation Partnership (SRMP) – this is to secure accordance with Policy DM24 of the Allocations Plan 2014. This payment has not been secured prior to the determination of the application and therefore the proposal is contrary to Policy DM24 and Policy CS21 (Developer Contributions) of the local plan.

8 Conclusion

In conclusion, whilst the principle of residential development is acceptable within the built up area, in this case the proposal would result in an unacceptable development. In particular the proposal would appear cramped and would have a harmful impact on the residential amenities of nearby residents and would not provide a suitable living environment for future residents. It is not been adequately demonstrated that adequate car parking could be provided to serve the dwellings. Finally the SRMP payment necessary to address increased recreational pressures on the SPA have not been secured. The application is therefore recommended for refusal of planning permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/15/01286

(A) for the following reasons

- 1 The proposal would by reason of its siting, design, mass and bulk result in an overbearing and unneighbourly form of development to the harm of the residential amenities of the adjacent flat at ground floor level and to the flats above 60-62 Hazleton Way. In addition, the proposed flats and their fenestration at first floor level would result in overlooking and loss of privacy to No's 6, 8 and 10 Eglantine Close. Finally the proposed flats are considered to provide an unacceptable level of amenity for future residents and would be negatively impacted by adjoining commercial uses including servicing and rear access. The ground floor flats in particular would lack suitable outlooks and be constrained by adjacent buildings, stairway, boundary fences and walls. At first floor level there would be windows facing each other across a narrow staircase resulting in a lack of privacy. The flats would also lack suitable external amenity space and readily usable cycle storage and suitable bin stores. The

development would therefore conflict with planning policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and Havant Borough Residential Parking And Cycle Provision SPD 2010 together with the National Planning Policy Framework.

- 2 The proposal would result in a development partly dependent on an area of communal car parking to the rear of commercial and residential premises. It has not been demonstrated to the satisfaction of the Local Planning Authority that adequate and usable car parking can be provided to serve the development without conflicting with existing car parking requirements for the commercial and residential premises and their customers/visitors. The proposal is therefore considered to conflict with policies DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and Havant Borough Residential Parking And Cycle Provision SPD 2010 together with the National Planning Policy Framework.
- 3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.