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Site Address: The Former Wheatsheaf, Bramdean Drive, Havant  
Proposal: Outline application for construction of 3/4 storey building comprising 11No. 1 bed apartments, 4No. 2 bed apartments and 6No. 3 bed terraced houses with associated car parking, cycle and refuse storage following demolition of existing off-licence and garages, and approval of access, appearance, layout and scale, with approval of the landscaping of the site reserved.  
Application No: APP/14/00956                      Expiry Date: 30/12/2014  
Applicant: Mr Smith                                      Team: Team 2  
Agent: Mr L Weymes                                      Case Officer: Richard Nash  
                    Les Weymes Planning  
                    Consultancy Ltd  
Ward: Warren Park

Recommendation: **GRANT OUTLINE CONSENT**

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## **1 Site Description**

The application site is located on the south east corner of the junction of Bramdean Drive with Botley Drive. The site is currently vacant as the Wheatsheaf public house building has been demolished. An off-licence and garages remain on the site but are in a dilapidated condition.

The locality is predominantly characterised by medium/high density residential land use, although directly to the south in Botley Drive there is a three storey flat roofed terrace of shops with residential accommodation above. A service road leads off Bramdean Drive to the rear of the site and also provides access to residential garages and the rear of the adjacent shops. An area of open amenity space is located on the opposite side of Bramdean Drive. The site lies within the urban area as defined in the Local Plan.

## **2 Planning History**

05/64408/000

Demolition of public house and lock-up shop (off-licence). Construction of 14No. flats over 4 floors comprising 3No. 1 bedroom, 8No. 2 bedroom and 3No. 3 bedroom. 14 No. car parking spaces. Withdrawn.

07/64408/001

Demolition of existing public house, outbuildings and garages. Construction of 4 storey building with shallow roof pitch, reducing to 3 storey over rear 9 metres to north-east (21 metres from side of nearest dwelling). To provide 14No. 2 bedroom flats, car and cycle parking, refuse store, landscaping and altered access. Approved.

## **3 Proposal**

The current application is in outline and proposes the construction of a 3/4 storey building comprising 4 x two bed apartments, 11 x one bed apartments and 6 x three bed terraced houses with associated car parking, cycle and refuse storage following demolition of existing off-licence and garages, and approval of access, appearance, layout and scale, with approval of the landscaping of the site reserved.

The extent of the application site has increased beyond that which formerly received planning permission (reference: 07/64408/001). This related to The Wheatsheaf public house site only. The current application proposes the inclusion of the adjacent off-licence site and therefore enables development in a more comprehensive manner.

#### **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) |
| CS21 | (Developer Requirements)                                               |
| CS6  | (Regeneration of the Borough)                                          |
| CS9  | (Housing)                                                              |
| DM13 | (Car and Cycle Parking on Residential Development)                     |
| DM2  | (Protection of Existing Community Facilities and Shops)                |

Havant Borough Local Plan (Allocations) July 2014

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

Borough Design Guide SPD (2011)

Housing SPD (2011)

Residential Parking and Cycle Provision SPD (2010)

Developer Contributions Guide

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

#### **5 Statutory and Non Statutory Consultations**

Building Control: The proposed building will be over/within 3 metres of a storm water public sewer shown on the map of sewers.

Environmental Health Manager: I would ask that the following condition(s) be imposed, if any consent were to be granted.

Condition 1: No works or ancillary operations associated with the construction of the development which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times Monday to Friday – 08.00 – 18.00 Saturday – 08:00 – 13.00 Unless in association with an emergency or with the prior written approval of the Local Planning Authority. Reason: To protect the occupants of nearby residential properties from noise and vibration nuisance.

Condition 2: Construction/demolition works. The commencement of the development shall not take place until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in

writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved by the Local Planning Authority. Reason: In the interests of residential amenity.

Condition 3: During the site demolition, clearance and construction phase of the development no bonfires whatsoever shall be allowed on the site. Reason: To protect the amenity of nearby residential properties.

Condition 4: No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details. Reason: To protect the occupants of nearby residential properties from light disturbance / pollution.

There may be other issues that will need to be addressed once we have the full planning application and reports.

NB: Informatives and Condition Recommended.

Development Engineer: Although this development has parking below the HBC parking standards it cannot be refused for highway safety reasons. I recommend approval subject to the provision of 17 unallocated and 2 parking spaces and cycle facilities as shown on submitted plan 14-2038-100.

Housing: Affordable Housing Provision: The proposals are for a development that despite being over the threshold for affordable housing provision consists entirely of open market units. The justification for this is that the inclusion of affordable units (6.3 units would be expected on this 21 unit site) and all other section 106 obligations would render the development unviable. To support this belief the applicants have provided a Development Viability Draft Report prepared by the District Valuer some 18 months ago in March 2013 and an Affordable Housing Viability Report prepared by Simon Corp of S106 Affordable Housing dated 4 October 2012. If the applicants wish to demonstrate that viability is an issue then these reports should be updated.

NB: The Viability Report has been updated and is acceptable.

Mix: The site consists of 21 units, 15 apartments and 6 town houses. The application letter and the Design and Access Statement (Page 2, paragraph 3) state 4 x one bedroom apartments, 11 x two bedroom apartments and 6 x three bed houses.

However the proposed schedule of accommodation ( D&A Statement page 5 and the submitted floor plans show 4 x two bed apartments and 11 x one bed apartments together with the 6 houses. Would the applicant please confirm which is the correct proposal?

Design: The scheme responds well to local patterns of development which consist of a mixture of small flatted developments and houses and the scheme relates well to the scale and character of the areas surrounding the site. The design would appear to make very efficient use of this land. I understand that the finishing materials, although restrained, would be in keeping with the surrounding development. I am pleased to see that the applicants intend to include balconies, some outside amenity space for the apartments and some significant planting around the site. The planning application makes reference to the development being constructed to include 10% renewable energy sources on the site and this would certainly be welcomed. The site makes provision for 19 parking spaces and I notice that a lift is included within the plans. I would like to see some of the ground floor apartments designed and constructed to accommodate residents with mobility needs. In conclusion I feel that this site and the surrounding area will greatly benefit from a development of this nature. The site has been derelict for a number of years now and does nothing to enhance the area.

Waste Services Manager: No Concerns.

Landscape Team: None Received.

Planning Policy (on Community Infrastructure Levy (CIL)) Relief): An application for relief must be received by the collecting authority before commencement. The claimant must also have been notified of the authority's decision before development commences. I cannot find any exceptions to this (eg where the development becomes social housing at a later date) so I think in the case CIL will be payable unless a claim is made before development commences.

Public Spaces Development Manager: No Implications.

Traffic Management Team: None Received.

Urban Design: None Received.

Education Department: None Received.

Crime Prevention: None Received.

Southern Electric: None Received.

Southern Water: Plan provided showing approximate position of public foul and surface water sewers crossing 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. It might be possible to divert the foul and surface water sewers, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Should the applicant wish to divert apparatus: The foul sewer and 225 mm surface water sewer requires a clearance of 3 metres either side of the sewers to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3 metres either side of the centreline of the 225 mm surface water sewer and foul sewer. If the existing development discharges surface water to the existing surface water system, then a discharge from the site may be permitted. If the applicant wishes to investigate this option, the applicant will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed flows will be no greater than the existing flows received by the sewer. Any excess surface water should be attenuated and stored on site. Where flow attenuation is proposed and the sewerage in question is to be offered for adoption, the sewerage undertaker should be involved in discussions with all relevant parties to agree the ownership/responsibility for the facility. Southern Water requires a formal application for a connection to the public sewer. The applicant is advised to contact Southern Water. This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the

SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should: Specify the responsibilities of each party for the implementation of the SUDS scheme. Specify a timetable for implementation. Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. We request that should this application receive planning approval, the following condition is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. No development or new tree planting should be located within 3.5 metres either side of the centreline of the 525 mm surface water sewer. No new soakaways should be located within 5 metres of a public sewers. All other existing infrastructure should be protected during the course of construction works. Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply. In order to divert/protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example: The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert and protect the public sewers, prior to the commencement of the development.

Furthermore, due to changes in legislation that came in to force on 1 October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water.

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

Our initial investigations show that there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and any existing properties and land may be subject to a greater risk of flooding as a result. We advise that applicant investigates alternative means for surface water disposal, considering the following options: Discharge to an available watercourse; Discharge to soakaways; Alternatively, please contact please contact Southern Water Services, Developer Services Team, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW or e-mail: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk).

NB: Informatives Recommended.

## **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: 22

Number of site notices: 1

Statutory advertisement: 24/10/2014

Number of representations received: 1 from a resident and 1 from Portsmouth City Council as an adjoining landowner. Each concerned with the type of boundary treatment to be provided - in terms of both privacy and land stability.

The Applicant has responded to these concerns as follows: 'As there is a difference in ground level between adjacent sites a retaining wall, 1.0m high, will be required, above which will be a 1.8m high close boarded fence, ensuring privacy between neighbours. Subject to structural engineer's confirmation, the retaining wall will comprise the existing lower part of the garage wall (up to neighbouring ground level) which is currently performing as the retaining element. Should the existing wall prove to be structurally deficient, a purpose built concrete wall, approx. 1.0m high will replace this.'

Details of the proposed wall can be required by way of a planning condition.

## **7 Planning Considerations**

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 on the application site and locality
- (iii) Impact on neighbouring amenities
- (iv) Developer contributions and other matters.

### **(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. Furthermore, the principle of redevelopment of the site has been established by the 2007 planning permission, albeit that that planning permission has now lapsed.

The public house building, on site at the time of the 2007 planning permission, was demolished in 2008. Although the 2007 planning permission was extant at that time, the Applicant has advised that demolition was undertaken on the advice of the Fire and Rescue Service following vandalism and arson incidents. None of the conditions precedent of the 2007 permission were discharged and there is no evidence of any intention to proceed with the redevelopment of the site at that time.

The Applicant's case is that the site has proved unviable for redevelopment of the site for the 14 residential units proposed in 2007. The realistic view is that, given rebuilding costs, it is highly unlikely that the site would be viable for continued use as a public house or any other facility. Therefore, notwithstanding that the 2007 planning permission has now lapsed, it is not considered necessary to insist on the full marketing evidence normally required by DM2.

In terms of impact on the application site, locality and neighbouring amenities. Although the 2007 planning permission is not extant, and would not therefore provide a fallback for the Applicant, policy has not changed to the extent that its design and layout would no longer be considered acceptable. Consideration therefore needs to be given as to whether the current proposal would have any additional impact on amenities.

(ii) Impact on the application site and locality

The footprint of the proposed development would approximately replicate that of the 2007 scheme, with the exception of an additional element of building to the Bramdean Drive frontage. The overall site area has increased in a manner that allows the proposed parking facilities to be rearranged and this in turn allows the provision of an increased area of external amenity space.

The current scheme has a variety of roof heights, and this reflects what was approved in 2007, albeit in a different configuration. This, in combination with the variety of footprint depths and materials proposed would assist in breaking up the bulk of the proposal. The proposed Botley Drive elevation responds to the scale of the adjacent shops in similar manner to the 2007 scheme, whilst the Bramdean Drive elevation steps down to the eastern end, leading in to the scale of the adjacent dwellings. The highest part of the development would adjoin the junction of Bramdean Drive with Botley Road and would result in a local landmark building. The development would be appropriate in this location and would constitute a great improvement of this derelict site in visual terms.

(iii) Impact on neighbouring amenities

The increased footprint would bring a two/three storey element of the proposal closer to the nearest dwelling in Bramdean Drive. However, a minimum distance of 13 metres would be retained, with the existing access and an electricity sub-station in the intervening space. The proposed scheme includes a significant number of windows. Properties in Hursley Road, to the east and south-east of the site, would be at a distance from the building where overlooking should not be an issue. However, a number of windows in the principal and secondary northern elevations of the proposed building would have the potential to provide overlooking from height on to the neighbouring dwellings in Bramdean Drive. A planning condition is therefore recommended regarding the glazing of these windows.

(iv) Developer contributions and other matters

The proposal is of a scale that would normally require a contribution towards Affordable Housing in the Borough. The Applicant has provided a Report which, to the satisfaction of the Housing Officer, that such a contribution would not be viable in this case. As the proposal is in outline, it is not subject to CIL – this would be dealt with at the detailed or reserved matters application stage. The proposal is subject to a financial contribution in respect of the Solent Disturbance Mitigation Project, and an appropriate Deed and Payment have been provided. Consultation responses regarding external lighting, highways and parking are noted above and appropriate conditions and informatives are recommended alongside a range of conditions normally recommended for outline planning permissions.

**8 Conclusion**

The proposed construction of a 3/4 storey building comprising 4 x two bed apartments, 11 x one bed apartments and 6 x three bed terraced houses with associated car parking, cycle and refuse storage following demolition of existing off-licence and garages, and approval of access, appearance, layout and scale, is acceptable in principle. Furthermore, the proposal would not have a detrimental impact on the character and appearance of the application site or wider locality, or the amenities of occupiers of neighbouring properties. Developer contributions and other matters can be satisfactorily dealt with by way of planning conditions and normal process. The planning application should therefore be approved.

## **9 RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT OUTLINE CONSENT** for application APP/14/00956, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Approval of the landscaping of the site hereinafter called "reserved matters" shall be obtained from the Local Planning Authority in writing before any development is commenced.  
**Reason:** In order to secure a satisfactory development.
- 3 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of the grant of this planning permission.  
**Reason:** To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
14-2038-100 P1 (Proposed Ground Floor Layout)  
14-2038-104 P1 (Proposed Upper Floor Layout)  
14-2038-105 P1 (Proposed Elevations)  
14-2038-106 P1 (Proposed Sections)  
14-2038-107 P1 (Block Plan)  
14-2038-108 P1 (Location Plan)  
14-2038-109 P1 (Proposed Perspectives)  
  
**Reason:** - To ensure provision of a satisfactory development.
- 5 Construction of the building(s) hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

**Reason:** To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The development shall not be brought into use until space for the parking of vehicles and storage of cycles has been provided within the site, surfaced and marked out in accordance with the approved details as shown on drawing 14-2038-100 P1. Such areas shall thereafter be retained and used solely for those purposes.

**Reason:** In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The development shall not be brought into use until storage space for waste bins has been provided within the site, surfaced and marked out in accordance with the approved details as shown on drawing 14-2038-100 P1. Such areas shall thereafter be retained and used solely for those purposes.

**Reason:** In the interests of the amenity of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No floodlighting or other form of external lighting scheme shall be installed unless details have first been approved by the Local Planning Authority. Such details shall include the location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance that does not change its details.

**Reason:** To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012

- 10 At all times the following windows in the northern elevations of the buildings hereby approved shall be unopenable up to a height of at least 1.7m above internal floor level and at all times glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4:

- A: First floor landing window to dwelling Unit 6.
- B: Second floor bathroom window to apartment Unit 8.
- C: Second floor stairwell window to apartment building.
- D: Third floor bathroom window to apartment Unit 4.
- C: Third floor stairwell window to apartment building.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.