
Site Address:	31 Elm Grove, Hayling Island, PO11 9EA		
Proposal:	Demolition of existing timber building and to redevelop the site with a shop and 3No. two bedroom flats over. (Revision to approved scheme APP/13/00090).		
Application No:	APP/14/01192	Expiry Date:	23/01/2015
Applicant:	Mr Walker	Team:	Team 2
Agent:	Mr Barker	Case Officer:	Tina Pickup
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located on Elm Grove on the corner site of an entrance to a public car park. Currently there is a detached single storey timber building with a pitched roof on the site, which was formerly the Hayling Island Conservative Club, but it is no longer in use. To the south of the site there is a two-storey terrace which includes retail/commercial properties on the ground floor and residential at first floor. The terrace has a pitched roof but a parapet wall fronting onto Elm Grove. The existing timber building on the application site is set back from the building line of this terrace, with the frontage gravelled area overgrown with no front boundary. There is a 1.5m high chain link fence which runs parallel with the access to the car park and along the rear boundary.

At the rear of the site there is a public car park and public toilet block on the northern boundary. To the north of the site is a semi-detached residential property whose boundary also runs parallel with the car park access road. The southern side elevation of this dwelling only has a ground floor window with none at first floor.

The site falls within the Mengham District Centre with the site having a Primary Frontage. This section of Elm Grove is characterised by two storey commercial and residential mixed use buildings.

2 Planning History

APP/12/01206

Demolition of exiting timber building to redevelop site with a shop and two bedroom flat over. Withdrawn - January 2013.

APP/13/00090

Demolition of exiting timber building to redevelop the site with a shop and two bedroom flat over. Permitted 11 March 2013

3 Proposal

This application proposal is for the demolition of the existing building and the construction of a two and half storey detached building with mansard roof consisting of 1no. retail unit at ground floor with two No 2 bed flats on the first floor and a third 2 bed flat within the roof space. The building would be detached, but would be situated abutting the north elevation of the adjacent terrace and have the same front building line.

The footprint of the proposed development is larger than previously permitted, with the rear extending the full depth and width of the site, right to the adjacent public car park. The proposed block would measure between 17 and 17.5m in depth (the front tapers slightly to match the taper on the adjacent shop units) and between 8.7m and 9.4m in width, with just a narrow (between 0.5m and 1.2m) wedge of landscaping to the north, adjacent the car park access drive. The resultant width of the building and ground floor retail unit would be double that of the width of the adjacent retail units in the terrace.

The proposed building would feature a two storey front facade with a parapet wall on the front elevation to match the terrace to the south. Behind the parapet would be a mansard style roof with two dormer windows in the front elevation. The maximum height of the roof would be 8.5m.

Amended plans have been received reconfiguring the access points and doors and subdividing the rear yard, such that the three flats would be accessed from the car park to the rear via their own half of the rear yard which would contain secure cycle storage and bin storage. The retail unit would then have its own separate rear yard, with secure cycle and bin storage, with double doors to the rear car park for loading/deliveries and just a pedestrian door to the side.

No car parking is proposed for the development.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS4	()
CS6	(Regeneration of the Borough)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))

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)
DM21	(Shopfronts, Signs, Security Shutters and Advertisements)
AL3	(Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, (Fire Access Consultation) - fire brigade access and means of escape from flats would not comply as only way to enter/exit flats is through the yard

used by retail unit; no public sewer (*Note - Amended plans overcome access problem*)
Economic Development - Commercial and Housing - Support proposal as will enhance the retail offer

Development Engineer - Highways - no adverse comment

Environmental Health Manager, Community Group

Planning Policy - no objection - proposal meets key objectives of relevant policies of Core Strategy CS4, CS6, CS16, CS17 and of Allocations Plan AL3

Crime Prevention -Minor Apps - none received

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: 13

Number of site notices: At least one site notice exists - 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

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) Appropriateness of the design and Impact on the street scene
- (iii) Impact on the primary shopping frontage
- (iv) Impact on the neighbouring properties
- (v) Parking provision and access
- (vi) CIL Liability and SDMP

(i) Principle of development

7.2 The site is within the urban area and as such development is acceptable subject to the development control considerations below.

(ii) Appropriateness of the design and impact on streetscene

7.3 The siting of the building immediately adjacent the north elevation of the adjacent terrace, together with the aligned building line and matching parapet, results in a cohesive visual appearance to Elm Grove. The mansard roof form and ridge height behind the parapet would however project above the ridge lines of nearby properties by approximately 0.8m - this is based on the provided street scene. The roof/sky line of the area does vary with differing roof forms/pitches/heights etc. Currently there are no other mansard style roofs but by utilising a mansard the bulk of the roof has been

reduced as much as possible. In such a mixed character area the proposed roof form would not be visually inappropriate - being a corner plot then the proposed development would become the focal point, particularly when approaching from the north. As the end unit/plot within the shopping area it is considered not inappropriate to allow a 'bookend' ie slightly higher development.

- 7.4 Whilst the retail unit would be almost double the width of the units in the terrace, it would feature a double frontage with two separate doors and windows and therefore read as two shop units, being visually proportionate and in keeping with the others in the terrace. Overall, the building would read as a continuation of this terrace in the street scene and therefore complies with Policy CS16 (High Quality Design) which advises a development should include cohesive features. As such, it would not be out of keeping with the immediate locality which along with the adjacent terrace, includes a variety of building styles / ages. It is considered that the development of the site in such a manner would not be harmful to the visual amenities of the streetscene.

(iii) Impact on the primary shopping frontage

- 7.5 The site is located within Mengham District Centre and a designated primary shopping frontage, and therefore policy CS4 of the Core Strategy and Policy AL3 of the Allocations Plan both apply. Although the proposal would result in the loss of a community building (which is now vacant), a new retail unit would be provided in its place which would help to contribute to the vitality and viability of the centre, maintaining and hopefully increase some of the footfall associated with the previous use. As such, the proposal would enhance the Centre and increase and improve the number and choice of shopping options available to local residents, meeting the aims of both Policy CS4 and AL3. A condition to ensure that the ground floor cannot be converted to residential which may reduce potential vitality (mindful of Permitted Development changes - Class IA 2014) will ensure that this is maintained, also that residential parking needs and CIL liability do not increase (see Parking provision and CIL below).

(iv) Impact on the neighbouring properties

- 7.6 The existing terrace does not contain any windows in the north elevation and as the proposed building would have the same front and rear building lines, any impact on the immediately adjacent terrace would be minimal. It is noteworthy that 2 units to the south, No 25, utilises the flat rooftop of the rear projection as a sitting out area providing some amenity space for the occupiers of the flats. The proposed mansard roof would be higher than this sitting out area and the plans include two rooflights in this southern slope of the mansard roof - but one would serve a bathroom and the other the stairwell. Therefore the potential for overlooking from these non habitable rooms and resultant loss of privacy would be minimal.
- 7.7 To the north, across the access road to the car park, are 2 storey residential dwellings. No 33 has no windows in the side/end elevation at first floor, and just one at ground floor which is hidden behind a 1.8m close boarded fence on its southern boundary. The proposed building includes windows in the north elevation as follows: 2 ground floor windows to the retail unit; 5 at first floor level serving bedrooms (3) and a kitchen and living room; and 2 rooflights in the mansard roof slope serving a bedroom and kitchen. Given the separation distance of some 6 to 6.5m from side elevation of No 33 to the side of the proposed development, across an access road, it is unlikely to result in adverse overlooking or form an overbearing presence on No. 33. The windows at first floor and within the roof, are set forwards within the elevation such

that they would look towards the side of the house and not the rear garden and are angled slightly to the NE.

(v) Parking provision and access

- 7.8 At present, there is no allocated parking available for visitors to the existing building or the adjacent terrace of shops / flats. The proposed shop and flats do not propose any allocated parking either. However, as this is the existing situation in the immediate locality, it would be difficult to justify a reason for refusal on the grounds of lack of parking provision. The scheme does include secure cycle storage for both the 3 flats and the retail unit. Visitors to the retail unit and the future occupiers could make use of the public car park at the rear of the site, as they currently do anyway, control of the ground floor use will ensure that the need for residential parking does not increase. There is therefore no highway objection to the proposal.
- 7.9 The amended plans reconfigured the access points to the building as it was considered that the originally proposed double doors to the rear yard, located on the side elevation to the access road, could result in lorries stopping to make deliveries and blocking the access road. Doors for large goods have therefore been re-sited to the rear elevation off the public car park (with inward opening doors only to prevent blocking of parking spaces) with a pedestrian only doorway on the side elevation. This re-arrangement has also overcome the initial concerns of the Building Inspector regarding means of escape.

(vi) CIL Liability and SDMP (now SRMP)

- 7.10 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 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners 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 £100 per square metre on new floorspace (measured as gross internal area) for sites in Hayling Island.
- 7.11 It is considered that there is a CIL liability for this site. The completed CIL planning form indicates that the total residential gross internal floor space will comprise 217.8 sqm (retail floorspace is exempt in this instance) with a credit being sought for the existing Conservative Club timber building (D2 use) of 76 sqm. Therefore the chargeable development totals 141.8 sqm which requires a CIL payment of £14,180.
- 7.12 The applicant has been advised of this sum accordingly and queried possible exemptions (eg self build or social housing - the relevant information has accordingly been forwarded to him). He has **not** returned the Assumption of Liability Notice but this in itself does not preclude the issue of a decision notice. The regulations require that the information is submitted prior to commencement.
- 7.13 This development would also 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 in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £172 per dwelling to the Solent Disturbance Mitigation Project. For the proposed three flats,

plus admin and monitoring fee, the appropriate payment is £561.80. This payment has been received and the relevant form has been completed by the applicant.

8 **Conclusion**

The application is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01192, subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Construction of the building 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.
- 3 The ground floor unit of the building shall be used only for Class A1 (retail) and for no other purpose whatsoever including any residential use or any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason: To protect the vitality and viability of the designated primary shopping frontage, also because other class A uses may require air extraction, filtration equipment and increased waste management and may have further implications for parking needs, having due regard to policies CS4, DM10, DM13 & DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and policy AL3 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 4 The residential flats hereby permitted shall not be occupied until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 Any proposal relating to install noise making equipment (i.e.

refrigeration units, air conditioning, extract ventilation equipment) schemes shall be agreed and approved in writing by the District Planning Authority prior any development takes place.

Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

Reason: in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Site Plan Drawing No 05
Location, Site and Block Plan Drawing No 01A
Layout Plans Drawing No 02A
Elevations Drawing No 03A
Section and Views Drawing No 04

Reason: - To ensure provision of a satisfactory development.