
Site Address: 314-318 London Road, Waterloo, PO7 7DU
Proposal: Conversion of part of ground and all of the first and second floors and erection of third floor to provide 15No. flats, comprising 14No. 2 bed flats and 1No. 1 bed flat; and associated external alterations to the building, parking and landscaping. Erection of bin and cycle store.
Application No: APP/14/00975
Applicant: Mr P Harris
Agent: Mr Robert Steele
Ward: Waterloo
Expiry Date: 22/12/2014
Team: Team 2
Case Officer: Stephen Cantwell

Recommendation: **GRANT PERMISSION**

1 Site Description

The site comprises a three storey building approximately 50 years old fronting the London Road precinct. The ground floor and part first floor was until recently occupied as a McDonald's restaurant and take away, with associated offices and storage. The ground floor has been divided into four shops and re-let.

To the rear (south) of the building, is an associated open-surface car-park, in a poor state of repair; this fronts onto Curzon Road, from where the building is also prominent. On the south side of the road is a pair of bungalows and other dwellings beyond this. The existing building is visible from these neighbouring gardens, albeit the closest of these is currently partly screened by a tall conifer hedge.

2 Planning History

None relevant.

It is noted that permission was granted for redevelopment of the former Curzon Rooms site a few plots west of the site with a building of similar height to the current proposal, but this has lapsed; an open surface car park currently occupies that site.

3 Proposal

To provide 15 flats (14 x 2 bed & 1no 1 bed). This would be via the conversion of part of the rear ground floor and all of the first and second floors. A third floor would be added in replacement to the existing plant room, inset from the existing edge of the roof. The car park would be reorganised and surfaced with new tarmac. New hedging and trellis fences would be added to the rear. Black railings on a low wall would be installed to the rear boundary. A flat-roofed bike and bin store would be constructed close to the rear boundary.

Materials:

(samples of main ones submitted, minor ones e.g. railings, listed in application):

Tectivia cladding: - Sandstorm (main areas), mineral black (copings)
Render - cream

Window frames/doors/rainwater goods and joinery - grey
Balcony screens - steel and grey glass

Detail bricks to bike store and boundary wall - Terracotta / Edwardian
drag-faced brick

4 Policy Considerations

National Planning Policy Framework 2012

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)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
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):

Public sewers bordering front and rear of the site. Bike/bin shed located over storm sewer. Suggest consultation with Southern Water services. Consultation recommended with HFRS

Economic Development - Retail and Town Centres: No Objection

Development Engineer (Highways): No objection

1 Four parking spaces to be available to use by the retail units during shop opening hour. Appropriate signage to be erected.

2) No gate or barrier at site access without express permission

Environmental Health officer:

following consideration of the Noisecheck report, he recognises that detailed noise mitigation designs have not been finalised, (e.g types of wall & facade insulation, floor and ceiling construction and other intrinsic building design), as well as acoustic glazing. He recommends that a final report be submitted to confirm how the degree of mitigation recommended in the report has been achieved. He also recommends the following conditions:

- 1) No external noise creating equipment (e.g air extraction), without permission
- 2) Noise from equipment not to exceed particular levels
- 3) Noise from construction works not to be audible outside the site outside normal working hours
- 4) Dust suppression to be used during construction

Housing officer:

Following viability assessment and review, agrees that affordable housing would not be viable in the current market, although not to the degree first indicated by the applicant..

Supports the design and provision of good size central residential accommodation close to all amenities. Whilst no outside private space, the balconies are welcomed. The lift will enable the units to appeal to a variety of households including those with mobility issues.

Waste Services Manager:

No objection as long as the bin store is fully accessible at all times.

Landscape Team:

Suggests a secondary shrub layer adjacent the ground floor flat to add something a little more defensive than Lavender. Otherwise the plan has some good boundary treatments and innovative solutions for landscaping the space.

Planning Policy:

The site is within the urban area (CS17) and Waterloo town centre (CS4 & AL3). The principle of residential development, whilst still providing active retail frontage is supported. the external appearance is an enhancement to the area.

Housing is supported (CS9) and requires 30% affordable housing provision; noted that this would make the scheme unviable. This should be appropriately reviewed by a third party

Parking/Cycle store is appropriate amount for the town centre location.

Side windows may hinder future development to the side.

Traffic Management Team:

No concerns relating to traffic about this development.

Crime Prevention:

Recommends:

- a. All external doors are to PAS24:2012 standard
- b. An audio visual access control system should be installed
- c. Individual apartment front doors should be to PAS24:2012 standard

An appropriate level of lighting should be provided throughout the car park

Whilst the loading area is in use access/egress to a number of parking spaces will be inhibited. Can this be rearranged?

Southern Water:

Notes presence of public sewer on site. Detailed investigation recommended. Applicant should contact SW.

Urban Design officer:

Concern that balconies at first floor may be used for drying of washing in prominent location.

Property Services Manager:

Will not adversely affect any property currently within the Council's ownership.

Hampshire Biodiversity Information Centre: No response

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: 32

Number of site notices: Two

Statutory advertisement: 03/10/2014

Number of representations received:

None (resident at 16 Spur Road expressed concern regarding overlooking from new 3rd floor during site inspection; however no formal representation appears to have been received)

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 subheaded below:

(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. Development would not adversely affect the retail frontage and retains space for loading and storage to the rear. Refurbishment will contribute to vitality of the centre, introducing increased residential presence, supported by policy AL3. The proposals would bring the space back into active use. Arguably at least some of this space may benefit from current permitted development rights which allow for change of use from office to dwellings.

(ii) Impact upon the streetscene

The proposal will refurbish a prominent building to a good standard of external finish. The addition of balconies will add visual interest, particularly to the London Road precinct. The proposed third floor will add a well-considered tiered appearance to the building and replace the unattractive service/plant room and equipment. To the rear the current haphazard arrangement of boundaries would be replaced by a visually coherent selection of robust trellis, railings and low walls along with hedge planting to introduce some relief to the extent of tarmac surfacing, which replaces the existing patchwork of partially repaired surfaces.

The applicant has replied to concerns of the design officer regarding the presence and use of first floor balconies. He replies that these are an important part of the design and that existing balconies in the streetscene already may be used for drying of washing and domestic paraphernalia. Given the slightly recessed design of the balconies and existence of others, it is considered that there is insufficient weight to modify or refuse the scheme on this point.

(iii) Housing and affordable housing

The proposal provides largely two-bedroom units, which is welcomed by the housing officer. However, it does not include 30% affordable provision. Following third party review of viability information, it is agreed that profit margins are insufficient here to sustain affordable housing. The recent Government announcement 28th November 2014, illustrates that Government is mindful of occasions when the delivery of modest housing development on brownfield sites, can be adversely affected by such a requirement. The independent evidence shows that this applies to the application proposal. Development is due to take place imminently, the applicant has recently stripped out the building, which further suggests that no merit in seeking a future review of viability of this project.

(iv) Impact upon residential amenity

Neighbours down-slope of the site in Curzon Road are some 30m+ to the south. A cross section indicates that overlooking of the frontages of the closest bungalow, will be offset by the existing boundary hedge (118/120 Curzon Road). From the gardens of 118 and 16 Spur Road there is a line of sight to the proposed third floor, most notably at no.16. However, given the intervening distance, the balcony screens (partially reducing line of sight) and the degree to which the garden is already overlooked, it is not considered that this will reduce neighbouring amenities

significantly. The improved appearance of the building and car park may improve the character of the area to the benefit of the neighbouring residents.

Given that the proposal replaces existing commercial use of the upper floors and car parks, it is not considered that the degree of activity associated with the proposed use, including the proposed bike/bin store close to the Curzon Road frontage, would necessarily give rise to undue noise and disturbance.

(v) Highway matters

The highway officer agrees the car parking and cycle provision. He requests signage to allow for use of 4 spaces by staff to the shops during business hours. He also requests no barrier at the access; both can be subject of planning conditions. The Building Control officer recommends that the advice of the fire officer is sought, which can be made subject of an informative.

(vi) Noise and amenities for occupiers

The environmental health officer is satisfied with the noise report, mindful of the noise sources (the precinct and Hulbert Road). He asks for a report as to how noise mitigation levels have been achieved through design. A suitable condition (requiring final report) and informative (to recommend consultation with the EH officer during design work) can combined to achieve this. Standard conditions regarding external plant and noise therefrom are recommended. However, another recommended condition regarding control of dust during the build period are matters for other environmental COPA /EPA legislation and would warrant an informative.

Although there is no external garden space, the proposal affords balconies and is reasonably close to nearby parks. It also provides access, a lift and parking for people with disabilities

(vii) Contributions

The proposal generates a requirement for £29,120 CIL payment, which has been accepted by the applicant (confirmed in agent's email 19th December). A liability notice would accompany a planning permission.

Under the Solent Disturbance mitigation Project, a payment of £2729 has been made to offset impacts on the EU protected site, in accordance with the (standing) recommendations of Natural England.

8 Conclusion

The proposal will revive an existing building in an important town centre location. Subject to conditions it is considered to be acceptable. No requirement for s106 in this case beyond the SDMP payment.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00975, 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 The development hereby permitted shall be carried out in full accordance with the following approved plans:

CFA/FULL/01 – Proposed Site Plan
CFA/FULL/02/02 – Proposed Elevations
CFA/FULL/02A – Cycle & Refuse Store Elevations & Boundary Wall / Railings
CFA/FULL/03/01 – Proposed Floor Plan
CFA/FULL/04 – Location and Block Plan
082/5300/Rev.A – Landscape Proposals
082/5400 – Landscape Proposals, Trellis and Tree System Detail
Acoustic Testing Report by Airtight & Noisecheck Limited 14 – 15th June 2014. Objectives, Results, Summaries and Conclusions

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials to be used shall be as variously stated in the current application and samples as submitted:

Marley Tectivia cladding: - sandstorm & mineral black
Render - cream
Feature and boundary wall bricks - Terracotta / Edwardian drag-faced brick
Stone capping to wall - buff stone
Window frames/doors/rainwater goods and eternal joinery - grey
Railings (building) - stainless steel
Railings (boundary) - steel, black
Screen glass - light grey

unless the Local Planning Authority gives prior written approval for any variation.

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

- 4 a) The flats hereby approved shall not be occupied until space for the parking, loading/unloading and turning of vehicles and full provision for cycle storage, including the secure cycle shed and racks have been provided on site in full accordance with the approved plans. Such spaces and the secure cycle shed and racks shall thereafter be permanently retained and used solely for those purposes.

b) Four of the parking spaces shown within the approved car parking area shall be kept available for use by staff of the retail units within the site the subject of this permission, during business hours of those units. Signage shall be permanently displayed at the site to advise users of the car park of this.

Details of the signage, their position, size and wording shall first be agreed in writing with the Local Planning Authority before the flats the subject of this permission are occupied.

Reason: In the interests of highway safety, to ensure parking provision for the retail units as well as the flats and having due regard to policy DM13 & DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No gate or barrier shall be erected across any part of the vehicular access to the site.

Reason: In the interests of highway safety, to ensure access is available to parking and loading space and to accord with the submitted transport Statement, having due regard to policies DM13, DM14 & CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The development hereby approved shall be carried out in full accordance with the Objectives, Results, Summaries and Conclusions of the Acoustic Testing Report by Airtight & Noisecheck Limited dated 14-15th June 2014. Prior to the occupation of the flats hereby approved a further report shall be submitted to and approved in writing by the Local Planning Authority explaining how the Objectives, Results, Summaries and Conclusions of the aforementioned report dated 14-15th June 2014 have been met by the detailed design of the development hereby approved. It shall also include any necessary remedial measures which shall be implemented prior to the occupation of the flats hereby approved

Reason: To ensure that detailed design work is carried out in accordance with the Acoustic Testing Report so that the flats, are adequately sound proofed in the interests of the amenities of the future occupants having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Note: Please see informative below relating to referral to the Council's Environmental Health officer.

- 7 a) Any proposal relating to the installation of possible noise creating equipment (i.e. passenger lift unit, refrigeration units, air conditioning plant, mechanical ventilation equipment) shall first be submitted to and approved in writing by the Local Planning Authority prior to any development taking place.

b) Noise resulting from the use of any external plant, machinery or equipment (or any which is audible outside the site) shall not exceed a level of 5dB(A) below the existing lowest background noise level during the time of operation (or 10dB(A) below if there is a particular tonal quality), when measured according to British Standard BS4142-1997.

Reason: To protect the occupants of nearby residential properties and the proposed flats and of other neighbouring premises from noise, vibration and/or odour nuisance, having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 a) The flats hereby approved shall not be occupied until all means of enclosure and the refuse /cycle store have been completed in accordance with the approved plans:CFA/FULL/02A – Cycle & Refuse Store Elevations & Boundary Wall / Railings and 082/5400 – Landscape Proposals, Trellis and Tree System Detail.

b) Not later than the first planting season following the substantial completion of the development hereby approved, all approved landscaping and planting shall be completed in full accordance with such approved details in drawings 082/5400 – Landscape Proposals, Trellis and Tree System Detail and 082/5300/Rev.A – Landscape Proposals. Any tree or shrub planted as part of these details which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance, boundaries and landscaping of the development is satisfactory and that facilities are provided having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 With the exception of the existing ground floor retail frontage, details of any external lighting shall first be submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site (with the exception of the existing ground floor retail frontage) other than as thereby approved.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 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 first be agreed in writing with the Local Planning Authority, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times

Monday to Friday: 8.00 – 18.00

Saturday: 8:00 – 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 during development works, having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.