
Site Address: 117 Elm Grove, Hayling Island, PO11 9ED

Proposal: Erection of 33No. retirement apartments (Category II type) with communal facilities and car parking accessed from St Marys Road.

Application No: APP/16/00568

Expiry Date: 02/09/2016

Applicant: McCarthy & Stone
McCarthy & Stone Retirement
Lifestyles Ltd & The Southern
Co-operative

Agent: Mr Bendinelli
The Planning Bureau Ltd

Case Officer: Heather Lealan

Ward: Hayling West

Reason for Committee Consideration: At Cllr Turner's request

Density: 100 dph

HPS Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site lies at 117 Elm Grove, Hayling Island, which is the Hayling Billy Public House site. It also includes the large car parking area to the southern side of the pub. The public house has now been closed for some months and access to the car park blocked off. The car park could previously have been accessed from Elm Grove to the east and St Mary's Road to the west. The rear of the site is bounded by a low brick wall and a line of trees to the south, with a low wall and open aspect to the east (fronting Elm Grove). Located to the north of the site is the main public house building with ancillary structures and service areas and to the west lies further car parking accessed via St Mary's Road. A significant TPO pine tree is located to the western boundary and a small group including a TPO large lime covered by a TPO to the northern part of the site adjacent to the eastern boundary.
- 1.2 The locality is of mixed character. To the south of the application site is a free public car park accessed from St Mary's Road with a link footpath through to Elm Grove. To the south of the footpath are commercial properties with a residential flat over one unit at first floor level. Residential properties are located to the west (across St Mary's Road) and north of the site. Further commercial properties to the east (across Elm Grove) comprise a secondary frontage within the Gable Head District Centre, as identified within the adopted Local Plan (Allocations) document.

2 Relevant Planning History of Application Site and Other Sites

117 Elm Grove

03/57840/000 - Application to reduce by 30% 2 Lime trees (T1 & T2) and to crown raise 1 Oak tree (T3) subject to TPO 1805. Permit, 24/03/2003

09/57840/001 - Crown reduce by 20% a Lime tree (T1), crown reduce by 20% a Lime tree (T2), and crown clean an Oak tree (T3), all subject to TPO 1805. Permit 27/03/2009

APP/13/01191 - Change of use for part of existing car park to combined parking use in connection with public house and local business. Permit, 22/01/2014

Application for Hayling Billy P.H. to be listed as Asset of Community Value: Decision notice pursuant to Section 91(2) of the Localism Act 2011. The Council determined that the Hayling Billy Public House site is not an asset of community value, by decision dated 18 July 2016.

108-110 Elm Grove

APP/15/00950 - Demolition of retail unit and associated outbuildings and redevelopment to form 44No. sheltered apartments for the elderly including communal facilities, access, car parking, landscaping and substation. In addition, provision of 1No. retail unit with flat above with associated parking and landscaping - Dismissed at planning appeal 19 April 2016. This appeal decision of relevance with regard to the level of parking provision that the Inspector accepted as appropriate in this location, and is discussed later in this report.

McCarthy & Stone scheme in Purbrook

APP/15/00896 - Demolition of existing buildings and redevelopment to form 42No. retirement apartments for older persons including communal facilities, parking provision and associated landscaping; and 2No. commercial/retail units.- Allowed at planning appeal 25 August 2016. This appeal decision of relevance with regard to the current 5 year housing supply situation in Havant and its implications for land use policies, and is discussed later in this report.

3 Proposal

- 3.1 Demolition of public house and associated outbuildings and redevelopment of site to form a development of 33.No. retirement apartments for the elderly including communal facilities, access, car parking, landscaping, substation and car parking accessed from St Marys Road. The apartments are to be for people of 60 years or over and in terms of scale vary between one and three stories in height.
- 3.2 The sheltered apartment block comprises a courtyard approach from St Marys Road. The main frontage elevation to the west is mainly 3 storeys in height but steps down to two storey to the southern side and to a single storey element to the north with a succession of hipped roofs. When viewed from the east the building is predominantly 3 storeys.
- 3.3 The approach to the design is traditional with details such as stone window cills, stone window heads, brick window heads, horizontal band detailing and areas of render. At ground floor, flats are provided with glazed door units and small private patio areas and at first and second floor the flats have balconies. Materials are proposed as a mixture of red multi bricks and render with grey concrete tile for roofs.
- 3.4 The flats are provided with 23 car parking spaces and pedestrian access is taken through the car park to the main entrance of the building, sited centrally within the main frontage facing west. A further two pedestrian accesses for residents are provided to the east of the building out onto Elm Grove to either side of the doors to the refuse collection area.
- 3.5 The application is supported by a number of documents:

Design and Access Statement
Planning Statement
Extended Phase I Habitat Survey
Drainage Strategy Report
Land Contamination Assessment
Landscaping plan
Transport Assessment and Layout Plan
Statement of Community Involvement
Tree Survey/ Arboricultural Implications
Refuse and Waste Management Plan
Refuse Collection Statement
Utilities Survey Report
Viability Assessment

4 Policy Considerations

National Planning Policy Framework, 2012

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)
CS4	(Town, District and Local Centres)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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)
AL3	(Town, District and Local Centres)

Havant Borough Design Guide SPD

Havant Borough Housing SPD

Havant Borough Parking SPD

5 Statutory and Non Statutory Consultations

Economic Development

Economic Development raises no objections to this development. The number of residents living in the complex will contribute to the viability of the retail offer on the island and in the borough.

Environmental Health Manager

I have no objections to the development, subject to the proposals for further environmental assessment & mitigation works being secured by means of suitable conditions. Brief comments & suggested condition wording is provided below, by subject.

Contamination & Asbestos

It is considered that site investigation recommended by the ACS report should be secured by condition. To ensure efficient compliance monitoring & certainty for future occupants of the site, it is also necessary to include a condition that requires verification of any mitigation works. The following conditions are proposed for these purposes:

Investigation & Mitigation of Contamination Risks [1]

Verification (Remediation / Mitigation of Contamination) [2]

The submitted Desk Study Report also recommends that a pre-demolition Asbestos survey be undertaken, and any asbestos containing materials be removed in accordance with best practice methods. I agree that this would be useful exercise to manage this potentially harmful pollutant, and would recommend that this be secured by condition;

Pre-Demolition Asbestos Survey [3]

Transport & Air Quality

The risk that future residents may be exposed to locally poor air quality is considered to be negligible, and I note that MVHR is proposed, which typically draws air from roof level, where pollutant concentrations tend to be lower.

The risk of the development contributing to local air pollution (by means of generated traffic) is similarly considered to be negligible (-to 'nil'). It is likely that the development represents a positive change, and consequent minor reduction in vehicle trips to the site (relative to it's consented use).

Ecology & Air Quality

I note few notable species are identified, and that the proposed landscaping scheme is identified as being likely to represent an improvement. I have no adverse comments to make with respect to ecology, and as a positive comment would highlight that the 'greening' of the site with native species of all heights (i.e. hedge / shrub / tree) is likely to represent an improvement not only in terms of biodiversity, but also in terms of the interception & reduction of local air pollution. Whilst levels of local air pollution are expected to be relatively low in this area, any incremental improvements is regarded as a positive step, contributing to incremental reduction of background pollution levels.

Flooding / Drainage / SUDS

I note that the surface water drainage attenuation structure proposed is to be drained by means of a 'twin explosion-proof pump' system, designed to limit SW inputs to public system to <21l/s.

I note that no pollution control measures are proposed, despite the potential for pollutants being acknowledged by specification for 'explosion proof' pumps on the basis of a potential for flammables to be present within runoff (by surface spillage - e.g. traffic collision or vehicle fuel leak).

Permeable paving is suggested as a potential option, subject to infiltration rates. I would highlight that infiltration not necessary to make use of a permeable paving solution; permeable paving can instead be served by a granular storage sub-base, with collection by means of a buried fin drain (or similar, e.g. perforated pipe collection system). I would recommend this approach as permeable paving has excellent

pollution interception capabilities and would be fully compatible with this class of the site in accordance with CIRIA 753 (SUDS Manual).

Similarly (assuming that the destination Surface Water chamber inverts would accommodate gravity drainage) flow control by means of a passive hydrobrake is considered to be a more sustainable & reliable solution to the limiting of runoff rates.

Environmental Health - Noise

No objection in principle to the development.

The acoustic report submitted for the proposed transformer sub-station unit gives a figure of 30 - 35 dBLA90 for existing background noise level at night. It is not clear whether this level is for the surrounding area as a whole, St Mary's Road or Elm Grove, or from what measurements these approximate figures are deduced. I would further query the positioning of the proposed unit next to the closest residential property adjacent to this site, if there is the potential for tonal noise. Is it not more feasible to locate it next to the existing council car park for instance. I would ask that clarification be provided with regard to the abovementioned queries / observations. I would also ask that the following conditions and Informatives be added to any approval that may be granted.

Condition 1:

The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms.

Condition 2:

Any proposal relating to the installation of potential noise generating plant / equipment such as air source heat pumps, mechanical ventilation systems, air conditioning units and the like, shall be agreed and approved in writing by the Local Planning Authority prior to any development taking place.

Informatives:

Regarding Hours of Work

Regarding Bonfires

Regarding Dust Control

Regarding light pollution.

Officer Comment - *These comments have been copied to the applicant and details have not been amended. Therefore it is necessary to apply the EH officer's recommended conditions with regard to general noise impact of the scheme and to require further clarification through conditioning details with regard to the sub station and any noise impact.*

Development Engineer

The development has 23 car parking spaces for 33 units and this reflects the advice given by the Inspector in the recent appeal decision for the Churchill's proposal on the other side of Elm Grove. Two spaces should be shown as disabled. I would prefer to see the St Marys Road highway verge adjacent to the development site being surfaced to provide a footway link but the tree would need to be removed and this would cause controversy. I suggest that the Planning Authority condition the retention of parking and servicing areas as shown on the submitted layout plan. The parking spaces should not be individually allocated and an age condition should be applied to

the residents of the apartments. Also, it should be conditioned that the access to Elm Grove be restored to public footpath post construction and that no waste refuse vehicles must park within the zig zag area of the zebra crossing to the south of the site.

Officer Comment - *Not parking within the pedestrian crossing exclusion area is a requirement of highway legislation and cannot be controlled through planning. An informative should be added to this regard.*

Housing Needs Manager

This proposal would need to comply with Local Plan policy CS9.2 and provide 30-40% affordable housing on-site as per para 2.03 Havant Borough Council Housing SPD July 2011; this would equate to a minimum of 10 units (rounded up from 9.9).

I understand from the submissions that the applicants believe financial viability to be an issue for this development and have provided an Affordable Housing Statement which includes data to outline the methodology that they have used for the assessment. This has been referred to a third party for review.

Mix and Design

This application is for 33 new dwellings and consists of 16 no 1 bed sheltered apartments, 17 no 2 bed apartments. At 50sqm and 70sqm respectively these sizes would comply with guidelines issued by the Homes & Communities Agency.

The location of the proposed development is in a very sustainable, desirable area with access to amenities in the form of public transport, health provision and retail opportunities, and as stated above this area is popular for those seeking retirement accommodation.

Officer Comment - *The applicants have submitted a viability assessment with the scheme which has been considered by the Council's appointed independent assessor whose final comments are outstanding at the time of writing this report.*

Waste Services Manager

We need to ensure that there is a suitable location with room to accommodate sufficient residue / recycling bins for the bi-weekly collections, which is also easily accessible for collection by the operatives.

Officer Comment - *A Refuse Collection Statement has been submitted to the satisfaction of the Development Engineer. The bins will be collected from and returned to the bin store by the waste collection operatives; this can be conditioned, but requiring that they will not park within the zig zag markings of the zebra crossing to the south of the development falls under highway legislation not planning.*

Engineering/Drainage

Drainage strategy acceptable subject to detailed consultation and capacity checking with Southern Water.

Landscape Team

Concerns regarding the submitted documents include:

- Root Protection Areas extend beyond the barrier protection defined in the protection drawing.
- Extensive excavation works are proposed within RPAs (for drainage runs / building foundations), which are not sufficiently addressed within submitted documents.
- There is not sufficient protection for overhanging tree canopies by manoeuvring equipment.

Trees 1 – 3 offer considerable landscape amenity to the Elm Grove streetscene – this being a primary reason for the Tree Preservation Order. The proposals are deemed to

adversely impact the amenity contribution of these trees.

Finally, I am also concerned with future issues of conflict arising from building placement so close to the existing trees. I anticipate future conflict between canopy growth and the building façade – placing pressure for removal of the trees or extensive canopy reduction. Prospective residents are likely to experience issues of over-shading and unattractive window depositing. Guttering and adjacent proposed drainage runs will also be vulnerable to damage/blockage. Again – issues not dealt with by the submitted documents.

Officer Comment - *An updated tree report has been submitted in light of these comments and at the time of writing this report the Council's Arboriculturalist's comments are awaited. The plans have been amended to remove a couple of balconies on the northern aspect closest to the retained trees within the north western corner of the site.*

Building Control

No comments

Planning Policy

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough.

The proposal lies within the urban area and is consistent with policy CS17 which seeks to concentrate new housing within the five urban areas, including Hayling Island. The policy also prioritises the use of previously developed land.

Employment and Community Uses:

The proposal would result in the loss of a public house, which is recognised as a form of community facility in the NPPF (Paragraph 70). Policy DM2 of the Core Strategy on the protection of existing community facilities is therefore relevant to this application. Criterion 1 of policy DM2 requires the application to demonstrate that an active marketing exercise has been carried out to ascertain whether the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community. Detailed requirements are set out in paragraph 10.06. The applicant has provided no evidence to demonstrate that any such marketing has been undertaken.

Criterion 2 of policy DM2 requires the applicant to demonstrate that the pub is no longer required for community use or there is an easily accessible existing facility. Evidence shows that there are sufficient community facilities in the vicinity of the site. Furthermore, the facility provided at this site has been reopened at another premise nearby and as such Criterion 2 of Policy DM2 can be satisfied.

Should suitable marketing information satisfy the requirements of DM2 then the following comments would also apply:

Housing:

The proposal supports the aims and objectives of the Havant Borough Local Plan, which seeks to provide an additional 6,300 homes in the borough. The proposal also supports the aims of policy CS9.6 to provide for an ageing population in sustainable locations. Policy DM7 which relates to elderly and specialist housing provision is also applicable.

Policy CS9 (2) requires the provision of affordable housing. At 30% this would equate to 9.9 dwellings. It is recognised that on-site provision is not practical in a retirement housing scheme, however, the applicant has submitted evidence to demonstrate that affordable housing contributions would not be possible in lieu of onsite provision on viability grounds. In accordance with the supportive text to Policy CS9 the viability assessment should be third party tested at the developer's expense. I note that this is being progressed.

Parking:

Whilst the proposed level of parking (23 spaces) falls short of that required in the adopted Residential Parking and Cycle Provision SPD, the Inspector for a recent appeal deemed 0.40 spaces per unit to be acceptable for a similar scheme. Therefore the proposed level of parking is likely to be acceptable.

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.

Recommendation:

Although the principle of allowing a residential use at this site would not in itself create any conflicts with adopted Local Plan policies, marketing information is required to ascertain whether the premises or land are no longer viable for their authorised use in accordance with Policy DM2.

Officer Comment – *The recent appeal decision for a sheltered housing scheme in Purbrook has concluded that policy DM2 is not up-to-date and paragraphs 49 and 14 of the NPPF are engaged, (see section 7).*

Traffic Management

From the parking and traffic management perspective, it appears probable that the provision of parking spaces in the plan is insufficient for the size of development and will exacerbate congestion and obstructive parking locally.

The applicants planning statement highlights the likelihood that residents will live a relatively independent life and experience has shown that such development cannot be assumed potentially to attract residents and visitors without motor vehicles.

Contrary to the assertion that there are large levels of public parking adjacent to the development, the parking capacity within the northern part of Elm Grove has already been reduced by 50% by the closure of the existing Hayling Billy car park and Public Library site changes. The only remaining capacity in the St Marys Road car park is already oversubscribed, particularly at School start/finish times and the relevant transport assessment fails to take account of the additional volume of traffic resulting from the new Halyards development sole vehicular feed onto Elm Grove at Tournerbury Lane junction.

It is suggested that approval should be conditional on an increase in parking capacity (preferably in line with the recommended levels within the appropriate new draft Parking SPD) to avoid the likelihood of increased congestion and consequential risk to the local communities economic viability. 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.

Officer Comment - *The above comments are noted, however the transport assessment has been accepted by HBC Development Engineer and the parking levels proposed within this site are above those as deemed acceptable by the Appeal Inspector for the Pullinger site on the opposite side of Elm Grove. A S106 agreement is proposed to be entered into regarding TRO requirements.*

Arboriculturalist

Comments awaited at the time of writing this report following the submission of additional tree survey information.

County Ecologist

The report does not acknowledge the Solent Recreation Mitigation Partnership

(SRMP): this site is situated within c.700m of the Chichester & Langstone Harbours SPA and therefore would, in the opinion of Natural England, contribute to an in-combination 'likely significant effect on the SPA. In line with LPA policy, there will need to be a contribution towards the SRMP of £176 per unit, in accordance with Policy DM24 of the Local Plan. The report should have highlighted the presence of several sites nearby which feature in the Solent Waders and Brent Goose Strategy (SWBGS) – these sites form a network of supporting habitat for SPA birds and the presence of new residential units in proximity to such sites may lead to increased recreational pressure, impacting the conservation objectives of European designated sites.

Overall, the site is generally unconstrained in terms of ecology and therefore I have no further comments to make other than to state that the ecology report makes no reference to ecological enhancements. Under the Natural Environment & Rural Communities (NERC) Act 2006 all public bodies should seek to encourage environmental gains through development. In this instance, the provision of e.g. bat and bird boxes might be suitable options for site enhancements.

Officer Comment - *Additional mitigation measures to be conditioned and S106 to be entered into regarding SRMP payment.*

Southern Water

Informative regarding connection to sewer. Legal agreement for SUDS features maintenance and condition required regarding detailed drainage information.

Officer comment – *The request to undertake a S106 in respect of the management/maintenance of the drainage arrangements is not considered appropriate for this site as it is a managed site with no public areas and so a condition requiring detailed information is sufficient.*

Crime Prevention

No comments received.

Local Lead Flood Authority

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Officer comment – *The request to require management/maintenance details of the drainage arrangements is not considered appropriate for this site as it is a managed site with no public areas and so a condition requiring detailed information is sufficient.*

Hampshire Fire & Rescue

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings **within the site** will be dealt with as part of the building

regulations application at a later stage). Access roads **to** the site should be in accordance with Approved Document B5 of the current Building Regulations.

Community Services

This public house has not been listed as a community asset and there is other alternative provision within the locality.

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: 30

Number of site notices: Two

Statutory advertisement: 24/06/2016

Number of representations received: 12

Summary:

- a) Stop all building on Hayling Island until an in depth feasibility study has been completed covering all infrastructure issues.
Comment - *this is not considered to be a material consideration for this application which seeks permission for a redevelopment of an existing site in the urban area, and for a form of development expressly encouraged by local plan policy CS16.*
- b) The building would be overpowering and would dominate Elm Grove.
- c) Retail provision is required on this site above housing provision.
- d) Lack of parking provision for the new scheme does not accord with emerging Parking SPD.
- e) Loss of existing car park
- f) No facility for on site turning for lorries and larger vehicles. As such lorries will be required to reverse in or out onto St Marys Road
- g) There will be an increase in traffic egress on St Marys Road as previously most cars accessed the site from Elm Grove
- h) Loss of public house – no evidence submitted with the application to justify the loss (not in accordance with Core Strategy policy DM2). Would have a direct detrimental impact on the vitality of the local centre. The pub was nominated as an asset of community value.
- i) Transport statement is out of date
- j) Concerns raised at Community Involvement event do not appear to have been included in the submitted SCI
- k) What is the relevance of the reference to cycling given age of future occupants
- l) The three storey building as proposed would be out of keeping with existing development that is predominantly two storeys in height, is too high a density and fails to respect the linear pattern of existing development. It would therefore be in conflict with Core Strategy policy CS16.
- m) Highway safety during construction period not considered within submission
- n) Already many retirement complexes on Hayling.
- o) Position of the bin store – it is close to the pedestrian crossing and could cause accidents on bin collection days. No room for the bins to be put out for collection and

- as such will be stored on pavement or across pedestrian access.
- p) Would cause additional loss of light to adjacent dwellings over and above existing property
 - q) The proximity of the substation to existing residential dwellings will result in noise disturbance
 - r) Impact of construction on trees and future pressure to prune or remove.
 - s) The area is designated as a Local Centre
Comment - *The site lies opposite, but outside of the local centre*
 - t) The number of units should be reduced to allow for a smaller scale development more appropriate within the site
 - u) Trees - Footway link would require a tree to be removed.
 - v) Drainage Issues – the drains within the site are not connected to anything.
 - w) Any new development should comply with the policy of 30-40% affordable housing on site.
 - x) Highway Authority's figures stated that there is a finite traffic flow on the bridge that cannot be exceeded
 - y) There is one food store in the vicinity.
 - z) More need for housing for the younger generation.
 - aa) Flats would be better used for young people who are more likely to contribute to the local economy rather than retirees.
 - bb) Overlooking to neighbouring properties. (specifically into No.109 St Marys Road)
 - cc) Physical notices around the site have not been posted to notify any interested parties their comments can still be made.
Comment - *The application has been publicised in accordance with adopted Council Procedures, including site notices*
 - dd) Artist's impression is an optical illusion with significant errors including location of frontage trees and scale and impact of building.
 - ee) Will CIL money be reinvested on Hayling
Comment - *this is not a material consideration for this application*
 - ff) Give my support to a well laid out plan for this site
 - gg) The plan to building high quality retirement apartments on this site is very welcomed and will bring this part of Elm Grove back to life.
 - hh) Changes to existing boundary treatments may require agreement from neighbours
 - ii) Have seen all types of shops opposite Coop none have been successful they have come and gone and left for years.
 - jj) There is sufficient public car park capacity within the locality
 - kk) McCarthy & Stone have a good reputation for delivering good quality homes – I feel that this development will be right for Hayling.
 - ll) This type of retirement property is required in this location that is in easy walking to all facilities
 - mm) We do not envisage any great issues or reason to consider complaint

7 Planning Considerations

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

- (i) Principle of development
- (ii) Loss of community building
- (iii) Impact upon the character of the area and trees
- (iv) Impact upon residential amenity
- (v) Highway and Parking considerations
- (vi) Other Issues

(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 control criteria. The site lies adjacent to the Gable Head District Centre and therefore it is not a local policy requirement that the site contributes to the viability and vitality of the local centre in terms of retail provision, being that it lies adjacent and not within the designated District Centre. The location of the development is in a very sustainable area with access to amenities in the form of public transport, health provision and retail opportunities and so the Council's Housing Officer has considered it to be a very suitable location for retirement accommodation.
- 7.3 The proposal as submitted seeks to develop the site with 33.No sheltered apartments. A recent appeal decision by the Planning Inspectorate for a sheltered housing scheme at the Pullinger site, (located opposite this current application site, APP/X1735/W/16/3143489), is an important material consideration when determining the acceptability of sheltered accommodation within this locality. Although this appeal was dismissed for other reasons, in regard to the principle, the Inspector found that; *the development would also have some economic benefits both in its construction and also the local business that would be generated by the residential use.* This principle in favour of sheltered housing proposals within the Borough was further endorsed by a second appeal decision for a McCarthy and Stone development in Purbrook, (APP/X1735/W/16/3145929). The appeal Inspector for this scheme considered that in light of the Council's shortfall in allocated housing sites to meet the Objectively Assessed Housing need, (as defined by the Borough's current Strategic Housing Market Assessment), that paragraphs 49 and 14 of the NPPF are engaged. Section (ii) of this report will consider the implications of engaging these policies in relation to the proposed scheme and the loss of the community building.
- 7.4 Policy CS9 (2) of the Core Strategy requires the provision of affordable housing and at 30% this would equate to 10 dwellings. The applicant has submitted viability information to suggest that the scheme does not have the capacity to provide any affordable housing contribution or provision. With respect to this aspect the Housing Development Officer has advised that Hampshire Home Choice currently has 98 households registered for sheltered housing and that there is a need for affordable sheltered housing within the Borough. However, the applicant has submitted a viability statement that has been reviewed by an independent assessor appointed by the Council. The initial review has found it unlikely that there is capacity in the scheme for an affordable housing contribution; subject to some matters being clarified by the applicants. These matters have been addressed by the applicant and at the time of writing this report the final conclusion from the independent assessor is awaited. Therefore, the Members of the Development Management Committee will be updated to this regard once the final determination is received. If the assessor's final conclusion is that there is capacity within the scheme for an affordable housing sum then negotiations will continue between the Council and the developer and the Members will be updated accordingly. However, if the independent assessor's final conclusion finds that there is no capacity within the scheme for affordable housing contribution then the application must be determined in accordance with NPPF paragraph 173, Ensuring Viability and Deliverability;

Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such

as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

(ii) Loss of community building

7.5 Policy DM2 of the adopted Core Strategy seeks to retain community uses of any premises or land currently or last used as community services. The existing use of the building within the site is as a public house and such a use is classified as a community facility. Therefore, the conversion of the Hayling Billy to residential use must be considered against the requirements of this local plan policy. The applicant has asserted within their submission their right to change the use from D1 to an A2 use under current permitted development rights, as allowed within the General Permitted Development Order, (2015). However, this is supposition and, until such a use is actually implemented, policy DM2 applies and must be considered.

7.6 However, in considering the application of policy DM2 there are two material considerations that weigh heavily in the balance. The first being the Appeal Inspector's decision for a similar sheltered housing scheme in Purbrook, (APP/X1735/W/16/3145929) and the second a recent decision of the Council's community team not to list the Hayling Billy Public House as a community asset.

7.7 The appeal Inspector in the Purbrook case found that the Council does not have enough allocated sites to meet the Objectively Assessed Need, (OAN) as defined by its Strategic Housing Market Assessment, (SHMA). Current Government priority is to boost the delivery of further housing within the UK and supporting this is work undertaken by the PUSH Spatial Position Statement, published on 7th June 2016. This statement confirms that there is a high need for new housing both across South Hampshire and specifically in Havant Borough. In light of this and the Council's own SHMA the appeal Inspector found that the need for housing and lack of 5 year housing supply in the Borough meant that the current Core Strategy was out of date with regard to policies that restrict the supply of housing. He concluded therefore that policies 49 and 14 of the NPPF were thus engaged. Paragraph 49 requires that;

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

For the purposes of considering the acceptability of the loss of the Hayling Building Public House, policy 49 of the NPPF must be considered against the requirements of NPPF policy 14;

*"At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

– specific policies in this Framework indicate development should be restricted."

As the appeal Inspector found that Havant does not currently have a 5 year housing supply compared to the current SHMA OAN, policy DM2 is outdated. Therefore, the marketing process which is required to establish that there is no community requirement for a D1 use for the existing building cannot be a determining factor in this application that seeks to provide much needed housing in the borough which in turn will contribute to the identified OAN.

- 7.8 Furthermore, a recent decision by the Council's Communities Team found that the Hayling Billy could not be registered as a community asset as they found that there is no evidence that the loss of the building would cause significant impact and that there are alternative community facilities close by. It is this conclusion that there are alternative facilities close by that is the most pertinent point relevant to the considerations of this planning application.
- 7.9 When considering the appeal Inspector's conclusion with regard to the Council's current lack of 5 year housing supply, along with the Community Team's conclusions with regard to alternative public house provision in the area, it is considered that the requirements of policy DM2 cannot be upheld and that the application for sheltered housing within this site cannot be refused on the grounds that it will involve the loss of a community facility.

(iii) Impact upon the character of the area and trees

- 7.10 The existing character of the area is urban in nature and is a mix of residential dwellings and retail/commercial units. The building heights and ground cover vary but are predominately single and two storeys in height. There are examples of 2.5 storey dwellings to the north of the application site within St Marys Road. The building proposed within the application site rises to 3 storeys within the central section, falling to two storeys to the south of the site and one storey to the north. The building mass is well articulated to break up the bulk and the roof form consists of both fully hipped and half hipped elements that assist to reduce the dominance of the proposal within the Elm Grove street setting. It is acknowledged that the development of the site is intensive; however the NPPF seeks to increase densities of development within urban areas. It is considered that the location is sustainable in terms of community facilities and, as such, the site should be developed to maximise the housing provision that can be accommodated upon it. Furthermore, the appeal Inspector considered that a 3 storey building within the Pullinger site could be in keeping with the surrounding area, It is considered that the scheme, on balance, is acceptable with regard to the impact on the local area.
- 7.11 The impact of the development on the trees that are located both within and that border the site has been considered in detail. It is concluded that the best quality tree within the site is the TPO pine located towards the western boundary. This tree is proposed to be retained and it is considered to be of sufficient distance away from the proposed development that there will not be a pressure to prune in the future. The trees to the southern boundary of the site are within the ownership of HBC and, whilst they offer important greening as a group, the individual specimens are not of such quality to warrant a refusal of the scheme; should there be a future pressure to prune due to the proximity of the proposed building. The group of trees to the north eastern boundary of the site again offer important greening to Elm Grove. Following officer concern regarding the future pressure to prune or remove these trees, due to the amenities of future occupiers, McCarthy and Stone have submitted additional evidence of their managed schemes where such trees have been retained and continue to

contribute the buildings setting. Furthermore, the initial plans as submitted have been amended to remove a couple of balconies on the northern aspect closest to the retained trees within the north western corner of the site.

- 7.12 The Council's Arboriculturalist raised concerns with regard to the construction and maintenance of the building, services and car park and the impact on the retained on and off site trees. The applicants have advised that these matters can be adequately addressed and have submitted a further, more detailed, tree report and method statement to demonstrate that the development works can be carried out without conflict to the trees. The Council's Arboriculturalist is considering this information and members will be updated with his findings prior to the Development Management Committee.
- 7.13 Having regard to the relationship of the development to its surrounding context and the need to maximise housing provision within urban areas in accordance with the requirements of the NPPF and local Core Strategy policy CS17, it is considered that the proposal is acceptable in respect of its scale, massing and street scene implications to Elm Grove and its wider impact under the requirements of policy CS16 of the Core Strategy. The impact of the development on the retained trees will be informed to members by way of addendum.

(vi) Impact upon residential amenity

- 7.14 The site is bordered by residential properties on the northern side, across the other side of St Mary's Road to the west and one flatted unit to the south. The dwellings that overlook the site at the closest proximity are those to the north and the proposed building has been reduced in height to one storey within this section of the site and has no windows facing north within the closest sections of the building to the northern boundary. The distance between the dwellings within St Mary's Road and the three storey element is approx. 50m at its closest. This is in excess of the required distance of separation of the Havant Borough Design Guide SPD between residential developments. There are secondary windows within the south facing elevation within the section of the proposed building that is adjacent to the flatted dwelling to the south and it is considered that these windows at first floor level should be conditioned to be obscurely glazed. The residential units located to the opposite side of Elm Grove are of sufficient front to front distance away from the proposal so as not to be impacted to an unacceptable extent in planning terms. The Council's Environmental Health Officer has requested further clarification on the noise survey submitted with the electrical substation as some aspect with regard to the readings were not clear; this information will need to be acceptable to and signed off in writing by the Council before the development can proceed. It is therefore considered that in terms of the relationship of the new development to neighbouring residential properties, the impact upon them will be satisfactory under the requirements of Core Strategy policy CS16.
- 7.15 With respect to the amenity of the residents within the sheltered apartment development the ground floor units have doors to outside patios, the units on the upper two floors have balconies and there is an amenity area provided on the south side of the building. There is scope within the amenity area and on the boundaries of the site to implement the submitted planting scheme. On this basis it is considered the environment for the future residents will be acceptable.

(v) Highway and parking considerations

- 7.16 The sheltered apartment scheme is provided with 23 car parking spaces which equates to a parking space ratio of 0.69 per flat. This is greater than the 0.4 spaces

per unit parking standards put forward by the Appeal Inspector at the former Pullinger site (108-110 Elm Grove) on the opposite side of Elm Grove. This standard is not however referred to in the adopted parking standards as expressed in the Parking SPD. Under those standards the provision falls short of the general parking standard of 0.9 spaces for 1 bed flats and 1.3 spaces for 2 bed flats when spaces are unallocated; in respect of parking for sheltered housing in particular the standard varies between 1 space per unit (general) down to a maximum of 0.5 spaces per unit in Havant town centre. A number of representations received in connection with the application make reference to car parking issues, and concern has also been expressed by the Traffic Team.

- 7.17 In response to these issues the agent has made reference to the appeal decision of the Inspector at the former Pullinger site and to their submitted transport assessment. Against the background of the appeal evidence and the survey data, and when recognising the sustainable location of the development adjacent to a District Centre and with options for alternative modes of transport in the form of a regular bus service, it is considered that the level of car parking proposed for the scheme is acceptable and the highway authority has advised that there is not a parking ground for refusal providing that there is to be an age restriction condition included on any decision and the parking spaces to be conditioned to remain unallocated, (in order to maximise the flexibility of their use).
- 7.18 Concern has also been raised about the ability to turn on site but plans have shown tracking and turning is possible for cars within the site and the Development Engineer raises no highway safety concerns with regard to this matter; so long as the submitted car parking and servicing layout is conditioned. Residents have also raised concerns about a possible increase in traffic using the St Mary's Road access, however the use now proposed has less trip generation than the previous public house use and the Development Engineer is satisfied with this as the single means of vehicular access. The Development Engineer has stated that he would prefer the St Marys Road highway verge to the development being surfaced to provide a footway but, as he rightly identifies, the important TPO pine tree would need to be removed to provide this upgrade. As this requirement cannot be substantiated as a highway safety reason to refuse the scheme, and as satisfactory footway accessibility is available within the local centre on Elm Grove, which is accessible to residents of the development, the conflicting planning considerations have been balanced and it is considered that the scheme should be supported as submitted and this tree be retained. Conditions are proposed to address the provision of the car parking and cycle parking.
- 7.19 The Development Engineer notes the proximity of the zig zag exclusion area of the pedestrian crossing to the south of the site. To this regard it is necessary that the Waste Refuse Collection Plan (as amended) be conditioned to require that the waste bins are collected from and returned to the refuse store of the day of collection by the waste operatives and that the waste collection vehicle does not park in the restricted area of the pedestrian crossing. The applicants have confirmed their acceptance of this requirement.

(vi) Other Matters

- 7.20 In view of the potential for contamination from previous development on the site, conditions are proposed to ensure any potential contamination of the ground is addressed. Conditions can also be imposed to address Environmental Health requests with respect to the proposed sub station. Southern Water and the Local Flood Authority have also requested that details of drainage and any SUDs scheme are submitted and approved in consultation prior to any development taking place onsite.

- 7.21 With regard to the impact of the development 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 developments 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 require 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. The required financial contribution has been offered and this can be secured through a S106 agreement.
- 7.22 The application would be liable for the Community Infrastructure Levy. Payments towards the SRMP are required together with possible affordable housing, (subject to viability), and TRO contributions and the applicant will be required to enter into a S106 legal agreement to secure these contributions (not CIL). However, the S106 has not been entered into following early concerns over the application and at the time of writing this report a final determination from an Independent Assessor is awaiting with regard to the capacity of the scheme to contribute a payment to affordable housing.

8 Conclusion

- 8.1 It is considered that the proposed development would make a valuable contribution to the Borough's housing requirements by providing retirement accommodation. The loss of a community use cannot be substantiated as a reason to refuse this application given that the Council does not have enough allocated sites to meet the Objectively Assessed Need as defined by its Strategic Housing Market Assessment. The assessment provided concludes that the form of the development, including its 3 storey height, is appropriate having regard to the site context, and that being in a sustainable location the car parking provision is acceptable on the basis of the development being age restricted. It is therefore concluded that subject to a Section 106 agreement securing the payment of the SRMP payment and a possible affordable housing and TRO contribution that the proposal is considered acceptable.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00568 subject to

(A) The entering into of a S106 Agreement, acceptable to the Solicitor to the Council, to secure the required SRMP contribution and a possible contribution in lieu of the provision of affordable housing and a contribution in relation to traffic management if required; and

(B) Conditions to address the following matters, and any others that are considered appropriate (the detailed wording of such to be delegated to the Head of Planning):

- 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 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation based on the proposals outlined within the ACS Desk Study Report Ref: 15-67729 (Jan 2016); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action. All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site.

3 Prior to commencement of the development approved by this Planning Permission (inclusive of demolition & site clearance), a scheme to address the risks posed by the potential presence of asbestos containing materials (ACM's) within the existing structures shall be submitted to, and approved in writing by, the Local Planning Authority. Assessment shall be undertaken by competent persons, and the findings presented as a written report. The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) A physical site survey, of sufficient scope to enable an indicative description of the nature & location of all potential ACM present; including that enclosed by finished surfaces (i.e. within the sub-structure).

2) Collection of physical samples from suspected ACM for laboratory analysis by Polarised Light Microscopy, to confirm

- Asbestos presence (or absence), and
- Where present, Asbestos type, and
- Where possible, approximate proportion, as a percentage.

3) Where ACM is identified, clearly defined proposals for removal of the identified material (a method statement), to include a description of risk management measures to be observed during removal works, monitoring to be undertaken, and contingency measures.

4) A verification survey & any associated air monitoring results, to confirm that removal has been undertaken in accordance with the method statement (3). All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Having due regard to policy DM10 of the Havant Borough Adopted Core Strategy [2011], Asbestos containing materials are suspected to be present within the buildings at the site that could, if not managed during demolition, be released in to the environment (air, soils).

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [1, part 3] shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met.

Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”).

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future site occupiers.

- 5 Prior to any development taking place plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) shall be submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Prior to any development taking place plans and particulars specifying the following matters shall be submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the

development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and 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.

- 7 Prior to any development taking place details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and amenities of the area, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 011 and the National Planning Policy Framework.

- 8 Prior to any above ground development taking place, any proposal relating to the installation of potential noise generating plant / equipment such as air source heat pumps, mechanical ventilation systems, air conditioning units and the like, shall be agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

note - BS4142 Requirement Noise resulting from the use of any/all plant, machinery or equipment shall not exceed the principle of No Observable Effect Level (NOEL), when measured according to British Standard BS4142-2014.

- 9 Prior to any development taking place further clarification of the details within the submitted noise report in regard to the electrical sub station is required to be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

- 10 Prior to any development taking place all trees that are to be retained within or adjacent to the site shall be enclosed with temporary protective fencing in accordance with BS:5837:2012 '*Trees in relation to design, demolition and construction*' recommendations and the submitted Tree Protection Plan. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been

submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 12 Prior to the occupation of any unit hereby permitted the applicant shall confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: In the interests of the residential amenities of the occupiers, and having due regard to Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

- 13 The development shall not be brought into use until space for the parking and turning of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes and shall remain at all times as unallocated parking spaces.

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

- 14 With the exception of any site manager/warden's accommodation, at no time shall the sheltered apartments development hereby approved be occupied by persons under the age of 60, unless in the case of a couple where one person is over the age of 60, the second person shall not be under the age of 55.

Reason: In order that the occupancy of the development is compatible with the limited amount of on-site car parking provision, and having due regard to Policies CS20 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 The landscaping works shown on the approved plans [ref. landscape strategy rev E] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

- 16 The collection of refuse shall be in accordance with the submitted Refuse Collection Statement received on 4 October 2016 and shall be collected from and returned to the refuse store by the waste collection operative and shall not be left on the public highway.

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

- 17 No above ground construction works shall take place until a scheme of enhanced ecological mitigation measures for the site has been submitted to and approved by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Natural Environment & Rural Communities (NERC) Act 2006 and Policy CS11 of the Havant Borough Core Strategy March 2011.

- 18 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension / building hereby permitted the windows in the first floor on the southern elevation facing south and serving apartments 19 and 20 shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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.

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

Proposed North and West Elevations Drwg.no S0_2267_03_AC_031 rev B received 5 September 2016

Proposed South and East Elevations Drwg.no S0_2267_03_AC_030 rev B received 5 September 2016

Proposed Ground Floor Plans Drwg.no S0_2267_03_AC_020 rev E received 5 September 2016

Proposed First Floor Plans Drwg.no S0_2267_03_AC_021 rev E received 5 September 2016

Proposed Second Floor Plans Drwg.no S0_2267_03_AC_022 rev D received 5 September 2016

Proposed Roof Plans Drwg.no S0_2267_03_AC_023 rev C received 5 September 2016

Design and Access Statement received 26 May 2016

Planning Statement received 26 May 2016

Extended Phase I Habitat Survey received 26 May 2016

Drainage Strategy Report received 26 May 2016

Land Contamination Assessment received 26 May 2016

Landscaping plan Drwg.no S0_2267_03_AC_030 rev B received 14 September 2016

Landscape Assessment Drwg.no S0_2267_03_AC_030 rev B received 14 September 2016

Transport Assessment and Layout Plan received 26 May 2016

Tree Survey/ Arboricultural Implications

Refuse and Waste Management Plan received 26 May 2016

Refuse Collection Statement received 4 October 2016

Arboricultural Method Statement received 4 October 2016

Arboricultural Report received 4 October 2016

Tree Protection Plan received 4 October 2016
Utilities Survey Report received 26 May 2016

Reason: - To ensure provision of a satisfactory development.

Appendices:

- A - Site Plan
- B - Block Plan
- C - Proposed north & west elevations
- D - Proposed south & east elevations
- E - Proposed ground floor plan
- F - Proposed first floor plan
- G - Proposed second floor plan