
Site Address: 380 Sea Front, Hayling Island, PO11 0BD
Proposal: Erection of 13 residential apartments including parking and landscaping following demolition of existing building.
Application No: APP/17/00529 Expiry Date: 22/08/2017
Applicant: Perbury Developments Limited
 Perbury Development Limited
Agent: Mr Kirby Case Officer: Tina Pickup
 Pegasus Group
Ward: Hayling West

Reason for Committee Consideration: At the request of Councillor Lenaghan

Density:

HPS Recommendation: **GRANT PERMISSION**

Executive Summary

The proposal would result in the demolition of the existing 2 1/2 storey detached building known as Godbey House which has until recently been used as a Hampshire County Council children's home. The children have been re-homed in less institutionalised smaller family settings in a Hampshire County Council wide initiative. The loss of the building and its replacement with a residential flat development is considered acceptable in principle.

The significant constraints to the site are the mature trees on the site, the frontage ones of which are the subject of a Tree Preservation TPO'd. These provide significant screening and soften the long distance views from the sea front. Given other 4 storey flatted development to the west, the proposed 4 storey development is considered appropriate to the character of the area. The use of an articulated design, a mix of materials with recessed lighter colour top floor has resulted in a high quality development that is not overly bulky. Two storey residential dwellings are located on three sides of the site. The impact of the development on neighbours in terms of outlook, privacy and amenity is considered acceptable with sufficient separation distances and screening.

Developer contributions in relation to CIL, Affordable Housing and Solent Recreation Mitigation Project will be secured as a result of the development.

1 Site Description

- 1.1 The application site relates to an existing two and half storey substantial detached dwelling located on the north side of Sea Front, Hayling Island, having an outlook over the golf course and seafront. The site is currently owned by Hampshire County Council and has for many years been in use as a C2 children's home, registered for 7 children. The existing building is set back within the large plot, behind some significant trees, which have recently been TPO'd. The land rises up to the north with two distinct levels with the change denoted by a grassy bank across the full width of the site, some 25-28m back from the highway. There is currently a single vehicular access point in the south eastern corner of the site.
- 1.2 The overall plot has a depth of between 86m and 93m and width of between 47m and 50m. The existing building is sited between 48m and 55m back from the highway and

towards the eastern half of the site such that the separation to the eastern boundary is about 5m and to western boundary about 18m. Aswell as the TPO'd frontage trees there are other trees to the rear of the building and on the side boundaries resulting in a well screened site.

- 1.3 The prevailing character and appearance of the area is mixed, with this site being on the cusp of a change. To the west are generally flatted sea front developments, of two, three and four stories in height. Generally, the long distance views of the site from the south would be seen in the context of these flatted developments. However there remains a two storey dwelling immediately adjacent to the west, aswell as two storey residential dwellings abutting the site to the east and to the rear, north. It is noteworthy that the application site is unusually wide compared to the pattern of sea front developments to the west, representing a 'double' plot. The addition of the fourth penthouse apartment at Channel House at No 386 was allowed on appeal in 2013 - see section 2 below.

2 Planning History

92/57824/000 - Demolition of existing 1960's block and single storey garage Two storey extension and alterations to existing house. Permitted 08/02/1993

06/57824/002 - Consultation by HCC for proposal to replace existing 3ft high close boarded timber fence with 5ft high close boarded timber fence to match existing type. Permitted 04/12/2006

Also considered of relevance is the appeal decision at 386 Sea Front that allowed the addition of a fourth storey penthouse apartment:

APP/11/01818 Refused 8 March 2012 and subsequently allowed on appeal 21 February 2013

The Inspector noted that the introduction of a fourth storey was not necessarily detrimental in principle and the potential impact must be assessed in relation to the specific characteristics of adjacent properties. He particularly considered the pattern of block sizes and gaps between buildings and prominence in street scene terms when viewed from the south. The gaps at upper floors either side of 386 were found to reflect a spacious setting and the fact that the difference in height to the pitched roof of 384 was not significant made this relationship acceptable and was not considered to be discordant. The set back from the front and rear was also found to limit perceived bulk and mass and the proposal was not considered to be visually obtrusive, noting the reflection of attractive clean lines and contemporary design. With respect to the impact on the amenity of the dwellings to the rear (384a b and c) it was noted that these properties have windows that face south but the fact that the building would merely be visible would not, in itself, be evidence of an unacceptably oppressive sense of enclosure. Due to the separation distances involved (25m - 35m), the Inspector considered the occupiers would not experience any adverse effects.

3 Proposal

- 3.1 The application proposes the demolition the existing building and replacing it with a 4 storey apartment building containing 13 flats. These would comprise 12No 2 bed flats, arranged as 4 flats on each of the ground, first and second floor, with a 3 bed flat on the upper, 3rd floor. The footprint of the building has a maximum width of 37m and maximum depth of 20m. The building is however articulated to appear as two blocks with the eastern half recessed back by 4.5m. The height to the top of the 3rd floor, including parapet, would be approximately 10.4m with the height to the top of the fourth floor being 13m. This top flat would be set back by 4.5m to the east and west side elevations and by between 4.5m and 2.5m to the front south elevation, with restricted access to the roof creating a terrace to the front, south, and a courtyard terrace in the rear north western corner. As originally

submitted this rear terrace was to have a 1.6m high privacy screen. A lift overrun would also be on top of the building, the details of which have not been finalised, but would not exceed a further 750mm projection.

- 3.2 The siting of the proposed apartment block would remain approximately in the same position as the existing building i.e. behind the frontage trees and on the higher part of the site. With a larger footprint the replacement building would, at its closest points, be sited 6.5m from the eastern boundary, 4.8m from the western and 19.9m to the rear, northern boundary. A cycle store for up to 26 cycles is proposed in the north eastern corner with a bin store at the frontage.
- 3.3 It is proposed to utilise the existing vehicular access point and drive, which would be upgraded to include a new turning space on site, sufficient for refuse, emergency and delivery vehicles. Car parking would be provided with 2 allocated spaces per flat, 13 of these spaces would be provided at the frontage of the site, in the lower area. The other 13 spaces would be provided approximately where existing parking spaces are provided to the east of the drive. An area in front of the building would also be available for 2 additional drop off/visitor spaces. A new pedestrian path and access would be provided approximately centrally along the southern boundary.
- 3.4 Two individual Tree Preservation Orders and two Group Orders were made on 14th March 2017 protecting the two Monterey Cypress trees and groups of yews, holm oaks and pine trees at the frontage of the site. The proposal would retain all but one of these protected trees as well as many others on the site. It is proposed to fell 6 trees on site to enable the development - the TPO'd large Monterey Cypress (T32) adjacent the drive, due to decline ; a group of 3 trees, a sycamore and 2 holm oaks, to provide the on-site turning; a yew enabling access to the new frontage car parking area; and the holm oak on the western boundary adjacent No 384.
- 3.5 The planning application includes the following documents:
- Design and Access Statement
 - Planning and Affordable Housing Statement
 - CIL forms
 - Arboricultural Assessment, Method Statement and Tree Protection Plan
 - Statement of Community Involvement
 - Drainage Strategy
 - Ecology Appraisal
- 3.6 During the course of determining the application amended plans and details have been submitted, attempting to address some of the neighbour concerns, as follows:
- The third floor roof terrace would now be enclosed with solid 2m high walls
 - Additional obscure glass added to the rear, north elevation – the stairwell was previously clear large windows and would now be smaller obscure glazed windows
 - Replacement of 'metal cladding' with vertical staggered timber effect cladding
 - Provision of a Fire Safety Statement in light of current cladding concerns
 - Details of the cycle shed including additional planting to boost screening from 11 St Georges Road
 - T19 on the boundary with 384 to be removed and replaced with a 4m high Norway maple
 - Bay bushes close to northern boundary removed
 - Additional details on the construction of the footpath to the cycle store within the RPAs of the trees
 - Additional flood risk and drainage information

4 Policy Considerations

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)
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)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

In addition, the Local Plan Housing Statement (LPHS), adopted December 2016, is also a material consideration.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

We have no objection to the removal of trees numbered G29, T30, G31, T32, T33 and agree with the consultants notes that they are of poor form and not suitable to be protected.

T32 is protected by a Tree Preservation Order, however, it is accepted that it is showing signs of decline and can be removed. A semi mature replacement tree must be planted as mitigation for its loss and details of location and species need to be submitted and approved as part of a landscaping scheme.

The Bike shed is shown outside the RPA of the trees therefore no objection

There is a new bin store to be built by the entrance and within the RPA of T34 & T35 – although this is currently hard standing and should not impact negatively on the roots.

A pathway is shown to be re-conditioned adjacent to T26, T27 and T28, however on site it was noted that the pathway doesn't exist to the extent drawn on the plan as such more detail is required to demonstrate how the pathway is to be constructed.

There also appears to be a new pathway at the rear of the site encroaching into the RPA of T3. Again more information is required as to how this pathway is to be constructed without damaging the roots

Arboriculturalist - on amended/additional plans

The amended TPP appears to address my concerns regarding the upgraded / new and

reconditioned pathways and as such I raise no objection. Condition in compliance with these revised documents.

Building Control, Havant Borough Council

Access to the new building to comply with Requirement B5 in regards to the surface, provision of turning circle, and the trees along access drive would have to be maintained to a sufficient height not to affect Fire Authority vehicles.

A public surface water sewer is located on the site, Southern Water to be consulted.

Community Infrastructure, Planning Policy & Urban Design

This will be subject to Community Infrastructure Levy, Solent Recreation Mitigation Project Contribution (Indexed), provision of affordable housing and possibly some other site specific obligations recommended by Consultees
The CIL rate is set out in our Charging Schedule.

The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If the permission were issued in 2017 the amount of indexation would be 27.23214 % (this would increase if the permission were issued in 2018).

It is customary with the S106 to charge an amount for monitoring

County Archaeologist, Strategic Environmental Delivery Group, HCC

Having made a thorough check of our records and considering the impact on sub-surface deposits within the site of previous modern development, I would not wish to raise any archaeological issues in this instance.

County Ecologist

The development will result in a net increase in residential dwellings within 5.6km of the Solent Special Protection Areas (SPAs). This distance defines the zone identified by recent research where new residents would be considered likely to visit these sites. The SPAs supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the sites that result from new housing development. While clearly one new dwelling on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the government's statutory nature conservation advisors) that any net increase (even single dwellings) would have a likely significant effect on the SPAs when considered in combination with other plans and projects.

Havant Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues and to demonstrate that HBC as a competent authority under the provisions of the Habitats Regulations has had regard for any potential impacts that the project may have.

The proposed location of the new building is presented to be of limited ecological value and as such ecological impacts are not considered to be significant, provided lighting impacts are reduced to an absolute minimum, and that the landscaping proposals can be designed to replace and enhance the scrub and mature tree habitats that will be removed to implement the development. The existing building identified for demolition were not identified to support protected species and works to this structures is therefore not considered likely to give rise to significant ecological impacts.

Certain features of ecological value within the site were identified, associated with the existing mature garden. This area provides mature trees and scrub habitats suitable for supporting protected species including amphibians, nesting birds and supporting low level activity of more common species of bats. Although not all this habitat has been identified as being directly lost under the proposed development, construction impacts and

landscaping activities may have the potential to impact protected species in these areas.

The proposed building and parking provision are both on a larger scale than existing. This appears to reduce the amount of open grassland and scrub within the site, potentially created a net loss of biodiversity through implementation of the development.

Measures necessary to retain adequate screening of the site mean that retention of the mature trees and scrub has been maximised. The Arboricultural officer has described satisfaction for the protection measures for retaining mature trees, and therefore impacts to these (including the mature Cypress T 36 which retains bat roosting potential in the south east of the site)

The detail with respect to the landscaping proposals are currently limited to the information in the block plan. These proposals will need to be provided in more detail and should show that they carefully enhance the areas of trees and scrub that are being retained, as well as replacing that which is being removed in order that a net loss of biodiversity does not result from this development. The provision of new hedging to the west of the site is noted; such measures will be essential in achieving this balance. **Provision of such a detail landscape proposal should be made subject to a condition**; this will need to carefully consider the mitigation requirements set out in both the ecological reports with respect to native species and layout to maximise potential benefit to foraging bats. This landscaping proposal should also include the location of the two bat boxes, as set out in EPR, 2017.

There is little information provided on external lighting; lighting has the potential to significantly impact nocturnal animals utilising the site, and impacts arising from this remain uncertain (EPR, 2017). **A detailed lighting proposal** which carefully considers the advice provided within paragraphs 5.6-5.8 of this document **will need to be subject to condition**.

In order to ensure that protected species are not impacted by the construction or landscaping activities, a condition or note should be attached to any permission granted which ensures that the development is conducted as per the advice within 5.2.5 and 5.2.6 of HCC 2015 and 5.3 and 5.4 of EPR 2017. Possible wording might be:

Development shall proceed in accordance with the ecological mitigation measures set out within Section 5.2.5 and 5.2.6 of Ecological Appraisal (Hampshire County Council, January 2015) and Section 5.3 and 5.4 of Bat Emergence/Re-entry Survey Report (EPR, July 2017) relating to the timing of site clearance and demolition and ecological supervision. Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2010, NPPF, and the Natural Environment and Rural Communities Act 2006.

Crime Prevention - Major Apps

None received

Education Department

The proposed development of 13 dwellings would usually be expected to generate a total of 4 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling.

The development site is served by Mill Rythe Infant and Junior Schools which are full and forecast to remain so from the number of pupils living on Hayling Island.

Consequently additional primary school places will be needed to cater for the additional 4 pupils and a contribution is sought from the developer to pay for this expansion. Owing to the movement of pupils around Hayling Island the pupils from this proposed development are likely to be able to be accommodated in the Mill Rythe pair of schools but this will, in turn, displace pupils to be accommodated with the pair of Mengham

Schools. On that basis, in this instance, the contribution will go towards the proposed expansion of the Mengham pair of schools

Similarly Hayling College serves the proposed development but it can be noted in Appendix A that there is a sufficient number of secondary school places available to accommodate the yield from the proposed development.

The County Council has used previous extension projects to derive a cost for the proposed expansion, and this is estimated at **£58,154** on a pro-rata basis for the cost of the additional classrooms required.

No contribution will be sought to provide additional secondary school places owing to the surplus places within the existing school.

Recommendation

The County Council, as Local Education Authority, raises no objection to the planning application subject to:

A Grampian planning condition being included in any planning permission in order to mitigate the impact of the development on educational infrastructure and ensure that sufficient school places are provided to accommodate the additional children expected to be generated by the development.

Education Department - Following Discussions

Having understood site a former children's home and nature of development is luxury flats, accept that in this instance the development is unlikely to generate any additional primary age pupils and therefore withdraw request for a contribution.

Engineering Services, Havant Council

Nothing to add to Local Lead Flood Authority and Southern Water responses. Given the site is a redevelopment in a limited area site I consider a SuDS Bond is not required.

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.

Fire and Rescue Services Act 2004

Other advisory recommendations included on the following topics:

Access for High Reach Appliances

Water Supplies

Sprinklers

Fire fighting and the Environment

Timber Framed Buildings

Highways Engineer, Development Engineer

It appears that there is no modification to the existing access and all type of vehicles can enter turn and leave in a forward gear so. The Highway Authority have no adverse comment on this application.

Housing Manager (Development)

This proposal would normally be expected to comply with Core Strategy policy CS9. 2

and provide a minimum of 30% affordable housing on site; this would equate to 4.2 units, however in this case it would be possible to meet the full affordable housing requirement by means of a financial contribution calculated using the financial contributions calculator contained within the Havant Borough Council Housing SPD July 2011. To accurately calculate the contribution HBC would require the up to date projected sales values of each of the 13 apartments.

Demand for affordable housing remains high within the Havant borough; currently there are 1742 households registered on Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 599 are waiting for two bedrooms and 199 for three bedrooms. Many of these are looking to downsize which would in turn free up larger affordable homes that can be used more effectively by providing accommodation for families. The payment of a financial contribution in lieu of on-site affordable housing provision will enable funding to be put into schemes delivering affordable housing elsewhere in the Borough and subsequently help to meet the current demand for this type of accommodation which continues to be in very short supply.

Financial contribution subsequently agreed at £274, 228.00

Landscape Team, Havant Borough Council

The HBC Landscape Team raise no objection to the principle of development.

i) Existing Trees

T21 T25 (Monterey Cypress, Monterey Pine and Holm Oak) and T32 T36 (Monterey Cypress and Yew) are all mature, attractive trees that contribute significant visual amenity to the Open Coastal Plain associated with Hayling Sea Front. The majority of these trees are proposed for retention within the scope of the submitted application and it is acknowledged that they afford significant screening benefit. The recommended removal of T32 on arboricultural grounds is disappointing, the merit of this I leave to the Council's Arboricultural Officer.

Although the rear site trees are far less visible from publicly accessible areas, there is no doubt that they afford a significant screening benefit for adjacent residential properties and will equally contribute an attractive, established landscape setting for prospective residents. From a landscape perspective, the proposed retention of these trees is strongly supported.

T26 (Lime) and T27 (Sycamore) are both positioned in particularly close proximity to the existing building with some existing conflict between the extent of canopy and eastern façade / gutter and roof. This proximity appears similar for the proposed built-form, but the issue of adequate space for safe construction and tree protection I leave to the Council's Arboricultural Officer. The screening benefit that both trees afford to adjacent residents must not be disregarded.

The indicated provision for replacement tree planting is considered proportionate to trees proposed for removal and has the potential to benefit species and age diversity. A soft landscape condition and a landscape management plan condition are recommended. There should be specific focus on the enhancement of screening longevity and amenity benefit for all residents.

The existing Tree Preservation Order associated with these frontage trees is considered essential to protect against any future pressure to fell e.g. residents seeking an enhanced sea view.

ii) Proposed Built-form Height / Mass

There is no doubt that substantial retention of the existing trees will help to mitigate the visual impact of the built-form. Although there is a precedent for four storey built-form in close proximity, the elevated topography of the site does accentuate the height of this

application. The issue is deemed particularly sensitive precisely because the site directly abuts the Hayling Seafront, a prime leisure / tourism amenity, which comprises a landscape of particular character and ecological significance.

Compared with neighbouring plot widths further east and west, the proposed application site effectively comprises a double width plot, with this in mind, a larger mass of built form is not considered unreasonable and is balanced by a generous retained proportion of mature soft landscape.

Proposed elevations indicate façade material variations that avoid a single material expanse are considered appropriate. Equally appropriate are the proposed lighter colour materials for the receded fourth storey. A quality approach to material selection and design detailing will be particularly important to this aspect of the application and appropriate conditions pursuant to this are recommended.

iii) Site Layout

There are no adverse comments associated with the proposed site layout. The proposed pedestrian route will require careful coordination between proposed levels and root protection areas. Frontage proposals will need to be appropriate to the local vernacular, a combined fence / wall with associated screen planting would be deemed acceptable. Planning conditions pursuant to detailed site levels and boundary treatments are recommended.

Local Lead Flood Authority HCC

Surface Water Drainage

Further information/clarification required:

- ☐ Further assessment is required to quantify the potential impacts of high tide on the infiltration rates. No mention is made of the tidal conditions at the time of the infiltration tests therefore there is potential for times where infiltration is unsuitable for this site
- ☐ A flood risk assessment is required in addition to the drainage strategy covering the points highlighted below:
- ☐ areas that may have been affected by existing failures in the existing drainage regime
- ☐ evidence that the proposed drainage should follow the same pattern as the existing. This avoids directing more flow to another location
- ☐ information on the water quality treatment in the system.
- ☐ existing and proposed run-off rate calculations completed according to a suitable method such as IH124 or FEH. Calculations must show that the proposed run off rates do not exceed the existing run-off rates. This must be shown for a one in one year event plus climate change and a one in one hundred year event plus climate change
- ☐ 30% climate change is referred to on the drainage plan. This is incorrect and the current climate change values must be used.
- ☐ existing and proposed run-off volume calculations completed according to a suitable method such as IH124 or FEH. Calculations must show that, where reasonably practical, runoff volume should not exceed the greenfield runoff volume for the same event. This must be shown for a 1 in 100 year, 6 hour rainfall event
- ☐ evidence that enough storage/attenuation has been provided without increasing the runoff rate or volume. This must be shown for a 1 in 100 year plus climate change event (see note below)

□ evidence that runoff exceeding design criteria have been considered. Calculations and plans must show where above ground flooding might occur and where this would pool and flow

□ information on general maintenance regimes of SuDS features.

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.

Local Lead Flood Authority HCC - on revised/updated details

Reviewed additional information and remaining outstanding information could be dealt with by condition - information on maintenance of all drainage components; and an allowance of 10% must be added to all impermeable areas. Otherwise note long term maintenance and responsibility of SUDs is agreed before permission granted.

Planning Policy

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough. In addition, the Local Plan Housing Statement (LPHS) and its guiding principles, adopted December 2016, is also a material consideration.

Principle of Development: The site lies within the urban area as defined by Policies CS17 and AL2 of the Local Plan which seek to concentrate new development within the five urban areas of the borough.

South Hayling is highlighted as a particular area of focus under Policy CS6 (Regeneration of the Borough). This policy supports applications which positively contribute by type of use and design, and by a comprehensive approach to the social, economic and/or physical regeneration of the borough. In addition, the site is located in close proximity to the West Town Local Centre, community facilities and areas for outdoor recreational activity.

The proposal involves the demolition of a children's foster home for the construction of 13 residential apartments. This will increase the density and thus maximise residential development on a brownfield site. This is supported by Guiding Principle 3 of the LPHS.

Loss of a Community Facility: It is recognised that Hampshire County Council (HCC) have an overall strategy to support stability and outcomes for young children and thus build upon their "Pillars for Parenting" initiative. This involves housing children who require care in smaller residential units. As such, the site is currently being vacated with all residents being transferred to new and more appropriate accommodation in Bedhampton. Further information about this can be found in paragraphs 3.3 and 5.19 of the Planning and Affordable Housing Statement.

As such, the loss of this C2 community facility is justified and the marketing criteria of Policy DM2 does not apply.

Housing: Policy CS9, in combination with the HBC Housing SPD (2011) and the Ministerial Statement (published summer 2016) require new developments of over 11 dwellings to contain 30-40% affordable dwellings.

The content of paragraph 5.34 of the Planning and Affordable Housing Statement, which suggests that a financial contribution will be in lieu of on-site provision, is noted.

High Quality Design: The changes made from the pre-application submission to reduce the loss of privacy and overlooking of neighbouring properties is welcomed by criterion e) of Policy CS16.

Parking: Policy DM13 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new development in the borough. The vehicular parking requirements for C3 development can be found in Table 4A on page 9 of the SPD. Page 10 of the Design and Access Statement states that *"car parking is proposed at 2 no allocated spaces per apartment"*. This shows initial conformity with the requirements of Policy DM13 and the SPD. Nevertheless, Note 1 under Table 4A in the Parking SPD states that *"an additional 20% of unallocated parking for visitors should be accommodated"*. Therefore, if 26 parking spaces are allocated, then at least 5 unallocated visitor parking spaces will be required, leading to a total of 31 spaces. The application only shows 28 parking spaces.

The cycle parking and storage requirements for C3 development can be found in Table 4D on page 13 of the SPD. The Planning and Affordable Housing Statement states that *"cycle parking provision at a ratio of 2 cycles per residential unit is provided in a secure store"*. This meets the long stay cycle storage requirements; however, an additional 20% will be required for short-term cycle visitor parking for schemes of 10 or more dwellings.

The cycle parking and storage requirements are supported by criteria 1 and 2 of Policy DM11.

Flooding: The site is not identified as flood zone 2 or 3.

Tree Preservation Orders (TPOs) and Landscape: A number of individual and group TPOs are found on the site. Therefore, the criteria of Policy DM8 must be met.

The information in paragraphs 2.3, 5.6 and 5.23 of the Planning and Affordable Housing Statement are welcomed and show initial conformity with Policy DM8.

The site is adjacent to a SSSI; therefore, Policy CS11 will apply.

Developer Contributions: Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the borough in addition to the requirements of Policy CS21. The Solent Recreation Mitigation Partnership (SRMP) contribution will also be payable in accordance with Policy DM24.

Recommendation: No objection in principle, however, additional car and cycle parking should be explored.

Public Spaces

None received

Southern Gas Networks

Map provided showing mains records in vicinity of site; only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners.

On the mains record you can see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used.

Southern Water

Public surface water sewer crosses the site and public foul sewers in the vicinity of the site.

The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

The drainage strategy plan shows that the proposed development lies over public critical surface water sewer, which is not acceptable to Southern Water. We request

that if this application is determined, the applicant should produce a suitable layout maintaining the statutory clearance distance for public sewers.

1. The 525 mm diameter sewer requires a clearance of 3.5 metres either side of the sewer to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 3.5 metres either side of the centreline of the public surface water sewer.

2. No new soakaways or other water retaining or conveying features should be located within 5 metres of a public sewers.

3. All other existing infrastructure should be protected during the course of construction works.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. It might be possible to divert the public surface water sewer (525mm), so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions. If the applicant would prefer to advance these options, items (1) – (3) above also apply

Drainage using Sustainable Urban Drainage Systems (SUDS) is proposed:

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Conditions and Informatives recommended

Southern Water on revised/updated details

Comments unchanged - previous still applies

Traffic Management, HBC

No adverse comment to make on this application

Waste Services Manager

No concerns for waste collection

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: 9

Number of site notices: 1

Statutory advertisement: 02/06/2017

6.1 Number of representations received:

13 letters of Objection from 10 different address on **Original Submission** and **6** further letters of **Objection** on the **Amended plans**

6.2 Raising the following issues:

Loss of Privacy

Overlooking to properties to north from clear glass windows and roof terrace; consultation plans all north facing windows were obscure glass but no longer the case; north

elevation will directly overlook bedrooms, lounge and kitchen, especially from the third and fourth floor; fourth floor also appears to have a balcony that overlooks both my neighbours and my property and are not screened by the existing trees; deciduous trees so in late autumn, winter and early spring months, overlooking will be considerably worse;
Officer Comment: separation distances of Design SPD met, see section 7 (iv) below

Size of Building

Viewed from south size would be out of keeping with surrounding 2/2.5 storey residential properties; four stories higher than existing ridge; 3 stories would be more acceptable; monstrous size relative to original oppressive appearance; footprint significantly larger; height even higher than flats to west; 15 adjoining properties of 2.5 storeys or less with line of sight to the new proposed block; lift shaft also needed on top; would 'swamp' houses behind the site and also those adjoining; four storey building proposed will dominate the buildings in the area around it, and is totally out of character with the low profile architecture of the surrounding properties.

Officer Comment: Site seen in context of flatted seafront development to west and size of site almost double others - see section 7 (iii) below

Siting

The position of proposed building moved westwards from the pre-app version; No justification for this as the distance from the houses to the east was already much greater than from No 384. This has reduced the distance to 384 to the west to about 8.5 metres; outlook from east facing windows in 384 would be of a close and extremely imposing 3 storey brick wall higher than the roof line of 384; I believe the footprint of the building is significantly closer to my property than that of the current Godbey House.

Officer Comment: siting of this application to be determined, not pre-application version; space about building considered appropriate - see section 7 below

Character of Area/Principle of flats/view from seafront

Current character an extremely pleasant semi-rural effect where individual housing remains; Proposal adds a significantly sized new block of flats; The Council should consider whether they wish to allow developments which lead the Hayling Seafront to become entirely apartment block oriented like Brighton, Worthing, or indeed Portsmouth. proposed building ugly, overbearing and out of character with immediate neighbours; over last 60 years gradual change to seafront especially between Sinah Lane and Staunton Avenue, notably the demolition of 1930's houses, replaced with modern apartment developments which has inevitably altered the character; this proposal utterly incongruous with its surroundings; apart from ruining the residents' views and their pleasure of living in this area, such a massive structure dominating the area would also ruin the look of the Seafront which would in turn have a detrimental affect on visitors; there does not appear to be any coherence of design of building like this

Officer Comment: accept been incremental change along sea front as houses replaced with flats but such proposal make better use of site; in such seafront location mix of designs and scales not considered inappropriate per se; see section 7 below

Design and Materials

Design has industrial/commercial appearance with flat roof; Object to use of grey metal style cladding as out of keeping with locality; based on Channel House which is atrocious building and blot on seafront; hipped roof would help on the appearance from back and seafront; utilitarian appearance

Officer Comment: amended plans replaced grey metal cladding with timber effect cladding; contemporary flat roof design not inappropriate for sea front location; see section 7 (iii) below

Trees and wildlife

Request for bay trees at rear of site to be removed; essential that tree screening is maintained and improved; request for T19 that is covered in ivy and stressed to be

replaced; proposed boundary screening trees should have immediate effective screening height of 4m; more evergreen trees needed to make private in the winter; concerned about the safety and long term integrity of the current trees, especially those to the rear of the proposed property, which are essential to provide the screening; suggest that the areas marked for root protection are inadequate given the size of the trees; some of the trees are very close to the actual construction area of the building; builders generally don't give any thought about the protection of trees and tree root systems, and often these are damaged which results in their death within a year or two; this would have a very adverse effect on the privacy of surrounding properties;

Officer Comment: amended plans replace T19 as requested and removes the bays at the rear; detailed Tree Protection Plan, AIA & MS submitted which can be conditioned to ensure compliance during construction process; see section 7 (v) and (ix) below

Wildlife/ecology

Birds and squirrels enjoy trees in Godbey; combination of the Godbey and surrounding gardens provide a veritable oasis for significant fauna; wide variety of birds, many of which are in steep decline through loss of habitat, that make use of it for feeding and breeding; the trees and relatively uncultivated nature of Godbey house gardens are largely responsible for that; many species that are increasingly rare, such as slow worm, stag beetles, hedgehogs and bats use the gardens; environmental 'studies' carried out in behalf of the developers are not representative of my observations over a period of twelve years; should protect this increasingly rare aspect of Hayling rather than turn the place into a desert of bricks mortar and concrete;

Officer Comment: many of the trees will remain for birds to continue to use; bat emergence studies undertaken - see consultee response from County Ecologist

Flooding

The effect of diminishing the area available for natural rainwater drainage will potentially have an impact on flooding on the island

Officer Comment: FRA & Drainage Strategy submitted

Boundaries

West, north and east should be replaced with 2m high close boarded fencing; non deciduous trees or hedging should be planted along northern boundary; Sycamore tree should remain; *Officer Comment: see 7.17 below*

Construction Noise

Concerns about the noise resulting from the construction process; hope strict rules apply to lengthy process to limit noise from plant machinery, loud radios, 'robust language' that prevents use of garden or having windows open; also very early starts, late finishes, and working weekends;

Officer Comment: Any disturbance during construction not a planning matter but Environmental Health; Informatives can be added re hours of work, bonfires etc

Infrastructure

The additional "footfall" will add to the already stretched Hayling resources of schools, doctors, dentists and of course the roads including the bridge; roads already congested; Hayling has one school, one road on and off, one main doctors surgery, no NHS Dentist and no full time policing and now another 13 more flats; building as a whole should halt on the island until infrastructure is in place

Officer Comment: The Council is looking into the Infrastructure on the Island before further major schemes are considered outside of the urban area, but this development is relatively small scale and within the existing built up area and does not therefore require an Infrastructure Delivery Statement

Highways

Sea Front already dangerous used as race track straight from Beachlands down to ferry;

no speed limit will alter this;

Officer Comment: Highway Engineer has raised no objection to the proposal

Loss of Children's Home

Godbey House is/was a good home and should run alongside smaller homes;

Officer Comment: see section 7 (ii) below - Godbey house now closed and children rehomed in less institutional, smaller family settings

Other comments

Havant Council has as good as wiped out houses of historical interest and wiped out the character visitors came to Hayling to see and be part of; loss of Godbey House will lose another historical building; this proposal is an extreme case of 'garden grabbing'; request for application to be considered at Committee not by delegated powers

Officer Comment: Godbey House not a Listed Building or on List of Buildings of Interest; whilst its loss is regrettable it is not a protected building

On Amended plans:

The 6 letters received following re-consultation all note the difficulty ascertaining the changes which are thought to be minor and disappointed that do not overcome previous concerns, lower to 3 stories, remove roof patio or make all north facing windows obscure glass. Additional specific comments include reference to the windows on the side serving dining rooms becoming larger which will emit light at night and allow overlooking; higher screening round north facing balcony is ugly and don't see the need for the balcony;

Officer Comment: The amendments were minor but did attempt to address neighbour concerns - see summary at para 3.6 above; size of eastern windows has not changed

7 Planning Considerations

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

- (i) Principle of development
- (ii) Loss of the Children's Home
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity
- (v) Impact on trees
- (vi) Affordable Housing
- (vii) Highways and parking
- (viii) Flooding and drainage
- (ix) Ecology
- (x) Other matters
- (xi) Community Infrastructure Levy (CIL), Contribution Requirements and Legal Agreement

(i) Principle of development

7.2 The application site is situated within an urban area as defined by Policies CS17 and AL2 of the Local Plan where further development is considered acceptable subject to the usual development control criteria. Policy CS6 (Regeneration of the Borough) identifies South Hayling as an area where development that positively contributes to the social, economic and physical regeneration of the borough will be supported. The proposal involves the demolition of a children's foster home for the construction of 13 residential apartments. This will increase the density and thus maximise residential development on a brownfield site. This is supported by Guiding Principle 3 of the LPHS.

(ii) Loss of the Children's Home

- 7.3 Policy DM2 (Protection of Existing Community Facilities and Shops') seeks to protect premises in use for community services and will only permit their loss if it has been demonstrated that the premises are no longer required through an active marketing period, or there is an easily accessible new facility. The supporting information has addressed this issue as follows. Godbey House has been in use as a children's foster home, owned and operated by Hampshire County Council for many years. In 2012 the County Council's Children and Families Advisory panel agreed a strategy and new vision to support vulnerable children and build on the 'Pillars of Parenting' by reassessing the care, buildings and internal environment and siting in relation to community facilities. Children's homes across Hampshire have been transformed with six large homes providing 34 beds replaced with 8 smaller homes providing 33 places. The aim was to provide more 'homely' less institutionalised environments.
- 7.4 Godbey House was found to be one such larger home, (registered for 7 children) and remote from community facilities resulting in an institutional environment. A new smaller home has been provided by HCC as part of this County wide strategy in Park Lane, Bedhampton (APP/14/00864 refers). Therefore Godbey House has become surplus to requirement with alternative provision made, and it is understood the children left the site recently (June 2017).
- 7.5 The fact that alternative provision has been made for the children justifies the loss of this facility in this location and hence the proposal is considered compliant with policy DM2.

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

- 7.6 The character of Sea Front varies and within the immediate vicinity of the site, between St Catherines Road to the west and St Georges Road to the east, there are examples of larger apartment buildings. These include four storey blocks. The application site is located at the eastern end of these larger buildings and is in fact surrounded by 2 and 2 1/2 storey residential dwellings. Therefore the prevailing character is mixed residential with the application site sitting at a point where there is a change from higher apartment blocks to domestic scaled dwellings to the east.
- 7.7 It is noted that the existing building is already a substantial building, being larger than the domestic properties to the east and north. It also sits on a large plot that is wider than most of the apartment blocks to the west. Given the sites context, to replace the existing building with a contemporary four storey apartment block and make better use of the site is not considered inappropriate per se and should be assessed on any actual harm.
- 7.8 The overall height of the proposal would be slightly higher than Channel House but it must be noted that the fourth storey of Channel House is full width resulting in a dominant 'square' profile which some find visually bulky. In comparison, effort has been made to reduce the overall bulk and profile of this development by providing articulation and setting back the eastern half and using different materials to create the illusion of two separate blocks. Additionally the top floor has been recessed back considerably from the sides and front, as well as using lighter materials for this upper floor which will lessen its visual prominence. The proposed separation distances from the side boundaries are also considered to maintain a visual gap between buildings and respect the spacious setting of the site with an acceptable relationship with its immediate neighbours. To the west, there would be a building to building separation of between 11.5m and 13.6m and to the east a minimum separation of 26m.
- 7.9 The site also benefits from significant screening by substantial trees, both to the front and rear. Long distance views of the site from the south are important and currently the trees screen the majority of the building, all that can be seen from the beach is glimpses of the roof. However, with the loss of the 15m high T32 Monterey cypress on arboricultural grounds (see below) then this eastern half of the site will become more open with views of

the replacement building more apparent than the existing building. The submitted south elevation context drawing does accurately reflect this partial loss of frontage screening (see appendix C) and shows the proposed height in relation to adjacent development and Channel House at 386.

- 7.10 Generally the proposed height is considered to be in accordance with developments to the west, except No 384 which would remain a 2 1/2 storey dwelling located between two 4 storey developments. When considering this issue at the appeal for the fourth storey at Channel House the Inspector noted that the resultant juxtaposition of buildings would be appropriate in the streetscene. This remains the case.
- 7.11 It is considered that the combination of the appropriate side separation distances, together with a design and variety of materials that gives the appearance of two blocks with the eastern half set back, results in a scale of development that would not appear overly dominant or bulky in street scene terms. The proposed design is therefore proportionate to the plot size and considered to be informed by the local context as required by policy CS16 and would not to be harmful to the character and appearance of the area.

(iv) Impact upon residential amenity

- 7.12 The proposed western side elevation contains no windows and the eastern side contains only a single line of obscure glazed windows (these serve the main living area so it will be necessary to condition their retention as obscure glass.) The majority of the letters of representation raise objection to the amount of clear glazed windows on the rear, north elevation, and the consequential overlooking and loss of privacy to the occupiers of the dwellings to the rear. The amended plans have reduced the size of the stairwell windows and made these obscure glass. There would however still be 6 clear glazed windows on the north elevation on each of the ground, first and second floors which serve bedrooms and kitchens. In addition there would be 3 clear glazed windows in the rear of the top flat.
- 7.13 When assessing the impact on private amenity from potential overlooking from these windows, regard must be had to the distances involved and presence of screening. The back-to-back separation is in excess of 34m, which meets the recommended minimum of 20m for a two storey development plus 4m for each additional storey (i.e.28m) set out in the Borough Design Guide SPD. It is also noteworthy that the two more habitable windows, the kitchen windows, are at the respective sides and both set back from the main rear facade by 2m and 4m respectively. This would further reduce their presence and perception of being overlooked.
- 7.14 There are also existing trees within this rear area that provide buffering screening, but it is noted by objectors that these are mainly deciduous and would not offer any protection in the winter months. It may be possible to supplement the rear boundary with some evergreen planting, but the opportunities for this are going to be limited without harming the root protection zones of existing trees.
- 7.15 There is no doubt that the outlook from the properties to the rear will be altered, but whether there would be any significant resultant harm detrimental to private amenity is a matter for judgement. The distances involved and compliance with adopted SPD would indicate not.
- 7.16 There has also been considerable objection to the proposed courtyard terrace in the north western corner of the fourth floor flat. Amended plans have changed the screening to now extend the elevations to 2m - so externally it would appear as continuous cladding but internally would provide 2m high walls surrounding the courtyard. The size of this terrace (at 7m x 3.5m) would enable future occupiers to use it for a variety of activities - ie sitting out reading a book quietly or hosting a BBQ. With the 2m screening there would be no

overlooking but neighbours would be aware of any noisy gatherings and use of this courtyard. However, being an outdoor space this would be similar to any neighbours garden and the actual disturbance and harm to amenity from such limited use is not considered detrimental to neighbouring amenity in this residential area.

- 7.17 Access to the front roof terraces have also been restricted to exclude the side areas to protect the amenity of side neighbours. The angle of vision from the accessible terraces are such that it will not be possible to view directly down to adjacent side gardens. With these design details the proposal is not considered to be harmful to neighbouring amenity and would not result in any material loss of privacy. As such the proposal is considered compliant with policy CS16.

(v) Impact on trees

- 7.18 The trees on the site are a significant constraint to development and the Council's Arboriculturalist has been involved with early pre-application meetings to ensure the trees are adequately protected and an appropriate design solution reached. The only regrettable loss of tree relates to T32, the TPO'd 15m high Monterey Cypress at the front. However it has been agreed that it is showing signs of decline with canker fungal infection. On this basis it has been agreed that it can be felled, but a semi mature replacement tree must be planted as mitigation for its loss and details of location and species need to be submitted and approved as part of a landscaping scheme.
- 7.19 Otherwise the Council's Arboriculturalist has advised that the comprehensive submission with amended/additional details regarding the pathway constructions is adequate and acceptable to address previous concerns. Therefore there is now no objection on arboricultural grounds, subject to the methodology set out in the arboricultural reports being strictly adhered to.

(vi) Affordable Housing

- 7.20 Policy CS9 requires smaller housing developments to provide either on-site provision or secure a suitable contribution to help deliver 30-40% affordable housing. In this instance a financial contribution has been secured to enable funding to be put into schemes delivering affordable housing elsewhere in the Borough and subsequently help to meet the current demand for this type of accommodation which continues to be in very short supply. Negotiations have resulted in an agreed contribution of £274, 228.00. With this contribution via a section 106 agreement, the development is compliant with policy CS9.

(vii) Highways and parking

- 7.21 The existing vehicular access point provides adequate visibility and is to be reused with no significant change. The route of the existing drive will also be reused and on-site turning would be provided, of sufficient size to accommodate delivery vehicles, emergency vehicles and refuse trucks, enabling them to enter and leave in a forward gear. On site parking is proposed at 2 spaces per flat ie 26 spaces plus 2 visitor spaces adjacent the building. This marginally falls short of the adopted Parking SPD which expects 2 spaces per flat plus 20% visitor spaces. However it is considered that this marginal shortfall would not be detrimental to highway amenity and it is likely that sufficient parking is available on site for the needs of future occupiers.
- 7.22 The spaces at the front of the site would need to be surfaced in a porous material with careful levels respecting the bank and root protection areas - this can be conditioned. Cycle storage is also provided as 2 per flat in a store to be located in the north eastern corner. A new pedestrian access is proposed through the lower parking area providing a direct route for future occupiers from the flats to their cars. This would also traverse the embankment on site and would need to be constructed carefully, again having regard to

the root protection zones. Overall the access arrangements and on site parking is considered sufficient to serve the development and compliant with policies DM13 and CS16.

(viii) Flooding and drainage

- 7.23 The site lies within Flood Zone 1 where development is considered appropriate in principle. A drainage strategy was submitted but the Lead Local Flood Authority requested further technical details to satisfy matters relating to surface water drainage and the potential impacts of high tides on infiltration rates, as well as run off rates/ attenuation measures etc. There is also a public sewer crossing the site and Southern Water requested either a revised layout or diversion details. Accordingly a Flood Risk Assessment and updated Drainage Strategy was submitted as part of the amended details and re-consultation has taken place. The formal comments on the amended details indicate that there is no objection in principle subject to the drainage report including some further outstanding technical matters relating to maintenance of drainage components and impermeable areas. Southern Water have not changed their position and a further update will be given at Committee.

(ix) Ecology

7.24 An ecological appraisal of the site with Extended Phase 1 Survey undertaken in January 2015. This identified the building and a single tree on the site to have the potential to support roosting bats so an emergence study has been undertaken which concludes the site supports low levels of foraging and commuting bats but no roosts within the building. The County Ecologist has been consulted and raises no objection in principle subject to appropriate mitigation conditions such as landscaping and lighting schemes.

(x) Other matters

- 7.25 In light of current controversy over the use of cladding on high rise buildings, additional information in the form of a Statement of Fire Safety has been submitted with detailed fire safety measures and some examples of cladding that could be used. This indicates that all means of fire prevention, detection, escape and firefighting will be in strict accordance with Building Regulations. Amongst other detailed precautions, notably the proposal would include mains-supplied sprinklers; two skin masonry walls providing 60 minutes fire protection between apartments; and the external cladding will be fixed in addition to the masonry so regardless of the exact specification of the cladding the masonry will still provide the 60 minutes protection.
- 7.26 Both the Council's Building Inspector and Hampshire Fire Safety Officer have commented on this additional information and note the fire precautions detailed in the document appear to be satisfactory in principle, subject to further details as part of the formal Building Regulations application. Both noted that the sprinkler system would reduce overall risk significantly. It is advised that the cladding product should be chosen with a Class A2-S3 rating (or better) which is normally required for buildings over 18m in height for limited combustibility.

(xi) Community Infrastructure Levy (CIL), Contribution Requirements and Legal Agreement

- 7.27 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20th February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is

charged for this area at £100 per square metre on new floorspace plus indexation. The proposed development and floorspace results in a CIL liability of £154,986.75. The Draft Liability Notice has been sent.

- 7.28 This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June 2014 require a payment to the Solent Recreation Mitigation Project - which is currently set at £181 per dwelling. This development results in a net gain of 12 units which triggers a contribution of £2,172 and this will form part of the Section 106 agreement.
- 7.29 It has been agreed to make a financial contribution towards off site affordable housing in accordance with policy CS9 and negotiations have resulted in an agreed sum of £274,228.00. This will be included within the Section 106. Other matters for inclusion within the section 106 relate to the formation of a Management Company to manage the common parts of the site and SUDS drainage, together with a monitoring fee.

8 Conclusion

- 8.1 In conclusion the principle of development including the loss of the children's home is considered acceptable. The 4 storey height is considered appropriate to this stretch of Sea Front having regard to the context of the surroundings and other flatted developments to the west. The articulated design, use of a mix of materials, recessed top floor, separation distances and retention of the majority of the mature trees on the site results in a development that is considered to have an acceptable impact on the character and appearance of the area, aswell as neighbouring residential amenity.
- 8.2 The development would utilise the existing access and includes adequate car and cycle parking, together with refuse collection arrangements. The proposal is subject to CIL and subject to the completion of the necessary Section 106 agreement to secure the required off site Affordable Housing contribution; Solent Recreation Mitigation contribution; Suds; and Management arrangements, the development is recommended for conditional permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00529 subject to:

- (A) No objection being raised by Southern Water
- (B) the completion of a legal agreement under S106 of the Town and Country Planning Act 1990, in a form satisfactory to the Solicitor to the Council, to secure the following:
 - A contribution of £274,228.00 in respect to affordable housing.
 - A contribution of £2,172.00 in respect to the Solent Recreation Mitigation Strategy
 - The management of the common parts of the site including SUDS(drainage)
- (C) the following conditions:

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

Location Plan Dwg No: P20

Proposed Block Plan Dwg No: P02 Rev A

Proposed Site Plan Dwg No: P03 Rev B

Ground Floor Plan Dwg No: P04 Rev B

First Floor Plan Dwg No: P05 Rev C

Second Floor Plan Dwg No: P06 Rev C

Third Floor Plan Dwg No: P07 Rev B

South Elevations Dwg No: P09 Rev B

Western Elevations Dwg No: P10 Rev C

North Elevations Dwg No: P11 Rev B

Eastern Elevations Dwg No: P12 Rev C

Cycle Store Plan & Elevations Dwg No: P13 Rev B

Section through terrace Dwg No: P14

Street Elevations Dwg No: P08 Rev A

Arboricultural Assessment & Method Statement by Barrell dated 11 July 2017

Tree Protection Plan Barrell Plan Ref 17079-BT3

Fire Tender Vehicle Tracking Drawing No 5550 - 10

Refuse Vehicle Tracking Drawing No 5550 - 11

3.5 Tonne Delivery Vehicle Tracking Drawing No 5550 - 12

Statement regarding Fire Safety

Flood Risk Assessment & Drainage Strategy and Appendices by CEC dated July 2017

Ecological Appraisal dated January 2015

Design & Access Statement dated May 2017

Planning and affordable Housing Statement dated May 2017

Reason: - To ensure provision of a satisfactory development.

- 3 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 building(s) 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.

- 4 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

- 5 All works affecting trees on the site must be carried out in strict and full accordance with the hereby approved Arboricultural Assessment & Method Statement by Barrell dated 11 July 2017 and the Tree Protection Plan Barrell Plan Ref 17079-BT3.
Reason: To safeguard the health and well being of the trees in the interests of the visual amenity of the locality, having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. Level details of the proposed finished frontage parking and pedestrian path shall also be provided with details of earthwork's, grading and mounding with cross sections showing relative to the existing levels and bank across the site. The development shall be undertaken in accordance with the approved details.
Reason: In the interests of the character and appearance of the area and safeguarding root protection areas having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 All the windows on the north and east elevation shown on the hereby approved plans to be obscure glass shall:
- (i) if to be opening, consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times; and
 - ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
- Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Notwithstanding the submitted landscape/site plan no development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced and in particular to enhance the existing trees to be retained and provide further evergreen tree and shrub screen planting along the northern boundary, hedging along the western boundary and appropriate frontage hedging, has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme 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 of the development is satisfactory and having due regard to policy CS16, of the Havant Borough Local Plan (Core

Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 The hereby approved development shall proceed in strict accordance with the ecological mitigation measures set out within Section 5.2.5 and 5.2.6 of Ecological Appraisal (Hampshire County Council, January 2015) and Section 5.3 and 5.4 of Bat Emergence/Re-entry Survey Report (EPR, July 2017) relating to the timing of site clearance and demolition and ecological supervision. **Reason:** To protect and enhance biodiversity in accordance with the Conservation Regulations 2010, NPPF, and the Natural Environment and Rural Communities Act 2006 and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 10 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 The tree felling of trees T32 and T19 for which consent is hereby granted shall not commence until a detailed scheme and specification for replacement tree planting on an adjacent part of the site has been submitted to and approved in writing by the Local Planning Authority; such specification shall include details of the species and size of such replacement planting.
Reason: To conserve and safeguard the visual amenities of the locality having due regard to policies CS11 and CS16, of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 The tree felling for which consent is hereby granted and the replacement planting provision to be approved pursuant to conditions 11 above shall be completed no later than the first planting season after the first occupancy of the first apartment hereby permitted.
Reason: To conserve and safeguard the visual amenities of the locality and having due regard to policies CS11 and CS16, of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 13 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme should have regard to the advice provided within the ecological surveys submitted. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and nocturnal animals using the site and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 14 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority, which must all be clear of root protection areas:
 - (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 safeguard trees on the site having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No development hereby permitted shall commence until detailed plans of the lift over-run have been submitted to and approved in writing by the Local Planning Authority. Such details shall include 1:50 scaled elevations, details of materials and precise siting on the rooftop.

Reason: To ensure an appropriate form of development that is not overly prominent, having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Appendices

(A) Location Plan

(B) Existing Block Plan

(C) Proposed Site Plan

(D) Proposed East and West Elevations

(E) Proposed North and South Elevations

(F) Proposed Ground and First Floor Plans (Second is the same as First)

(G) Proposed Third Floor Plan

(H) Restricted Overlooking Plan

(I) Plan and Section through Roof Terrace

(J) Southern Elevation Street Scene