

demonstrate a five year supply of deliverable land for housing. The Borough's housing land supply was updated in February 2021. This shows that the Borough now has a 4.2 year housing land supply with a 20% buffer applied, as such this supply now falls below the Government's five year supply threshold. The development proposed by this planning application is not included within the housing land supply calculations and is equivalent to 0.05 years or 1% of that supply. The provision of care home which could make a contribution to improving the overall housing supply position is considered to be a material consideration of great weight, especially in the light of the acute need for older persons care homes, and falls to be part of the planning balance in the determination of this planning application.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, along with research into previous proposals in similarly sensitive locations, resulting in the plans being significantly improved and amended to address concerns; revising the landscaping, which has improved the impact of the development on neighbouring residential properties. The application is supported by an Infrastructure Delivery Statement (IDS) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. The site is within flood zone 1 and is not covered by any nature conservation designations but does contain some Tree Preservation Orders (TPOs).

Following consultation with the Highways Authority and Local Lead Flood Authority it has been concluded that the development would not have a significant adverse cumulative impact on the highway network, and would provide mitigation and enhancements in terms of flooding and drainage.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several of the Solent's European Sites. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Position Statement on Nutrient Neutral Development.

To conclude, it is considered that the scheme would contribute to the need for housing in the Borough, providing care home facilities on a sustainable site which has been allocated for housing in the emerging plan. As such this should be given substantial weight. In assessing the proposal (including associated evidence) against the adopted local plan, the National Planning Policy Framework (NPPF), in combination with the direction of travel of the emerging local plan, and given the need to address the absence of a five-year supply of deliverable housing sites, the benefits are considered to outweigh any harm and the proposal is recommended for permission.

1 Site Description

- 1.1 The application site is approximately 0.65 hectares in area and lies to the south of Bartons Road and to the north of a new housing development being constructed by Bellway known as Brookvale (planning permission refs: APP/15/01435 & APP/18/00453) as well as to the rear of the existing detached dwelling called The Laurels. To the north and west of the site are the residential properties of Leigh Hurst Cottage, and Helmsley House. Further to the west lies East Leigh House, which is a grade II listed building. To the east of the site lies the recently constructed Normandy Way, which is the access road to the residential development to the south.

- 1.2 The application site comprises grass and scrubland with belts of trees along its southern, western and eastern boundaries, some of which are subject to Tree Preservation Orders (TPO's). The land falls notably by approximately 3m from its northern to southern boundaries.
- 1.3 The application site is in the southeast corner of a wider area of land proposed for allocation for housing in the emerging Havant Borough Local Plan 2036 through Policy H25 – Helmsley House.

2 Planning History

None for this site, however for the land to the south, the history is as follows:

APP/15/01435 - Outline application for residential development (175 dwellings) with associated infrastructure., Permission, 01/12/2016

APP/18/00453 - Reserved matters application following outline permission APP/15/01435 to layout, scale, appearance and landscaping for 175 No. dwellings (including 53 affordable homes) comprising 5 x 1 bed flats, 18 x 2 bed flats, 28 x 2 bed houses, 84 x 3 bed houses and 40 x 4 bed houses; play area and public spaces, roads, footways, cycleway, and drainage features., Permission, 14/12/2018

APP/18/00565 - Formation of access road from Bartons Road to residential development site., Permission, 31/01/2019

3 Proposal

- 3.1 The proposed development is for a 64 bed Care Quality Commission (CQC)-regulated Care Centre (C2 use) which will provide 24-hour nursing, personal and dementia care for a range of residents. In addition, the application proposes the construction of a new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure. The facility would follow the best practice 'household' model whereby guests reside in 8-bedroom wings of accommodation and would be both self-contained and secure – on-site facilities would include hair salon, café, library and cinema, together with various lounge and dining areas, balconies and terraces all set around landscaped grounds. The facility is focussed on end-of-life care – the average age of entrants being 85, and the average length of stay is around 18 months.
- 3.2 The proposed care home building would be laid out centrally within the application site and is proposed in an H-shaped footprint to enable the wings of specialist accommodation to be provided on each side in 'households' with two sets of 16 bedrooms on each floor. The staffing and communal facilities would then be provided mostly within the central link that connects the two wings. This meets current best practice for dementia care both in terms of optimising resident to staff ratios as well as providing a manageable space for dementia patients. The external walls would be stepped in and out at varying junctures to provide visual articulation to the building's mass.
- 3.3 The building is proposed to be two storeys in height with the two accommodation wings featuring dual pitched roofs and the linking block being flat roofed in form to enable the creation of a green roof and provision of solar PV. The external walls of the building itself would be constructed predominantly in red brick with small elements of grey composite cladding. The pitched roofs would be covered with plain grey tiles to

match those used on the newly constructed residential development to the south.

- 3.4 Car and cycle parking, servicing areas and hardstanding for external circulation are proposed to the east of the building with a gap retained to the existing trees and vegetation along the site's eastern boundary. The main communal amenity garden is proposed to the south of the building and a smaller courtyard type garden is also proposed between the two wings of accommodation at the site's western edge. Existing trees and vegetation along the site's western, southern and eastern boundaries are predominantly proposed to be retained with new planting of native trees also proposed to help both screen the development from the south.
- 3.5 Pedestrian and vehicular access to the development is proposed to be achieved by taking a new access off the newly constructed but currently un-adopted Normandy Road to the east that provides access to the new residential development being constructed to the south, known as Brookvale. This road is the subject of a Section 38 agreement between the developer/landowner and Hampshire County Council (HCC) that will see it adopted in the future. An agreement has been reached with the landowners to enable this to take place. The proposed new access and associated road has been designed to ensure that it is suitable in specification and capacity to serve both the proposed care home and future housing on the draft H25 allocation.

4 Policy Considerations

National Planning Policy Framework

Whilst the scheme is contrary to the development plan, national policy is a material consideration. This includes ensuring that the Borough has a five-year supply of deliverable land for housing. Therefore, national policy considerations may be placed in the planning balance against the conflict with the current development plan.

Core planning principles include;

- always seeking to secure high quality design and a good standard of amenity and open space
- contribute to conserving and enhancing the natural environment and reducing pollution
- protecting biodiversity, hydrology and areas of flood risk

Havant Borough Local Plan (Core Strategy) March 2011

Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require a local planning authority determining a planning application to do so in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan. The proposed development is not supported in principle by the Development Plan.

The following policies are particularly pertinent to the determination of this application:

- CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14 (Efficient Use of Resources)
CS15 (Flood and Coastal Erosion)

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| CS16 | (High Quality Design) |
| CS17 | (Concentration and Distribution of Development within the Urban Areas) |
| CS20 | (Transport and Access Strategy) |
| CS21 | (Developer Requirements) |
| CS8 | (Community Safety) |
| CS9 | (Housing) |
| DM1 | (Recreation and Open Space) |
| DM10 | (Pollution) |
| DM13 | (Car and Cycle Parking on Residential Development) |
| DM6 | (Coordination of Development) |
| DM7 | (Elderly and Specialist Housing Provision) |
| DM8 | (Conservation, Protection and Enhancement of Existing Natural Features) |

Havant Borough Local Plan (Allocations) July 2014

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| AL1 | (Presumption in Favour of Sustainable Development) |
| AL2 | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |
| DM24 | (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development) |
| DM23 | (Sites for Brent Geese and Waders) |

Local Plan Housing Statement

The Local Plan Housing Statement (the Housing Statement) was adopted by the Council on 7 December 2016. It represented the first stage in the preparation of the Havant Borough Local Plan 2036. The Housing Statement also identified that it was necessary to maintain a supply of housing onto the market in order to meet the requirements for a five-year housing land supply.

As such, sites were identified for 'early release' and that the Council would support the principle of development on the sites prior to the adoption of the Havant Borough Local Plan 2036. The Housing Statement was revoked at the same time as the Pre-Submission Havant Borough Local Plan 2036 was approved by the Full Council. Nonetheless, the preparation of the site began during the lifetime of the Housing Statement and it represents a significant step to the site coming forward.

Havant Borough Local Plan

In 2019, the Council consulted on a Pre-Submission Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However, there has been a near 18-month delay to submitting the Plan due to the need to respond to the Dutch Case and ensure that all new development can be nutrient neutral.

The Council subsequently consulted on the proposed changes to the Pre-Submission Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 3 November 2020 to 17 December 2020. The proposed changes include a strategic mitigation solution for addressing nutrient neutrality.

The Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. An inspector will now be appointed on behalf of the Secretary of State to undertake an examination of the plan.

Until that time, the emerging Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a

number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the emerging Local Plan referenced below are currently afforded limited weight, dependent on the extent to which there are unresolved objections to relevant policies.

The relevant planning policies of the emerging Local Plan are:

DR1 – Delivery of Sustainable Development
DR2 - Regeneration
IN1 - Effective Provision of Infrastructure
IN2 – Improving Transport Infrastructure
IN3 – Transport and Parking in new development
IN5 – Future management and management plans
E1 – High Quality Design
E2 - Health and wellbeing
E3 – Landscape and settlement boundaries
E6 – Best and most versatile agricultural land
E9 - Provision of public open space in new development
E12 – Low Carbon Design
E13 – Historic Environment and heritage assets
E14 – The Local Ecological Network
E15 – Protected Species
E16 – Solent Special Protection Areas
EX1 – Water Quality impact on the Solent European sites
E17 – Solent wader and Brent Goose feeding and roosting sites
E18 – Trees, hedgerows and woodland
E19 – Managing flood risk in new development
E20 – Drainage infrastructure in new development
E22 – Amenity and pollution

Housing

H1- High Quality Homes
H2 – Affordable Housing
H3 – Housing Density
H4 – Housing mix
H5 – Retirement and specialist housing
H25 – Helmsley House

Supplementary Planning Documents

The following Supplementary Planning Documents (SPDs) are also relevant:

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Listed Building Grade: No Listed Buildings lie within the application site

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Whilst there are many trees shown to be removed they are all category C trees and not worthy of TPO or long-term retention due to their poor form or condition. There are still many trees to be left around the boundaries and these areas should be replanted with a number of new, specimen trees and understorey planting to replace those removed, this will then provide a future amenity.

There are four Oak trees protected by TPO on the site, Trees numbered T4, 9, 15, &

35. All can be adequately protected and retained with the scheme as proposed.

Particular care will need to be taken when it comes to landscaping and creation of the pathway and gazebo around T36 and T35. Reference is made to this in section 18.2 and 21.2 of the Arboricultural Method Statement by CBA August 2020. This should be strictly adhered to and under Arboricultural supervision.

Building Control

A Public Sewer is shown within the area of the proposed site if not within the site Consult SWS if found to be within 3m

Fire Authority access to all parts of the building is required either by access road or route of travel Compliance with AD B or BS to be undertaken

Building Regulation application will be required for this work

Community Infrastructure, Planning Policy & Urban Design

CIL would not be sought for class C2 care home, unless some of the accommodation is identified as self-contained for use by staff.

Solent Recreation Mitigation Strategy and Nutrient Neutrality are also relevant to this application.

Conservation Officer

No objection – it is considered the development would not result in harm to the significance of the heritage assets within the local area or their associated settings, which contribute to that significance. It is considered that the proposed development complies with the relevant national and local heritage planning policies

Councillor D Guest - St Faith's

No response

Councillor J Branson - St Faiths

No response

Councillor T Pike - St Faith's

No response

Countryside Access Team

No response

County Archaeologist

The Heritage Statement submitted with the planning application offers a review of the archaeological potential of the site, although there are aspects of the report which are in my opinion flawed. The Heritage Statement recognises that immediately to the south of the application site an archaeological excavation was carried out on an Iron Age/Romano British site (para 5.9) which it describes as being of low significance. Paragraph 7.3 acknowledges that some elements of this prehistoric/Roman landscape came right up to the borders of the current application site, but concludes "*There is a moderate potential for the presence of further features of this date within the application area although they are likely to be of agricultural nature rather than settlement activity*"

The potential for more complex archaeological remains exist with the archaeological potential of the development site and as such I would anticipate any archaeological

mitigation scheme to be more robust than an archaeological watching brief. In addressing how best to set out an archaeological mitigation scheme for an archaeological condition further archaeological advice that considers how that mitigation might need to accommodate a Roman occupation site, and potential a building. Such a site exists within the wider vicinity and whilst not certain to be within the development site, does form part of our understanding of the archaeological potential of the development site and so must be regarded as one possible outcome of archaeological monitoring.

Officer comment: *A suite of archaeology conditions are proposed to ensure that this matter is appropriately considered and that any development takes into account the historic environment of the site.*

County Ecologist, Strategic Environmental Delivery

Original response

The application is accompanied by an Ecological Appraisal (FPCR, August 2020). The site comprises primarily agriculturally derived species-poor grassland with boundary hedging and areas of woodland with a high proportion of planted and self-sown non-native species. I am content that the site is of limited ecological value overall. Surveys are ongoing, and the comments below should be seen as interim until such time as a finalised ecological appraisal is submitted.

The key potential constraint within this area is bats, and especially the rare Bechstein's bat which is known to occur locally. Recent surveys in the immediate landscape have also revealed the presence of the rarely recorded Alcaethoe's bat. Bat surveys are still ongoing (or were at the time of this report in August 2020). No details of bat activity or tree surveys are contained within the report and therefore I cannot comment on bats further at this time.

Overall, the site is relatively unconstrained and therefore opportunities exist for meaningful ecological enhancement. Key recommendations within the ecology report are acceptable, such as the active management of retained woodland areas to increase biodiversity by removing high-density non-native tree and shrub species and increasing ground flora. The inclusion of native-led planting schemes (such as dedicated wildflower grassland areas but also more generally throughout the public realm) should be a key objective, and the use of e.g. green walls and green roofs should be considered seriously. The inclusion of integral and tree-mounted bat and bird boxes are simple and inexpensive options for enhancing biodiversity. A sensitive lighting scheme, taking full account of the local bat population, must be provided.

Once finalised details of the ecological assessment have been submitted, and ecological mitigation and enhancement measures are reflected in relevant documents, I will be happy to provide updated comments.

Further response following the submission of further information relating to bats and lighting proposal of the development

The application is accompanied by an updated Ecological Appraisal (FPCR, November 2020). The site comprises primarily agriculturally derived species-poor grassland with boundary hedging and areas of woodland with a high proportion of planted and self-sown non-native species. I am content that the site is of limited ecological value overall.

In terms of protected species, the site is generally unconstrained I am content that the stated mitigation measures for common reptiles and badgers are sensible and acceptable.

Bat surveys have now been completed and the results discussed. The site has been shown to support a good assemblage of bat species typical of a semi-rural site in southern Hampshire. As well as common and widespread species, the surveys highlight the presence of mouse-eared bats of the genus *Myotis*, with c.14% of all bat calls belonging to this group. Whilst it may be sensible to make an assumption that many of these calls will be the more common mouse-eared species (e.g. Natterer's or Daubenton's bats) the fact remains that this part of Hampshire is known to support a substantial breeding population of the very rare Bechstein's bat. Bechstein's bat has been recorded within close proximity to this site and has been shown to use a wide range of habitats within the landscape, including open grassland, hedgerows and coniferous plantations. Nursery roosts are most likely to occur within older woodlands but also occur locally within individual trees in parkland settings and hedgerows.

Bat surveys of two trees were carried out by a different ecological consultancy. The results of these surveys are mentioned but not discussed in detail, and there are no details of all trees surveyed. From my review of the submitted Arboricultural Development Statement there would appear not to be any trees with obvious potential bat roost features but it would be prudent to request further detail of bat tree assessments, given the presence of Bechstein's bat locally and that species particular reliance on individual tree roosts within the landscape.

The further information has addressed queries regarding the impact on bats (including lighting proposals. Further details of specific ecological enhancement measures (such as the number, type and location of bat and bird boxes, the composition of new semi-natural habitat, management of retained and new habitats) can be secured through a pre-commencement site-wide ecological mitigation, compensation and enhancement strategy.

County Minerals

No response

Crime Prevention -Major Apps

No response

Southern Water

No Objection – subject to condition

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Our investigations indicate that Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development. The assessment indicates that there is currently sufficient theoretical capacity within the Southern Water surface water network.

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS).

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the

applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Environment Agency

No Objection

Environmental Health Manager, Community Group

No Objection – subject to conditions to deal with noise and contamination issues.

Hampshire Highways

Original response

Existing Conditions

Helmsley House is an emerging allocation in Havant Borough Council's local plan under policy reference H25. The site lies to the south of Bartons Road and west of the new access road from Bartons Road to the Brookvale development (application reference APP/15/01435 Land South of Bartons Road) which is currently under construction. This site is currently serviced via a bellmouth onto Bartons Road, although the access will eventually feature a right turn lane when fully constructed.

To the east, Bartons Road joins with Horndean Road via a staggered crossroads arrangement which provides access to East Hampshire to the north and Emsworth to the south. To the west, the Bartons Road/Petersfield Road signalised junction provides access to Havant and the A27 to the south.

Sustainable Travel

Walking and Cycling

As part of the Brookvale development, a new shared use path will be constructed on the south side of Bartons Road from the Havant garden centre to the junction with New Lane. As part of the Linden homes development (reference APP/14/00502) on the northern side of Bartons Road, footway improvements have also been provided.

These improvements will eventually connect to the new shared use facilities provided as part of the Campfield development which recently received resolution to grant planning permission under planning reference APP/19/00007. This will feature a new shared use path on the northern side of Bartons Road from the existing access to the crematorium to the junction with Eastleigh Road.

Bus and Rail

The nearest bus stops to the site approximately 850m to the west on Bartons Road. These stops service bus routes 20 and 21 which run to locations such as Havant and Portsmouth. There is also a bus stop on Southleigh Road which will be available once the new footpath via Japonica Way has been constructed as part of the Land South of Bartons Road development.

The aforementioned improvements will improve connectivity to these stops once constructed. Warblington station sits 1.5km to the south of Bartons Road and represents the nearest from of rail travel to the site. One train stops at the station every hour between Portsmouth and Chichester. The station sits within the 'preferred maximum' walking distance identified by the CIHT in the 'providing for journeys on foot' document.

Personal Injury Accident Data

Personal Injury Accident (PIA) data has been gathered from a mixture of Hampshire Constabulary and Crashmap between 2014 and 2019. The study location consisted of the area of Bartons Road between New Lane and Horndean Road, a circa 1km area.

The data has been analysed and it is noted that there are no recent clusters of accidents which could potentially be exacerbated by the proposed development.

Proposed Development

The proposed development consists of the construction of a 2-storey, 64 bed care home to the south of Bartons Road. Access is proposed to be taken from the newly constructed access road to the Brookvale development. Visibility splays of 2.4m x 43m will be provided commensurate with a 30mph speed limit which is considered acceptable.

The Planning Authority should be aware that the proposals include a access spur which will be 6m wide and is not proposed to be offered for adoption. Given that the spur is being constructed for future use by additional development to the west within the same Local Plan allocation parcel, the Highway Authority encourages the applicant to engage with the Section 38 team at HCC to formally adopt the new road in order to prevent further access requirements in the future on the newly constructed road to the Brookvale development or potential sterilisation of the remaining available land in the future.

Internal Layout

The proposed layout of the site is presented in drawing number APL003 REVK. The only internal tracking undertaken has been demonstrated in Figure 8 which shows an ambulance reversing into the car park. The Highway Authority queried the servicing arrangement for the site during pre-application discussions which has still not been addressed. It is unclear where delivery vehicles will park and turn within the confines of the site. Tracking is also required to be shown for a refuse vehicle to demonstrate how the refuse store will be accessed and how the refuse vehicle will egress the site in a forward gear. Until this tracking and details on servicing arrangement have been provided, the Highway Authority are unable to confirm whether the internal layout is acceptable.

A total of 29 parking spaces are provided, 3 of which are dedicated disabled parking bays. In their capacity as local parking authority, Havant Borough Council should determine whether the proposed level of parking meets adopted parking standards.

Traffic Generation

To understand the likely trip generation from the care home, the TRICS database has been interrogated for Care Homes in comparable locations. Vehicular trip rates have

therefore been proposed as 0.200 in the AM peak hour and 0.165 in the PM peak hour (both two-way). This equates to trip rates of 13 in the AM peak hour and 11 in the PM peak hour. It is assumed within the TA that the catchment for Helmsley House will have a lower car-ownership than the comparison sites analysed within the TRICS assessment and therefore the impact would be less than demonstrated; however, no assessment has been provided to understand why this would be the case (a point also raised within the Highway Authority's pre-app response). The reason for this assumption should be addressed before the trip rates can be agreed. An assessment has been also undertaken for the remainder of policy allocation H25 to understand the full traffic impact of the allocated site. The TA assumes a further 17 dwellings could be accommodated, which can only be confirmed in the future when a planning application is made for this parcel of land. Should the quantum of development increase further, the following assessment will need to be revised to reflect the full allocation. The trip rates for the 17 dwellings have been taken from the approved Campfield application to the north of Bartons Road, placing the two-way vehicular trips as 0.557 and 0.577 in the respective peak hours. This equates to 10 trips in the AM and PM peak hours. The trip rates for the residential element of this site is considered acceptable.

Until further clarity has been provided around the assumptions used to derive the care home trip rates, the total trip rate for the site cannot be accepted. Trip Distribution To distribute the residential traffic from the site, the applicant is proposing to utilise the agreed figures from the Land South of Bartons Road and Campfield development. This site distributed 55% to the east along Bartons Road, with the remaining 45% heading west. The distribution assumption for the care home is a 50/50 east/west split. Both of these distribution assessments are considered acceptable.

Once the clarity sought over the trip rates above have been provided, the total number of vehicles heading east/west along Bartons Road can be confirmed.

Junction Modelling

During pre-app discussions, it was agreed that the Bartons Road/Brookvale Site Access would be assessed to 2025 to understand the impact of the additional traffic on the access. It was agreed that this would incorporate the committed improvement at the Crematorium access which features a new right turn lane. To reflect this arrangement, the junction has been modelled as a staggered crossroads which is considered acceptable. To factor up traffic from the current baseline flows, TEMPRO has been utilised to calculate the growth period between 2020 and 2025. The AM growth rate of 1.0644 and PM growth rate of 1.0620 are considered acceptable.

Furthermore, the following committed developments have been factored into the modelling assessment:

- Linden Homes site ref APP/14/00502
- Land South of Bartons Road – ref APP/15/01435; and
- Campfield – ref APP/19/00007.

During pre-app discussions, the applicant was requested to also include the Colt International development (APP/18/00244), Eastleigh House (APP/16/01078) and Land East of Horndean Road (55562/005) as committed developments within the model. The junction model does not include these sites, nor is an explanation provided within the TA as to why they have been excluded. Confirmation is therefore sought from the applicant on this point.

To confirm the acceptability of the model, the Highway Authority requires the model outputs on top of the Ratio to Flow Capacity (RFC) and queue lengths.

The Highway Authority require the following information before a recommendation can be made on the application:

- Tracking for a refuse and delivery vehicle entering and egressing in a forward gear;
- Evidence to justify the lower car ownership assumed in the TRICS search; and
- Updated committed development and outputs for the modelling.
- Tracking for a refuse and delivery vehicle entering and egressing in a forward gear;
- Evidence to justify the lower car ownership assumed in the TRICS search; and
- Updated committed development and outputs for the modelling.

Further response from the Highway Authority following the submission of a Supplementary Transport Assessment (STA)

Following a review of the STA, the Highway Authority raised further comments regarding the tracking undertaken. The applicant subsequently produced a further note to address the comments raised. Following a review of these documents, the Highway Authority wish to make the following comments.

Refuse Tracking

Within the STA, refuse tracking was undertaken for a 9.86m long large refuse vehicle, as demonstrated in figure 14. Refuse collection in Havant Borough Council is undertaken by super large refuse vehicles which measure 11.2m in length. The applicant was therefore requested to re-track the correct sized refuse vehicle to ensure that the movement can be undertaken. Similarly, updated tracking was requested for a delivery vehicle parking in the layby to prevent it from overhanging the footway. A subsequent note was produced by the applicant to re-track the aforementioned vehicles and also to comment on the adoption status of the internal layout. With regards to the latter point, the applicant has confirmed that the new access road leading from the Brookvale development will not be offered for adoption at this stage, nor will the internal road layout and footways. As such HCC would not directly object to the proposals.

However, having reviewed the latest tracking drawings:

- The delivery vehicle can now avoid overhanging the footway by reversing to the back of the layby, although it will still overhang the main road; and
- The super large refuse vehicle has to undertake the tight manoeuvre within the car park, narrowly avoiding the disabled parking bays, but it can reverse out and back towards the bin store. It also overhangs the footway when turning into the site.

It is acknowledged that there is potential for further development to come forward on the wider site area, and the applicant should be made aware that if this was for a quantum of development sufficient for adoption (8 plus units), then the issues with overhang, etc. as described above would have an impact on the viability of S38 adoption should the access road become the access for the wider development. It is understood that any future adoption would only take place on the new access spur which does not currently feature any overhang from the tracking. The comments above have been made for the applicant's and local planning authority's awareness.

Trip Rate Generation

The applicant has clarified the approach towards the trip rate derivation for the proposed development. The trip rates were derived from 5 existing care home sites which provided trip rates of 0.194 in the AM peak hour and 0.178 in the PM peak hour (both two-way).

The trip rate assessment presented within the original Transport Assessment (TA) incorrectly referred to adjustments in the trip rates relating to car ownership. The trip rates presented in support of the Helmsley House application are therefore 0.200 in the AM peak hour and 0.165 in the PM peak hour, as set out in the original TA, resulting in vehicular trips of 13 and 11 in the respective peak hours.

Junction Modelling

Within the Highway Authority's previous response, the applicant was requested to include the Colt International development (APP/18/00244), Eastleigh House (APP/16/01078) and Land East of Horndean Road (55562/005) as committed developments within the model to correctly reflect the flows along Bartons Road.

These developments and their associated flows have now been reflected in the junction modelling under the 2025 model scenario which indicates that the highest Ratio to Flow Capacity (RFC) at the junction will be 0.377 on the Crematorium approach to the staggered crossroads in the AM peak hour. The junction is therefore forecast to be operating with sufficient spare capacity under the future year scenario.

In conclusion the applicant has overcome the comments raised within the original response. The Highway Authority therefore raise no objection, subject to conditions.

Housing Needs Manager, Havant Borough Council

Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

The Pre-Submission Havant Borough Local Plan 2036 (HBLP 2036), which was approved by the Council on 30/01/2019, further reinforces this policy (see emerging Policy H2 / Affordable Housing) by setting out a requirement for 30% affordable housing on sites resulting in a net gain of 10 or more dwellings. This would equate to a minimum of 35 affordable units on this site.

However, as this proposal is for a care home (use class C2) which generally provides non-self-contained accommodation, this development would not be required to provide affordable housing.

Landscape Team, Havant Borough Council

No objection subject to conditions – Further details are required to ensure that the proposed soft and hard landscaping are appropriate. A number of areas of concern have been highlighted, which have mostly been addressed,

Comments on amended plans and additional information:

Following extensive discussions, the landscaping proposals are now considered acceptable regarding the amended plans. The remaining issues and matters that need to be addressed can be controlled through appropriate conditions

Local Lead Flood Authority

No Objection – subject to conditions

The site is proposed to discharge to an existing connection specifically allocated for this purpose as part of the Bellway Development. This is acceptable in principle.

The previous development allocated a flow rate of 5l/s for this application and an additional site located further to the north. The proposals state that 2.5l/s will be assigned to the additional site but further information is required in relation to the allocation of flow rates to determine if they are suitable for the development areas.

Two different drainage drawings have been provided and clarity should be provided on which is the current proposal. The drainage drawing embedded within the flood risk assessment is not legible so should be provided separately. This is to ensure chamber invert and cover levels can be read – this is not shown on the separate drainage plan. Water quality information has been provided and is reliant on permeable paving to provide the required treatment level. It is not clear how this can be achieved as the areas of permeable paving do not appear to convey the full drainage system and are of minimal size.

Comments on amended plans and additional information:

The submitted drawings submitted have confirmed to be the current drainage layout and shows sufficient detail to allow the assessment of the microdrainage calculations. Therefore, we have no further queries in relation to this.

It has been confirmed that all surface water will be collected via permeable paving to ensure a suitable level of treatment. The only exception to this is roof runoff. The SuDS Manual requires removal of solids and sediments only so these measures should be provided prior to roof water entering the attenuation feature. Although this is not specifically mentioned in the documentation provided, it is an element that can be conditioned.

Natural England Government Team

Solent recreation mitigation

The HRA concludes that due the facility focusing on end of life care, the Solent recreation mitigation contribution does not apply. Provided the competent authority is satisfied that the proposals are for a care home where residents cannot independently leave the site and there will be no live in staff on site, Natural England has no further concerns.

Deterioration of the water environment

Please refer to our previous response dated 13th October for comments on bespoke occupancy used in the nitrogen budget. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. Natural England advises the bespoke approach should be confirmed in the appropriate assessment.

It is noted that the approach to address the positive nitrogen budget for this development is via Havant Borough Council's mitigation scheme. We welcome and support this initiative which has scope for nutrient offsetting and biodiversity gain. Natural England has reviewed the Position Statement and Mitigation Plan for Nutrient Neutrality Development (August 2020) and Warblington Farm Study Evidence Base (Ricardo, June 2020). Natural England concurs with the conclusion of this work that this scheme will deliver effective mitigation for developments draining to Budd's Farm

WwTW and Thornham WwTW.

The nitrogen capacity of the land and proposed management of the offsetting land has been discussed and agreed. It is understood that this has been secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the development. It is also understood that a system has been set up to monitor the developments using the mitigation scheme to ensure there is capacity available for each scheme. Provided this is the case and the long term management of the mitigation scheme is monitored by the local planning authority, as competent authority, to ensure effective mitigation for the lifetime of the development, Natural England raises no further concerns.

It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. Given the close proximity of the mitigation land to designated sites, Natural England is not expecting any significant timing issues in this case, provided the land is brought into appropriate management at the earliest opportunity. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development. Provided the local planning authority is satisfied that timely mitigation can be delivered in this case, Natural England raises no further comments for consideration.

Planning Policy

No Objection:

Principle of the proposed development

In the adopted Local Plan, the site lies outside of the urban area as defined by policies CS17 and AL2. These policies seek to concentrate development within the defined urban area. This proposal is therefore contrary to that principle.

However, a policy change with regard to this site is proposed through the emerging Local Plan which was awarded limited weight when approved at pre-submission stage in 2019. Here, the site is part of a wider proposed residential allocation (H25 Helmsley House), and included within the settlement boundary as defined by policy E3. The principle of development is therefore accepted on this site, though it must be noted that that emerging allocation is for 15 dwellings, rather than a care home. However, when taken together with policy H5 of the emerging plan (which gives explicit support for retirement and specialist accommodation given the established and growing need for such facilities) the proposed development is supported in principle under emerging policy.

Given the limited weight that may be afforded to the emerging Local Plan at this stage, the timing of any application is crucial in terms of the policy position. While the emerging allocation may be given some weight the applicant has submitted this application ahead of examination and adoption of the emerging plan and therefore must be conscious of the in principle objection arising from the policy position in the adopted local plan.

Development Considerations

Policy H25 of the emerging Local Plan sets out a number of development considerations for this site which should be taken into account.

As well as the site-specific requirements, analysis of the scheme's compliance with some of the various adopted and emerging policies is set out below:

- Policy E12 sets out standards for Efficient Use of Resources and Low Carbon Design, with the level standards expected to be achieved according to the gross amount of floorspace to be built. The proposed changes to the Pre-Submission Plan include a requirement to achieve a maximum water consumption of no more than 110 litres per person per day. In particular the applicant should note that this forms part of the submitted nutrient budget and will need to be secured via condition. Further information can be found at: www.havant.gov.uk/nitrogen.

- Policy DM14 and the Havant Borough Parking SPD (September 2019) set out the parking standards for new residential and non-residential development in the borough. Emerging Policy IN3 in the HBLP 2036 expects Electric Vehicle charging infrastructure to be provided.

In order to more effectively assess the scheme's compliance with emerging policy, it is recommended that the applicant should submit a Compliance Check.

Conclusion

The development is not supported by the adopted Local Plan, but an allocation for residential development of the site exists in the emerging Local Plan. In addition, that plan sets out general support for specialist accommodation to meet growing needs. It is considered that the principle of this development is supported, subject to addressing a variety of general standards and requirements as set by national and local policy, as well as those particularly highlighted for this site in emerging H25 policy for this site.

Portsmouth Water Company

No response received

Public Spaces

No response

SE Hants Clinical Commissioning Group

As a Clinical Commissioning Group we have a specific interest in new residential developments and how the increased population would directly affect local healthcare provision. We are especially interested in the types of residential properties being built to help us plan for the future.

The resulting growth in the locality population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; NHS services in primary, community and secondary care settings.

The development of a care home will significantly generate demand in a more challenging group of patients. Before we can support this application we will need to have a discussion with our member practices as to how we could manage this influx. A section 106 contribution will be required, however more discussion is needed.

Officer comment: *Due to the current health emergency discussions with the Local Planning Authority have not progressed and the Authority has not heard further from the NHS CCG. As such discussions have taken place between the Local Planning Authority and the applicant. As a Class C2 use, the proposed 64 bed care home would contribute the equivalent of 36 dwelling units (rounded) based on an average of 1.8 adults per household in Havant. The applicant has agreed to pay a financial contribution of £5,600, which complies with the formula used by the NHS CCG for 36 dwellings.*

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

Waste Services Manager

No response

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 12

Number of site notices: 3.

Statutory advertisement: 25/09/2020

Number of representations received: 5

Summary of representations**Principle of development and general design and layout issues**

- Out of keeping with the character and appearance of the area, this is one of the last greenfields left, when we moved into the new development.

Impact on Ecology and Natural Features

- Object to more loss of valuable wildlife habitats and open spaces.

Highway issues

- Further development to be serviced by Bartons Road is that the infrastructure is inadequate. There is no public transport to encourage residents to leave cars at home. Each development is self-contained with no form of traffic integration so that the growing number of delivery drivers can easily pass from one Estate to the next . Bartons Road is often at a standstill as the road junctions onto Horndean Road and the B1429 at the other end cannot cope with the traffic. The road junction onto the Horndean Road is often a site for accidents.

Residential Amenity

- Effect on privacy. Due to the slope of the land there could be a view of our garden and bedroom from both the upper and lower storeys. This will completely remove our privacy.

1 letter of support

- The proposal will provide a much-needed facility, which would be in keeping with the character and appearance of the area, and the new surrounding development.

7 Planning Considerations

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including

Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations).

- 7.2 The Council's assessment as competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) considered whether there was likely to be a significant effect on several European Sites due to recreational pressure and/or water quality impacts. The planning application was then subject to Appropriate Assessment under Regulation 63.

Recreational Pressure

- 7.3 The proposed development is within 5.6km of Chichester & Langstone Harbours SPA/Ramsar. In accordance with advice from Natural England and as detailed in Policy DM24 of the adopted Havant Borough Local Plan (Allocations), Policy E16 of the emerging Havant Borough Local Plan and the Solent Recreation Mitigation Strategy (SRMS), a net increase in housing development within 5.6km of the Solent SPAs is likely to result in impacts to the integrity of those sites through a consequent increase in recreational disturbance.
- 7.4 The SRMS in paragraph 6.9 outlines that:
"The need for mitigation for the recreational impact of other types of residential accommodation will be assessed on a case-by-case basis by the local planning authority. The key 'test' is based around the likelihood of the proposed development generating additional recreational visits to the SPA(s). For example, in respect of residential accommodation designed specifically for elderly people, a developer contribution (or bespoke mitigation) will be required for apartments for the active elderly, but not for secure accommodation such as a residential nursing home for people who are unable to independently leave that accommodation, and which does not provide residents parking or allow pets (this would also apply to people living with conditions that limit their mobility). However, mitigation may be required for any staff living on-site. Retirement properties designed for independent living with parking provision and which allow pets will be treated the same as C3 residential properties."
- 7.5 The proposed development is for a 64 bed Care Quality Commission (CQC) -regulated Care Centre (C2 use) which will provide 24-hour nursing, personal and dementia care for a range of acuities. The facility would follow the best practice 'household' model whereby guests reside in 8-bedroom wings of accommodation and would be both self-contained and secure – on-site facilities would include hair salon, café, library and cinema, together with various lounge and dining areas, balconies and terraces all set around landscaped grounds.
- 7.6 The facility is focussed on end-of-life care – the average age of entrants being 85, and the average length of stay around 18 months. Residents have reduced mental and/or physical abilities and would only leave the premises when accompanied by staff or their guests. Furthermore, the proposed development would also not feature any on-site staff living accommodation and this can be secured by condition. For the above reasons, the development does not require mitigation through the Solent Recreation Mitigation Strategy (SRMS) - this approach has been agreed by Natural England.

Water Quality

- 7.7 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing

eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment for this application.

- 7.8 The Council's adopted Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

Appropriate Assessment conclusion

- 7.9 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England advised that they concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 7.10 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) Coordination of Development
 - (iii) Nature of Development
 - (iv) Impact on the Character and Appearance of the area and historic assets
 - (v) Impact on Residential Amenity
 - (vi) Access and Highway Implications
 - (vii) Flooding and Drainage
 - (viii) The Effect of Development on Ecology
 - (ix) Impact on Trees
 - (x) Impact on archaeology
 - (xi) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) Principle of development

- 7.11 As required by section 38(6) of the Planning and Compulsory Purchase Act (2004), applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan

- 7.12 The Development Plan consists of:
Havant Borough Local Plan (Core Strategy) (2011), the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013). These plans continue to form the basis for determining planning applications in the Borough. The application site is located adjacent to, but outside of, the urban area. Policies in the adopted plans support appropriate residential development within the urban areas. "Exception schemes" are only supported in the countryside. This is not an exception scheme and the site is located in a non-urban area. Therefore, this application does not accord with the development plan (it has been advertised as a departure from it). Planning permission should therefore be refused unless other material considerations indicate otherwise.

Emerging Havant Borough Local Plan

- 7.13 The Council published the Pre-Submission Havant Borough Local Plan for public consultation between 1 February 2019 and 18 March 2019. The publication of this document followed a long period of public engagement between 2016-2018, including the now revoked Local Plan Housing Statement. This site was one of those identified for 'early release' as part of the Local Plan Housing Statement, which was part of the site's evolution. The emerging plan includes the Council's proposed new housing allocations. The application site is identified within Policy H25 for residential development, capable of accommodating 15 residential dwellings, rather than a care home. However, when taken together with policy H5 of the emerging plan, which gives explicit support for retirement and specialist accommodation given the established and growing need for such facilities, the application site is identified as one of those necessary to deliver the identified housing need for the Borough.
- 7.14 Therefore, while the site lies outside the urban area, as defined by policy AL2 of the Havant Borough Local Plan (Allocations) and Policy CS17 of the Havant Borough Local Plan (Core Strategy) it nonetheless was a site identified for early release in the Local Plan Housing Statement, is one of the sites identified for allocation and forms the direction of travel for the emerging Local Plan.

Consistency with the National Planning Policy Framework

- 7.15 The Secretary of State's National Planning Policy Framework is a material consideration which should be placed in the s.38(6) planning balance.
- 7.16 The NPPF's primary objective is to promote sustainable growth and development through a "plan-led" planning system. Paragraph 11 of the NPPF advises that a presumption in favour of sustainable development is seen as the golden thread running through both plan-making and decision making, which means; "approving development proposals that accord with the development plan without delay, and; where the development plan is, absent, silent, or out-of-date, granting planning 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".
- 7.17 A robust assessment took place of land in the Borough to inform the Pre-Submission Havant Borough Local Plan through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. This demonstrated that at that time there was sufficient deliverable and developable sites upon which to meet the Borough's housing need, and the assessment of the application site by officers found it to be free of any significant constraint and capable of delivering houses in the short term. Since then the five-year housing land supply has been updated (February 2021) and

indicates the Borough now has a housing supply position of 4.2 years with a 20% buffer applied. This is below the five-year supply threshold.

Five-year housing land supply and delivery of housing need

- 7.18 The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place, then Paragraph 11 of the NPPF sets out that, in applying the presumption in favour of sustainable development, proposals for development should be granted permission unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. These areas and assets are set out in footnote 6 of the NPPF. The application site in question is not within any of these areas, however it does lie directly adjacent to a designated heritage asset;
 - or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.19 The Borough's five-year housing land supply was updated in February 2021. This shows that the Borough has a 4.2-year housing land supply with a 20% buffer applied and so does not have a five-year housing land supply.
- 7.20 The development proposed by this planning application has not been included within the housing land supply calculations. As a Class C2 use, the proposed 64 bed care home would contribute the equivalent of 36 units (rounded) based on an average of 1.8 adults per household in Havant Borough, equivalent to 0.05 years or 1% of the required supply.
- 7.21 As such, notwithstanding that the site is located outside of the urban area in the development plan and is located in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development and it would also deliver measurable economic and social benefits.
- 7.22 The site is required to feed into the on-going requirement of the Borough for deliverable housing land to address the Borough's housing need, which is now more pressing given that the housing supply position has fallen below the five-year requirement set out in the NPPF.
- 7.23 On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development. The justification for this conclusion is set out in more detail in the paragraphs that follow.

Deliverability

- 7.24 The NPPF, in annex 2, clarifies that:
"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."
- 7.25 The application has been supported by an Infrastructure Delivery Statement (IDS), which considers the supply of water, electricity, gas and telecommunications to the site, in consultation with the utility providers. This concludes that the development could be supplied with normal network service supplies without prohibitive

reinforcements to networks. As such there would not appear to be significant off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the current 5-year period, which weighs in support of the scheme.

Environmental Sustainability

- 7.26 Introducing a care home to an undeveloped field would alter its character but it is concluded that this would have a limited impact, as any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area, this is considered in more detail further in this report. This needs to be weighed against the public benefits, and is considered in more detail further in this report.
- 7.27 As this proposal relates to a dementia care unit, the following assessment is based on staff and visitors to the site. In terms of the location of the site relative to services and facilities the closest such services are offered by the Co-Op at Snowberry Crescent situated approximately 0.8km from the site entrance. The nearest bus stops to the site sit 850m from the site, serving bus routes 20 and 21. Route 20 runs every 30 minutes Monday to Saturday, operating between Portsmouth and Havant. Route 21 operates every 10 minutes Monday to Saturday between Portsmouth and Havant via Leigh Park. These timetables are currently subject to change and a reduced timetable due to the current pandemic.
- 7.28 In addition, Warblington railway station is 1.5 kms from the site, which offers stopping services towards Brighton to the east and Southampton and Portsmouth to the west. The site is approximately 2.4 kms from Havant Station offering routes to London, Brighton, Southampton and Portsmouth. In accessibility terms, the site is in a sustainable location, and has alternatives to the use of the car for staff and visitors to the site, which weighs in support of the scheme.

Economic Sustainability

- 7.29 One of the core planning principles of the NPPF is proactively to drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs.
- 7.30 The application would result in benefits from both construction and work opportunities within the care home itself and operations and Local Authority benefits.

Social Sustainability

- 7.31 The application proposes a specialist Care Centre (C2 use) which will provide 24-hour nursing, personal and dementia care for a range of residents in accordance with Policy CS9 of the Core Strategy. The scheme would address an identified local housing need for elderly specialised care and would contribute towards the supply and delivery of housing in the local area by freeing up existing housing stock vacated by the residents. The Council's adopted Housing SPD is also a material consideration, as is the NPPF which aspires to "deliver a wide choice of high quality homes in inclusive and mixed communities to meet the needs of different people". The Housing Officer supports this proposal.

Health

- 7.32 The NHS Clinical Commissioning Group (CCG) have been consulted and advise that the resulting growth in the local population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; in primary,

community and secondary care settings. The CCG have outlined that the increased demand will be accommodated by the existing GP surgeries in the area, for which the development falls within the practice boundaries of three separate GP practices; Emsworth Surgery, Homewell Practice and Staunton Surgery. Additional capacity within the premises will be required. As such a financial contribution is sought to enable those practices impacted, to make suitable building adaptations to facilitate this growth, and this will be secured through a legal agreement.

Prematurity

- 7.33 With regards to the timing of consideration of this application, which is taking place in advance of the examination and adoption of the emerging Local Plan, regard has been paid to paragraphs 49-50 of the NPPF. They state: -

*'...arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'*

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.'

- 7.34 In the light of this guidance, Officers are satisfied that the emerging plan, which has only just been submitted for examination, is not yet at such an advanced stage, nor is the development considered so substantial or its cumulative effect so significant, as to undermine the plan-making process. Therefore, prematurity may not be raised legitimately as a reason for not granting planning permission.

Undeveloped Gaps between Settlements

- 7.35 While the adopted Local Plan contains policies that seek to maintain the undeveloped gaps between settlements in policy AL2, in the emerging Local Plan this is no longer considered possible. The NPPF, in paragraph 11, is clear that Local Plans should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless there are strong reasons for restricting development. Those reasons are defined in footnote 6 of the NPPF, and do not include gaps between settlements as a particular consideration. The Council's Housing Constraints and Supply Analysis mapped constraints to development, and found that it was not possible to meet housing need on land unconstrained by nationally recognised constraints, while also protecting gaps between settlements. For this reason, a number of sites, including this site, have been put forward as proposed housing allocations in the emerging Local Plan.
- 7.36 In conclusion on this issue,
- (1) The scheme is contrary to the development plan
 - (2) National policy is a material consideration
 - (3) Housing supply at 4.2 years is below the five-year supply threshold
 - (4) The presumption in favour of sustainable development applies
 - (5) The proposals would constitute sustainable development in policy terms.
 - (6) It is deliverable now.

(7) The scheme is not premature.

(8) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan.

(ii) Coordination of Development

- 7.37 Policy DM6 of the Core Strategy, states that proposals will only be permitted where they do not undermine the future development potential of adjacent sites. Proposals should not prevent future access to potential development sites or prejudice future schemes. The site identified in the emerging Local Plan includes both the application site and the land to the north. The proposed layout including the access arrangement provides for future development and access opportunities. As such this proposal is not considered to prejudice development of the remaining elements of the allocation.

(iii) Nature of Development

- 7.38 The application seeks a 64 room care home development, which would contribute 36 dwellings to the Councils housing supply figures, and based on this it equates to approximately 55 dwellings per hectare(dph). Core Strategy policy CS9 states that planning permission will be granted for housing proposals which (amongst other matters) '*Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form*'.

- 7.39 Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As a guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

| | |
|-----------------------|--|
| <i>High Density</i> | <i>– Minimum of 60 dwellings per hectare</i> |
| <i>Medium Density</i> | <i>– Minimum of 45 dwellings per hectare</i> |
| <i>Low Density</i> | <i>– Up to 45 dwellings per hectare</i> |

Under this assessment, the density of development can be considered to be within the Medium Density category.

- 7.40 Paragraph 6.23 makes it clear that '*It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process*'.

- 7.41 The NPPF states that '*To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density*'. Although this scheme represents a medium-density development, which is above the allocation of 15 residential dwellings, the proposed density is considered to make an effective use of land, and would be an appropriate density given the context of the site on the edge of the residential development to the south and as part of a wider allocation in the emerging Local Plan. The proposal does not prejudice the remainder of the proposed site, and as such is considered an effective use of land, having regard to the forthcoming allocation for this site.

Emerging Havant Borough Local Plan

- 7.42 The emerging Local Plan requires enhanced standards in certain policies, which are above and beyond current adopted policy requirements. An assessment of this scheme against these relevant emerging policies below, is considered below.

Vision and delivery strategy

- 7.43 Policy DR1 – Delivery of Sustainable development outlines the Council's strategy with regards to delivering sustainable development as outlined in the NPPF. This policy outlines the amount of development required, ensuring the delivery of sustainable development, ensuring appropriate co-ordination of development. In addition, the policy focuses on innovation and the acceleration of housing delivery by using all of the tools at our disposal to ensure that permitted developments are commenced and completed. This report considers whether this application does comply with these requirements. It is considered that this development does comply with part h of this policy, regarding co-ordination of development, as the proposal does not prejudice the rest of the site, which is subject to the emerging allocation.

Infrastructure Policies

- 7.44 Policy IN3 – Transport and Parking in new development broadly follows the requirements of adopted policy CS20 of the Core Strategy. This proposal does fully comply with parking standards for this type of use with the Parking SPD. This policy additionally requires that electric vehicle charging infrastructure is provided, the application outlines that EV charging points are proposed, and this will be covered by a condition.

Environment Policies

- 7.45 Policy E12 – Low Carbon Design seeks to ensure that new development addresses climate change through low carbon design. Proposals for multi-occupation residential developments above 1000sqm are expected to achieve BREEAM 'Excellent' standard and proposals for residential development must exceed Building Regulations by 19% with respect to CO2 emissions. The proposals are for a form of multi-occupation residential development however the Home Quality Mark requirement in the policy is specific to dwellings as opposed to care homes. Similarly, the BREEAM Communities scheme is a requirement of schemes proposing 100 dwellings or more and so is not applicable to these application proposals. However, the proposals incorporate solar PV, efficient heating and thermal performance above Building Regulations. A BREEAM pre-assessment has been undertaken and submitted alongside the planning application demonstrating that a minimum of BREEAM 'Excellent' is able to be achieved.
- 7.46 Policy E14 – The Local Ecological Network requires that new development results in biodiversity net gain. The site has been assessed as being of generally low ecological value, comprising both common and widespread habitats. The habitats of relatively greater ecological importance are the established boundary hedgerows, areas of scrub and scattered mature trees. The site has been recorded as supporting a diversity of foraging and commuting bats. The site has also been assessed as having suitability to support protected species including tree roosting bats. Mitigation and enhancement measures have been proposed to offset the impact of the development on protected species and subject to the implementation of the measures set out, it is considered that there is the potential for the proposals to deliver a net ecological gain at the site.

Housing policies

- 7.47 Policy H2 – Affordable Housing sets out a requirement that 30% of dwellings should

normally be affordable housing on sites resulting in a net gain of 10 or more dwellings. However, as this proposal is for a care home (use class C2) which generally provides non-self-contained accommodation, this development would not be required to provide affordable housing.

- 7.48 Policy H3 – Housing density now requires that development within the Borough provides minimum housing densities, depending on their location. This is to ensure that development maximises the finite amount of land in a full and sustainable manner. This application site is located within an area that requires that development to achieve a minimum of 40 dwellings per hectare. This application achieves a density of 55 dwellings per hectare and therefore complies with this emerging policy.
- 7.49 Policy H5 supports proposals for retirement and specialist housing designed to meet the needs of those with care needs (including older people and disabled people) where: it meets a proven local need; the location is appropriate in terms of accessibility to services, amenities and public transport; the use is compatible with its surroundings; sufficiently accessible and good quality accessible outdoor spaces are provided; and appropriate car/cycle parking is provided together with storage for mobility scooters and wheelchairs. The site has been identified as suitable for residential development through emerging Local Plan Policy H25 and is surrounded by new housing and committed housing sites with access to public transport and a sizeable local population base that could provide the staff to work at the care home. The site enables provision of good quality outdoor space for residents.
- 7.50 In conclusion on this matter, the emerging Havant Borough Local Plan has only recently been submitted for examination to the Secretary of State. As such in accordance with paragraph 48 of the NPPF, and having regard to the level of objection received during the pre-submission consultation, it is considered that only limited weight can be attributed to the policies within it. Notwithstanding this, many relevant emerging policies have been fully or partially met and this threshold has been weighted into the overall planning balance made on this application.

(iv) Impact upon the character and appearance of the area and historic asset

- 7.51 The site currently is enclosed by residential development to the south, which is currently under construction, and mature planting limits views from the immediate area, including from Bartons Road, and the new access road Normandy Way. The proposed building has been designed to have the appearance of a domestic scale so that its height is commensurate with that of other existing and committed development of the surroundings to the south, with a flat section of roof at the centre to ensure that overall roof mass is reduced. The profile of the building has steps in the projection of its external walls in order to break up the apparent mass of the building and add visual relief to the structure. The pitched elements of the roof are proposed to be covered with plain grey tiles and the external walls are predominantly red brick with elements of grey composite cladding in common with the new houses being constructed on land to the south to create a legibility in the design approach. The central flat roof sections of the building are proposed to feature a green roof.
- 7.52 The application proposes a two-storey building laid out in an H-shaped configuration with two wings of living accommodation connected by a central link that provides much of the staff, administrative and servicing accommodation. The applicant has advised that such a layout conforms to best practice for provision of specialist older persons accommodation as it provides residents, many of which will suffer from severe dementia, with an easy to understand and navigate household-sized living space.

- 7.53 This proposal is accompanied by a detailed landscape proposal for the whole site which provides trees within the public realm, in addition to the retained protected trees, to create a high-quality landscape design, breaking up areas of car parking and creating a positive and attractive development. The building will be framed by soft landscaping around the site and trees within the development. The development will provide two large areas of amenity space for residents, which includes integrating the protected trees into the landscaping framework, with terrace and patio areas providing easily accessible areas for the future residents. In addition, the amenity areas will provide areas for food growing through the proposed vegetable gardens, interspersed with areas of seating around the gardens. Overall the form of development is considered to have regard to the site's context and not adversely impact the character and appearance of the area.

Impact on historic asset – East Leigh House

- 7.54 East Leigh House, which is a grade II listed building is located to the west of the development. The application site is separated from East Leigh House by approximately 160 metres, with mature trees providing significant screening of the development from the setting of the listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is considered that the development would not result in any harm to the setting of East Leigh House due to the separation distances, positioning of other development and landscaping and the domestic height of the proposed building. As such the proposal is considered to conserve the character and setting of the listed building.

(v) Impact upon residential amenity

- 7.55 The application site abuts the new residential properties to the south in Normandy Way. The main residential properties directly affected by the development are the residential properties adjacent to the southern boundary of the application site, which are Nos 2, 4, 6, 8 and 10 Normandy Way.
- 7.56 Nos 2 and 4 Normandy Way are the closest residential properties to the development, these dwellings form a pair of semi-detached dwellings which are located parallel with the boundary with the application site. 2 Normandy Way is the northern element of the pair of semi-detached dwellings and is located 4 metres from the application site boundary. The proposed back-to-side distance from the rear elevation of the proposed development to No 2 Normandy Way is approximately 24 metres. In the case of Nos 8 and 10 Normandy Way, these are two detached dwellings which front the road and whose rear gardens extend north towards the application site boundary. The proposed back-to-back distance between the development and the rear elevations of these properties is approximately 33 metres. The Havant Borough Council Design Guide recommends a minimum back to back separation distance of 20 metres with an additional 4 metres per storey. In addition, the guide recommends a minimum flank to side separation distance of 10 metres. Given the change in levels and relationship with the neighbours, it is considered the neighbouring properties in Normandy Way would have the perception of the scale of a three-storey development facing these properties. A three-storey to two-storey relationship would therefore require a minimum of 24m back-to-back, and 14m back-to-side, which are exceeded in this application.
- 7.57 Notwithstanding this, and given the change in character of the application site,

following concerns raised by officers and subsequent extensive negotiations with the applicant, an enhanced landscape buffer is additionally proposed to be located inside the southern boundary of the development site, which would bolster the existing trees and bushes, which are proposed to be retained on this boundary. This will comprise trees and vegetation which will help soften and filter the impact of the ground levels on these properties. This will be controlled through appropriate conditions. As such given a combination of these factors, it is considered that there are adequate separation distances between the existing and proposed dwellings which exceeds the Design Guide's expectations to ensure that there would be no significant loss of amenity to existing residents.

- 7.58 Policy CS16 states that proposals for noise-sensitive development, including residential uses, which would result in the occupiers of such development being exposed to unacceptably high levels of noise will not be permitted. This policy is consistent with that of Paragraphs 170 and 180 of the NPPF, which respectively require that planning should always seek a good standard of amenity for existing and future occupiers of land and buildings, and that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, amongst other things, unacceptable levels of noise pollution.
- 7.59 A noise survey has been provided taking into account noise generated from the proposed mechanical plant to be installed in the care home. Noise from mechanical plant has the potential to adversely impact future residents and nearby noise sensitive premises. It is recommended that any air handling plant, machinery and equipment to be installed or operated relating to the development is subject a condition to ensure that the future occupants and existing neighbouring properties will be sufficiently protected from environmental noise. The Environmental Health Officer has raised no objection based on the latest noise assessment and subject to details of mechanical plant being secured by condition.
- 7.60 Taking all these factors together subject to suitable conditions, it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties regarding loss of sunlight/daylight, overlooking, noise or overbearing impact. As such it is considered that the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

(vi) Access and Highway Implications

- 7.61 The application is supported by a Transport Assessment (TA), which modelled a number of scenarios for the period up to 2025 including with development from the permitted schemes in close proximity to this site.
- 7.62 Detailed surveys have been undertaken at key roads, junctions and roundabouts identified through discussions with both the Local Highway Authority. The Transport Assessment (TA) assesses the impact of the scheme with the trip rates, trip distributions and junction capacity assessments being acceptable to HCC. The development is estimated to generate 13 trips during the morning peak period (08.00-09.00) and 11 trips during the evening peak period, this assessment is considered to be robust given the proposed use of the development, in that traffic generation would be created by staff and visitors only.
- 7.63 The Bartons Road/Normandy Way Site Access junction, to access the development, which also serves the Brookvale development to the south of the site, has been assessed to 2025 to understand the impact of the additional traffic on the access. This

assessment incorporates the committed improvement at the Campfield Crematorium access, located to the north of Bartons Road (approved under application APP/19/00007) which features a new right turn lane. To reflect this arrangement, the junction has been modelled as a staggered crossroads which is considered acceptable. Taking into account the committed development, together with the impact on this application the proposed access junction would work within the capacity of this junction.

- 7.64 As part of the Brookvale development, a new shared use path will be constructed on the south side of Bartons Road from the Havant garden centre to the junction with New Lane. As part of the Linden homes development (reference APP/14/00502) on the northern side of Bartons Road, footway improvements have also been provided. These improvements will connect to the new shared use facilities provided as part of the Campfield development permitted application APP/19/00007. This will feature a new shared use path on the northern side of Bartons Road from the existing access to the crematorium to the junction with Eastleigh Road.

Parking

- 7.65 For the proposed care home use, the standards state that 1 space per 4 residents and 1 space per staff is required. For the proposal this means that a minimum of 35 spaces are required to meet the adopted standards. The proposal as submitted however, only has 29 car parking spaces of which 3 would be blue badge disabled spaces. As such the proposal does not meet the minimum number of car parking spaces required by the SPD, with a deficit of 6 car parking spaces.
- 7.66 In line with the guidance set out in the SPD, the applicant has been asked to justify the proposed shortfall in car parking provision at the site for this element. The submitted justification outlines that, given the dependency level of the residents they will not have the capacity to drive and therefore the car parking management has been designed to ensure that there is adequate provision at all times for relatives, families, staff and emergency services. Staff wishing to park in the car park must also ask consent from the management in advance and will be encouraged to travel by bike, on foot or by public transport. Families who are moving residents and their furniture into the home will be allocated a dedicated space in advance.
- 7.67 Whilst it is acknowledged that the care home element has a deficit of 6 car parking spaces, it is appropriate to consider this within the context of the wider application site. The applicant, who has extensive experience of such high-dependency units outlines that this parking model is appropriate and is used in similar locations such as this, and that parking provision is well managed. As such it is considered that the proposed parking provision for this development is appropriate in this context, and any adverse effects arising would not result in a significant severe impact on highway safety to justify refusal of this application.

Cycle parking

- 7.68 For the care home covered cycle storage would be provided adjacent to the car park and main building entrance and provides storage for 12 cycles. As highlighted previously, residents of the care home would not be physically able to drive or cycle, and so it is only staff that are likely to need to store bicycles and as such these 12 spaces are adequate for the scale of this element of the development.
- 7.69 Taking all these highway factors together it is considered that the site is sustainable in transport terms, subject to the conditional requirements. Whilst the proposed car parking provision for the care home is below standard, this has been justified by the applicant with reference to their experience at other sites. Cycle parking provision on

the site will be improved by the development and is considered acceptable. Overall the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

(vii) Flooding and Drainage

- 7.70 The Environment Agency Flood Risk Map shows the development site is located in Flood Zone 1 (lowest risk of flooding). Whilst development is considered appropriate for Flood Zone 1, in accordance with the Technical Guidance in the NPPF, a Flood Risk Assessment has been submitted together with a drainage strategy. The Technical Guidance states that developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems.

Surface water

- 7.71 The application incorporates a sustainable drainage system which will store the volume of a 100-year return period storm plus 40% allowance for climate change. This system will connect into the adjacent residential development surface water strategy. Within the site underground crates will be located near the southern site boundary that attenuate and control the flow of surface water so that discharge from the site is contained at pre-development levels. The hardsurfaced areas will be permeable with the surface water directed, utilising the natural slope of the land, towards the underground tanks. The proposed roof drainage incorporates a living roof, which assists with reducing runoff rate and volume.
- 7.72 The surface water runoff generated on the site because of the development will be managed using appropriate SUDS techniques up to the 1 in 100 +30% storm event. This will ensure that the peak rate of surface water leaving the developed site is no greater than the existing Greenfield runoff rate, including the temporary condition during the construction of new buildings. It is proposed to replicate as closely as possible the natural drainage from the site before development and improve water quality, reducing the impact on receiving watercourses. A condition is proposed in order to ensure that the surface water drainage system is maintained in an appropriate manner.

Foul Water

- 7.73 With respect to foul drainage, the development is proposed to connect to the existing public sewer that passes to the south of the site. The residential housing development on land to the south includes foul drainage capacity to serve both that housing development as well as development on draft allocation H25. Southern Water have confirmed that its network can facilitate foul sewerage disposal to service the proposed development. The Lead Local Flood Authority have been consulted, and subject to conditions raise no objection.

(viii) The Effect of Development on Ecology

- 7.74 The application is accompanied by an updated Ecological Appraisal (FPCR, November 2020). The site comprises primarily agriculturally derived species-poor grassland with boundary hedging and areas of woodland with a high proportion of planted and self-sown non-native species. As such it is considered that the site is of limited ecological value overall. A suite of ecological surveys has been carried out, these identify that in

terms of protected species the site is generally unconstrained, except for bats.

- 7.75 The site has been shown to support a good assemblage of bat species typical of a semi-rural site in southern Hampshire. This part of Hampshire is known to support a substantial breeding population of the very rare Bechsteins bat. Bechsteins bats have been recorded within close proximity to this site and has been shown to use a wide range of habitats within the landscape, including open grassland, hedgerows and coniferous plantations. Nursery roosts are most likely to occur within older woodlands but also occur locally within individual trees in parkland settings and hedgerows. Whilst there is no indication that Bechsteins bats are a constraint at this site in particular, there is sufficient justification, based on the presence of known maternity roosts in two local woodlands (Bartons Copse to the north and Southleigh Forest to the north-east - and recent records from other sites close by) for assuming that the species is more likely than not to occur on occasion and that the site forms part of a much larger fabric of suitable sites across the wider area. It is therefore essential that potential impacts such as habitat loss, habitat fragmentation, disturbance and lighting are considered within this context.
- 7.76 Further details have been provided by the submission of a lighting strategy, these provide recommendations for the reduction of light spillage in specific locations, using cowls on column lights and replacing some columns with bollard lighting. This will reduce the spillage of light onto adjacent vegetation, however the full details of this will be controlled through an appropriate condition.
- 7.77 In terms of other ecological enhancements, the application proposes bat and bird boxes, the composition of new semi-natural habitat, management of retained and new habitats. As such this mitigation is considered acceptable and has been agreed by the Council's Ecologist consultant and Natural England, subject to the full details of these measures being secured through a pre-commencement condition to provide a detailed lighting strategy.

(ix) Impact on Trees

- 7.78 Whilst there are a number of trees shown to be removed they are all category C trees and not worthy of Tree Preservation Orders (TPO) or long-term retention due to their poor form or condition. There will still be a number of trees left around the boundaries and this development provides an opportunity to enhance the site with a number of new, specimen trees and understorey planting to replace those removed, which will then provide a future amenity. There are four Oak trees protected by TPO on the site, all of these can be adequately protected and retained with the scheme as proposed. In summary provided that the methodology set out in the arboricultural reports is strictly adhered to with a pre-commencement site meeting there is no arboricultural objection.

(x) Impact on archaeology

- 7.79 The archaeological excavation that took place to the south of the present application boundary found evidence of a landscape used for processing, such as crops and industry. The excavation found large quantities of Roman building material, including roof tiles, hypocaust and flue tiles, and tesserae, all suggestive that what was investigated was ancillary to a substantial Roman building which is presumably in the vicinity. In addition, the archaeological excavation recovered a large assemblage of Roman pottery also suggestive that the activity was ancillary to a substantial Roman settlement site presumably close by. As such the potential for more complex archaeological remains exist with the archaeological potential of the development site and as such conditions are necessary to ensure the assessment, recording and

reporting of any archaeological deposits affected by construction, which will be secured through the attachment of suitable conditions.

(xi) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

7.80 The impacts of the proposed development on key infrastructure have been assessed and an Infrastructure Delivery Statement has been submitted. The infrastructure provision in respect to highways, flood risk/drainage, health, and utilities has been considered and mitigation for the potential impacts on infrastructure proposed which would be controlled through relevant conditions. In terms of the requirements regarding Health and Nutrients these will be the subject of a legal agreement as set out in paragraph 7.81 below.

7.81 The proposed C2 use is not included within the CIL charging schedule, as such no contribution towards CIL is required. Having regard to the consultation responses received and the planning considerations set out above a S106 Agreement will be required in respect to the following matters: -

1. Health Contribution of £5,600
2. Nutrient contribution of £33,244.50
3. Monitoring fees

8 Conclusion - Overall planning balance

8.1 The development site lies outside of the built-up area and is not provided for in current adopted Local Plan policy - as a result the proposal is contrary to development plan policy. The development plan is a pre-eminent consideration which must be outweighed by other material considerations in cases of conflict before permission can be recommended.

8.2 Notwithstanding that the site is located outside of the urban area in the development plan in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver significant economic and social benefits. Furthermore, the Borough's five-year housing land supply figure was updated in February 2021. This shows that the Borough now has a 4.2 year housing land supply with the necessary 20% buffer applied based on the results of the housing delivery test. The development proposed by this planning application is not included within the housing land supply calculations and is equivalent to 0.05 years or 1% of that supply. The provision of care home which could make a contribution to improving the overall housing supply position is considered to be a material consideration of great weight, especially in the light of the acute need for older persons care homes, and falls to be part of the planning balance in the determination of this planning application. This is a material consideration of great weight, especially in the light of the acute need for older persons care homes, and falls to be part of the planning balance in the determination of this planning application. On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development, and this is a compelling material consideration, which indicates that that a decision could be taken that departs from the development plan.

8.3 Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape

impact of the development and overall the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site. Whilst car parking levels for the care home are not to the standard set out in the Parking SPD, this has been justified by the applicant, in addition by providing the required level of parking would have adverse impact on the amenity of the site, as further hardsurfacing would be required, impacting on the qualities of the development.

- 8.4 It is accepted that the proposal would not comply with an element of the emerging policies in the Havant Borough Local Plan, with specific regard to provision of a fully compliant provision of sustainable construction. The NPPF (paragraph 48) sets out that weight can be given to relevant policies in emerging plans depending on, amongst other things, the stage of preparation of the emerging plan and the level of unresolved objection to individual policies. At the current stage where the emerging Local Plan has only recently been submitted, and in combination with the level of objection to these policies, they can be afforded only limited weight at this time.
- 8.5 Furthermore, the improvements to the scheme, which have been made through discussions with the applicant to improve the qualities of the development are to be acknowledged. It is considered in respect of this proposal, when framed against the entirety of the adopted Development Plan, comprising the Core Strategy (2011) and the Allocations Plan (2014), that none of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements of the proposal.
- 8.6 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging balance of sustainable development principles, the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00761 subject to:

(A) completion of a Section 106 Agreement as set out in paragraph 7.81 above; and

(B) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

- 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:

SITE LOCATION PLAN - APL001 REVE

Proposed site plan - APL003 REV N
PROPOSED LANDSCAPE PLAN - APL005 REV H
PROPOSED GROUND FLOOR PLAN - APL006 REVG
PROPOSED FIRST FLOOR PLAN - APL007 REVG
PROPOSED ROOF PLAN - APL008 REVC
PROPOSED NORTH ELEVATION - APL009 REVD
PROPOSED EAST ELEVATION - APL010 REVD
PROPOSED SOUTH ELEVATION - APL011 REVD
PROPOSED SECTIONAL ELEVATION WEST - APL015 REVD
PROPOSED SECTIONAL ELEVATION NORTH - APL014 REVD
PROPOSED WEST ELEVATION - APL015 REVD
PROPOSED STREET ELEVATION - APL017 REVD
PROPOSED BAY WINDOW ELEVATIONS - APL018 REVC
PROPOSED SECTION - NEIGHBOURING BUILDING APL020 REV A

Drainage

Flood Risk Assessment and Drainage Statement - 2709-HELM-ICS-XX-RP-C-07.001
PROPOSED DRAINAGE AREAS - 2709-HELM-ICS-01-XX-DR-C-0201-P01-S2
LEVELS DESIGN - 2709-HELM-ICS-01-XX-DR-C-0100-P02-S2
PROPOSED DRAINAGE - 2709-HELM-ICS-01-XX-DR-C-0200-P03-S2
Proposed Drainage ref: HELM-ICS-01-XX-DR-S-0200 P04
Site Location Plan ref: ASK001 A
Email with supporting information dated 26 October 2020 & 12 November 2020 by Infrastructs CS

BREEAM

Helmsley House - BREEAM New Construction 2018: Pre-Assessment Report

Trees

ARBORICULTURAL DEVELOPMENT STATEMENT - CBA11305V1
Tree survey report - CBA11305 v1B
Tree protection plan - CBA11305.02 TPP

Transport

Transport Assessment - July 2020
TRANSPORT ASSESSMENT - Supplementary Transport Information - October 2020
TRANSPORT ASSESSMENT - Additional transport information -3rd December 2020
Access plan 1009/6/U/2A

Ecology

Ecological Appraisal (FPCR, update November 2020) including Phase 1 Habitat Plan - figure 2 9591-E-02
Bat emergence report (HES, July 2020)

Reason: - To ensure provision of a satisfactory development.

Materials

- 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.

Landscape and Trees

- 4 No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works, based on the principles of plan APL005 REV H has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
- ii) Planting methods, tree pits & guying methods,
- iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, this shall include specific measures for the landscaping adjacent to the southern boundary, in order to protect the amenities of properties to the south,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) Manner and treatment of watercourses, ditches and banks,
- vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
- vii) Means of enclosure, in particular boundary walls and planting around the development and including its frontages, including any retaining structures,
- viii) The type of street lighting including calculations, contour illumination plans and means to reduce light pollution
- ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, and to ensure that the roads, footway, footpath, street lighting and surface water drainage are constructed to an appropriate standard to serve the development in accordance with policies DM10, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the with the Arboricultural Development (Method) Statement CBA11305.v1 and Tree Protection Plan CBA11305.2 by CBA consultancy shall be installed. The Council's Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion

Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Tree Protection Plan (telephone 023 92 446525). No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16, of the Havant Borough Local Plan (Core Strategy) 2011.

Highways

- 6 No development shall commence until a Construction Traffic Management Plan has been submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. The details shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction. The development shall be carried out in accordance with the approved details.

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.

- 7 No development shall commence until details of the site access bellmouth junction onto Normandy Way have been designed to an adoptable standard and approved by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) as shown on drawing 1009/6/U/2 Dated December 2020. The development shall be carried out in accordance with the approved details.

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.

- 8 No development shall commence until the access, including the footway and/or verge crossing has been constructed and lines of sight of 2.4 metres by 43 metres have been provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

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.

Drainage

- 9 No development shall commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. This shall include details of the proposed Sustainable Urban Drainage System (SuDS), and should provide the following:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.

- Provide a management and maintenance plan for the lifetime of the development

The development shall be carried out in accordance with the approved details.

Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) 2011 policies CS19 and DM10 and the National Planning Policy Framework

- 10 In the event that public sewers are found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer have been submitted to and approved in writing by the Local Planning Authority. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- Reason:** To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) 2011 policies CS19 and DM10 and the National Planning Policy Framework.

Environmental Health – Noise and contamination

- 11 All air handling plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be attenuated so that the rating level of noise emitted does not exceed the criteria specified in Table 5.1 of Noise Impact Assessment dated 26/06/20 produced by Parker Jones Acoustics at any adjoining or nearby noise sensitive premises when measured according to BS4142: 2014+A1:2019. Details shall be submitted to the Local Planning Authority in writing before any plant is used on the premises to demonstrate compliance with this limit.
- Reason:** To ensure the residential amenity of the property is not impacted upon by any external noise levels and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 In the event that any suspected contamination* is encountered during groundwork (*obviously contaminated / stained or discoloured soil / groundwater, or any buried waste materials not assuredly comprising non-harmful construction materials); works in affected areas of the site shall STOP until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;
- 1) Investigation in the vicinity of the suspect material, sufficient to characterise its nature, likely extent & mobility,
 - 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
 - 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability
- All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A) A written statement confirming that no suspected contamination was identified during development, OR;

B) Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Made Ground of unknown origin is present across the site which has not been adequately characterised. There is a risk that the made soils may be variable in nature, and could include material which poses a risk to future occupiers of the site. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework

Ecology

- 13 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Appraisal (FPCR, November 2020), and bat emergence report (HES, July 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological mitigation, compensation and enhancement measures shall be retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 14 No development shall commence until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall demonstrate how artificial lighting has been minimised to avoid impacts to bat species, particularly at the southern and eastern site boundaries, and should be produced in accordance with the ecologist's recommendations. Development shall then proceed in strict accordance with approved details.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Archaeology

- 15 No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 Following completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Nutrients

- 18 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the emerging Havant Borough Local Plan.

- 19 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having

a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the emerging Havant Borough Local Plan.

Sustainability

- 20 Unless otherwise agreed in writing prior to the occupation of the care home hereby permitted, written documentary evidence proving that the development has achieved at minimum a level of 'Excellent' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) and policy E12 of the emerging Havant Borough Local Plan.

Appendices:

- (A) Location Plan
- (B) Layout/site Plan
- (C) Proposed North elevation
- (D) Proposed West elevation
- (E) Proposed South elevation
- (F) Proposed East elevation
- (G) Proposed street elevation
- (H) Proposed Section – Neighbouring building
- (I) Landscaping plan