

The proposal has been subject to extensive review and consultation. The application is supported by specialist reports and plans in respect to the key issues, including landscape impact, ecology, highways and drainage. The site is within flood zone 1 (lowest flood risk) and is not covered by any nature conservation designations but does contain some Tree Preservation Orders (TPOs). The impact on neighbouring residents has been considered in detail and is considered acceptable.

Following consultation with the Highways Authority, the Local Lead Flood Authority and Southern Water it has been concluded that the development would not have a significant adverse cumulative impact on the highway network and would provide an acceptable drainage solution (subject to conditions).

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 includes a package of measures based on the suggested scale of mitigation in the Position Statement on Nutrient Neutral Development.

To conclude, there is an existing extant care home planning permission, the current proposal increases the number of beds from 64 to 78. 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 assessed as suitable for housing and is included in the Housing Delivery Position Statement. As such these matters should be given substantial weight. In assessing the proposal (including associated evidence) against the adopted Local Plan, the National Planning Policy Framework (NPPF), 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 subject to confirmation from Natural England that the Habitats Regulations Assessment/Appropriate Assessment is agreed.

1 Site Description

- 1.1 The application site is approximately 0.63 hectares in area and lies to the south of Bartons Road and to the north of a new housing development by Bellway Homes 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 (which is divided into flats). Further to the west lies Eastleigh House, which is a grade II listed building. Within the former grounds of Eastleigh House is a relatively recent development of Eastleigh Mews and The Stables. To the east of the site lies 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, there are two trees subject to Tree Preservation Orders (TPO's) within the site. The land falls notably by approximately 3m from its northern to southern boundaries.
- 1.3 The application site lies outside the built-up area boundary in an area previously proposed for allocation for housing in the now withdrawn Havant Borough Local Plan 2036 through Policy H25 – Helmsley House. The application site currently forms part of a wider site identified within the Housing Delivery Position Statement where the Council accepts the principle of development.

2 Planning History

This site:

APP/20/00761 - Erection of a 64 bed older persons care home (Use Class C2) together with construction of new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure.(31.03.21).

Request to discharge condition 20 (21.05.21). Request to discharge condition 15 (received 14/06/2022).Request to discharge conditions 6,7,9,14,16 and 17 (03.10.22). Request to discharge conditions 6 & 7 with amended documents (22/05/2023)., PERMITTED,31/03/2021

***Officer Comment:** This application was considered at the Development Management Committee meeting of the 25th February 2021. This planning permission remains extant and is a material consideration in the determination of the current planning application.*

Adjacent Sites:

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 175No. 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

APP/19/00151 - Variation of S106 Agreement., Permission, 20/12/2019

APP/20/00080 - 1No. Cedar - remove no more than 2-3m off the southern side lower branches to give clearance of property (Helmsley House), subject to TPO 0853., Permission, 01/04/2020

3. Proposal

- 3.1 Erection of a 78 bed older persons care home (Use class C2) together with construction of new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure.
- 3.2 The proposed development is for a 78 bed older persons care home. The application is for the same form of older persons care as previously approved (targeted towards dementia needs with varying levels of acuity) falling within use class C2 use and regulated by the Care Quality Commission) (CQC) providing 24 hour care for a range of residents. In addition, the application proposes the construction of a new access road from Normandy Way to the east, car and cycle parking, drainage works, hard and soft landscaping and other associated infrastructure. The facility would provide ensuite bedroom accommodation using the smaller cluster of bedrooms in a "Household Model" design concept with generally 8-bedroom wings which would be self-contained and secure. The applicant has stated that the scheme would exceed the minimum standards expected by the CQC.

- 3.3 The facility would be self-contained with on-site facilities including various communal spaces, café, multiple lounges and dining rooms, shop, resident activity space, hair salon and treatment Room. There is a commercial kitchen and Laundry. There are communal balconies and external patios. Externally, there would be landscaped grounds providing natural growing areas, sensory garden, courtyard garden and a seating area etc.
- 3.4 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 at the lower ground floor level one set of 14 bedrooms and on the Upper Ground and First floors two sets of 16 bedrooms. The staffing and communal facilities would then be provided mostly within the central link that connects the two wings and at Lower Ground floor level to the northern section. 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.
- 3.5 The building is proposed to be part two/part three storeys in height, however in respect of the three storey element the lower ground floor would be set into the north to south slope which would significantly reduce the apparent overall height of the building. The building would have a central north-south spine with projecting wings to east and west. The roof would incorporate a significant sloping pitch with a concealed flat roof behind allowing for the utilisation of Solar Photovoltaic (PV) and green roofs. The external walls of the building itself would be constructed predominantly in red brick with elements of vertical grey tile hanging. The pitched roofs would be covered with plain grey tiles and southern roof slopes would also incorporate PV's. It is noted that the residential development to the south also incorporates brick and tile hanging and includes grey roof tiles.
- 3.6 The building includes elements of fully pitched roofed, gables and contrasting materials and terraces to the southern elevation which help to provide articulation and interest breaking up the apparent mass and bulk of the building further.
- 3.7 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 screen the development from the south.
- 3.8 Pedestrian and vehicular access to the development is proposed to be achieved by taking a new access off the relatively recently constructed but currently un-adopted Normandy Way to the east that provides access to the residential development 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 be likely to see it adopted in the future. 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 development of the wider site identified within the Housing Delivery Position Statement.

4 Policy Considerations

National Planning Policy Framework

Whilst the scheme is contrary to the adopted 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 adopted development plan.

Core planning principles include;

- Delivering a sufficient supply of homes.
- Achieving well-designed and beautiful places and a good standard of amenity and open space.
- Conserving and enhancing the natural environment and reducing pollution.
- Promoting healthy and safe communities.
- Protecting biodiversity, hydrology and areas of flood risk.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires a local planning authority determining a planning application to have regard to the provisions of the development plan, so far as it is material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Development Plan for Havant Borough (excluding Emsworth) 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 considered particularly pertinent to the determination of this application:

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
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)
DM6	(Coordination of Development)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

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

Emsworth Neighbourhood Plan Post Examination Version 2020

Not Applicable.

Housing Delivery Position Statement

The Housing Delivery Position Statement was adopted by the Council on 16 March 2022, and is a material consideration in the determination of this application.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

5 Statutory and Non Statutory Consultations

During the course of the consideration of this application a number of consultation and re-consultation responses have been received in relation to the proposed development. Set out below in Part 5 are the latest responses received. Earlier responses are generally set out in **Appendix M**.

Arboriculturalist HBC

Final Comments:

RECOMMENDATION: No objection, subject to conditions

Reasons for Recommendation: The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The site previously received planning permission for a care home (APP/20/00761) and the current proposal seeks to amend the plans to increase the number of beds with additional accommodation on the southern wing of the H-shaped building.

The revised scheme would not alter the impact to trees subject to a Tree Preservation Order, and although the development would involve the loss of many trees, this was agreed with the previous application (APP/20/00761). Appropriate replacement planting and landscaping should be secured by a condition.

The supporting information outlines the tree protection measures to be delivered in accordance with the relevant British Standards and these measures should equally be secured by condition.

Recommendation:

No objection subject to the following conditions;

a) Pruning works: Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

b) Tree protection measures: The development hereby permitted shall only be carried out in accordance with BS5837:2012 and the Arboricultural Impact Assessment Method Statement and Tree Protection Plan (TH3923) provided by Trevor Heaps Arboricultural Consultancy Ltd.

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

c) Landscaping: A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the hereby approved development. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance and to safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies CS16 and DM8 of the Havant Core Strategy (2011) and the National Planning Policy Framework.

Building Control, Havant Borough Council

This work will require a Building Regulation application.

A public sewer does cross near to this site so consultation with SWS would be recommended to ensure necessary agreements are put in place.

Compliance with Approved Document B Section 5 Fire Authority access.

Location of bin stores regarding refuse collection should comply with Approved Document H regarding carrying of waste to collection point.

Refuse location in stairwell enclosure should be considered regarding required clear area.

Other issue will arise once application plan check undertaken regarding possible shading to area / rooms via windows.

Community Infrastructure HBC

No comments received

Conservation Officer HBC

The proposed amendments to APP/20/00761 would not constitute a significant enough design change (in terms of scale and location) that would trigger the need for a new and revised heritage statement and no heritage concerns are raised with regards to the revised application.

Councillor Gillian Harris

No comments received

Councillor Imogen Payter

No comments received

Councillor Phil Munday - St Faiths

No comments received

Countryside Access Team, HCC

Consultation response: General information, no comments specific to application.

Thank you for consulting Hampshire Countryside Service (HCS) as Highways Authority regarding Public Rights of Way (PROW) and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire. Please accept this as our response to the above application, taking into account the material considerations relating to PROW, Commons and impacts to Hampshire County Council (HCC) Country Parks and Countryside Sites.

There are specific legislative requirements for the Highways Authority, Planning Authority, Developers and Landowners with respect to the PROW network. Where no changes are proposed to Public Rights of Way, the Planning Authority shall be aware of the following, and we request that the applicant is made aware of the following requirements through informatives where appropriate.

Informatives:

1. Where Public Rights of Way are close to application sites or are used for access to the development site, they must be shown on the submitted plans with details of how they will be accommodated within the proposals. Government guidance requires that applications should not be validated unless such information has been submitted.
2. Nothing connected with the development, or its future use, shall have an adverse effect on the Public Rights of Way, which must always remain available for safe public use at all times.
3. No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works, use, or occupation of the development, shall be left on or near to a Public Right of Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the PROW at all times.
4. The grant of planning permission does not entitle developers to obstruct a public right of way. The diversion or stopping up of footpaths, bridleways and restricted byways is a separate process, which must be carried out before the paths are affected by the development. It cannot be assumed that because planning permission has been granted that an Order under section 257 of the TCPA (1990) will invariably be made or confirmed. Development, in so far as it affects a PROW, must not be started and the PROW should be kept open for public use, unless or until the necessary order has come into effect.
5. All vehicles that would be legitimately accessing the site via a Public Right of Way should give way to public users, which could include horse-riders and cyclists, at all times. In cases with legitimate vehicular access a Construction Traffic Management Plan (CTMP) should be submitted to, and approved by, Hampshire 2 Countryside Service as Highways Authority prior to any approval by the Planning Authority, and prior to commencement, to ensure the protection of public safety.

6. There must be no surface alterations to a Public Right of Way without the consent of Hampshire County Council as Highways Authority. Planning permission under the Town and County Planning Act (1990) does not provide this and separate consent is required. To carry out any such works without this permission would constitute an offence under Section 131 of the Highways Act (1980).

7. No works to the surface of the Public Right of Way shall be carried out without prior approval of the HCS Area Countryside Access Manager. Any damage caused to the surface of the Public Right of Way by construction traffic will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.

Officer Comment: It is noted that there are no Rights of Way adjacent to the site.

County Archaeologist HCC

Archaeological concerns were raised when application 20/00761 was submitted at this site. The applicant subsequently submitted the results of an archaeological evaluation which did not encounter any substantive archaeological remains. On that basis the current submitted Heritage Statement suggest that the site has no archaeological interest. I would concur and would not raise any archaeological issues.

Southern Water

Final Comments:

The comments in our response dated 10 October 2023 remain unchanged and valid for the amended details.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Original Comments:

Please see the attached extract from Southern Water records showing the approximate position of our existing surface water sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

- The 375 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

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

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

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 sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The assessment indicates that there is currently sufficient theoretical capacity within the Southern Water surface water network between manhole reference SU73074850 and SU73073550 to accept the proposed discharge. Further downstream the network connects into a private network (listed as highway drainage) which is not the responsibility of Southern Water. Should further consideration be given to discharging to this sewer network then the downstream connectivity will need to be confirmed and relevant stakeholders consulted.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents
ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS

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 consent of the Highway Authority will be required for the proposed discharge to the Highway drain.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning

Authority in consultation with Southern Water.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Ecologist HBC

The application is accompanied by an Ecological Appraisal (FPCR, July 2023). This document includes details of ecological surveys carried out at the site in 2023, as well as reference to previous surveys from 2020. The site comprises primarily agriculturally derived species-poor grassland and taller herbage with boundary hedging, trees and areas of woodland.

The ecological appraisal includes details of a Biodiversity Net Gain assessment. The BNG assessment does not include a submitted BNG Metric spreadsheet but only a PDF version of it. Given that BNG is not yet mandatory there is no legal obligation to demonstrate a specific percentage of gain and therefore the absence of a completed Metric spreadsheet in Excel format is not a reason for refusal. Once BNG becomes mandatory, all submissions must include a completed spreadsheet in Excel format. In addition, due to the loss of a medium distinctiveness habitat (in this case Other Neutral Grassland) the Metric trading rules are not met (in essence, the loss is not compensated). This would, once BNG becomes mandatory, be a reason for invalidation unless a bespoke solution was subject to prior agreement with the LPA. In this instance, I cannot object to the submitted BNG assessment. I am broadly content that efforts have been made to offset this loss with a range of different habitats embedded across the development site.

In terms of protected species, the surveys have concluded that the site supports a range of foraging/commuting bat species typical of a semi-rural site in southern Hampshire. As well as common and widespread species, the surveys highlight the regular presence of Western Barbastelle and mouse-eared (*Myotis*) bat species. 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. Whilst there is no indication that Bechstein's bats are constraint at this site in particular, there is sufficient justification for assuming that the species is likely to occur on occasion and that the site forms part of a much larger fabric of suitable sites across the wider area. The key potential impacts on bats will occur through general habitat loss and the presence of new lighting. Existing tree lines are to be retained and new tree and scrub plantings are included in proposed landscaping alongside a range of native and ornamental planting areas. The submitted lighting plan (Kingfisher, June 2023) is in broad accord with the previously acceptable lighting plan and is therefore satisfactory. The site has been shown to support Slow-worms and it is proposed to retain sufficient habitat within the site for this population.

Overall, I am content with the level of information submitted in respect to habitats and species and consider that the stated mitigation measures are acceptable. In terms of compensation and enhancement, the proposed landscaping includes a sizeable green roof comprising both Sedum and native vegetation sections. This is most welcome. In addition, the layout includes areas of wildflower grassland, native hedging, native tree/shrub species and more formal areas of ornamental plantings. Given the nature of the proposed development these measures are acceptable. The ecological appraisal also includes recommendations for other ecological enhancements such as bat and bird boxes, and bug 'hotels'. I welcome the inclusion of these measures and would therefore request that firm details of such are provided prior to commencement.

If you are minded to grant permission, can I suggest that all ecological avoidance, mitigation, compensation and enhancement measures are included within a single, comprehensive Ecological Mitigation, Compensation and Enhancement Strategy.

Prior to the commencement of any development activities, an Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall be in accordance with the outline ecological measures detailed within the Ecological Appraisal (FPCR, July 2023) and shall include (but not necessarily be restricted to): full details of all ecological avoidance and mitigation measures; full details of all ecological compensation and enhancement measures, including location, composition, establishment and ongoing management and responsibilities. Reason: to protect and enhance biodiversity in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Environment Agency

No comments received

Environmental Health

Observations / Comments:

I have read the relevant documentation provided by the applicant and can advise as follows: This office has no objection in principle to this application.

However, as there are residential receptors within close proximity to the proposed site, who may be affected by the site clearance, excavation and construction phases of this development, I would ask that should the Local Planning Authority view this application favourably, that the following conditions and informative, be included in any approval decision notice:

Condition 1: Noise

The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, and conform to the measures as recommended in the Noise impact assessment dated 19 April 2023 Rev 1 and produced by Parkerjones Acoustics. Similarly for any potential mechanical plant associated with the development, an assessment in accordance with BS 4142:2014, has provided that a noise rating level limit of 40 dB and 30 dB LAeq for the day and night-time periods respectively, should not be exceeded at 1m outside of nearby residential windows on and off site.

Reason: To ensure the amenities of nearby residential receptors external to the proposed care home and also future residents of the home, are not impacted upon by any external noise levels and having due regard to policies CS16 and DM10 of the

Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

Condition 2: Construction Environmental Management Plan

The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The following should be added to any CEMP submitted and should be in operation for all phases of the development i.e. demolition, excavation, clearance and construction: The plan should include, but not be limited to:

- a. Procedures for maintaining good public relations including complaint management, public consultation and liaison, and site management contact details.
 - b. Arrangements for liaison with the Council's Pollution Control team.
 - c. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
 - d. Deliveries to and removal of materials, plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - e. Details of measures to be employed to control the emission of noise during the above phases to be provided. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria.
 - f. Procedures for emergency deviation of the agreed working hours
 - g. Measures for controlling the use of site lighting during all phases, whether required for safe working or for security purposes, to ensure no impact on any nearby residential receptors.
 - h. Control measures for dust and other air-borne pollutants. It should advise as to what measures are to be put in place for the control of any dust that might emanate from the development site. Furthermore the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities, and also the IAQM Guidance on the assessment of dust from demolition and construction 2014. It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also be kept damp at all times.
 - i. No bonfires to take place on the site at any time.
 - j. A scheme for recycling/disposing of waste resulting from excavation and construction works is to be implemented.
- Reason:** To minimise disturbance to all nearby sensitive receptors and to ensure the amenities of the surrounding occupiers are not unduly impacted upon, during all phases of the development.

Condition 3: Piling

If piling is to be undertaken on this site, the least intrusive noise and vibration method of piling shall be employed at this site. This should be accompanied by a justification as

to the reasons why a particular piling method has been chosen, and additionally the proposed mitigation methods to be employed, to ensure minimal impact on nearest residential receptors during this activity.

Reason: To ensure the amenities of nearby residential properties are not impacted upon by any external noise or vibration levels during any piling operations, and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

Informative: External Lighting:

It would appear from the submitted Lighting plan dated 29 June 2023 and completed by Kingfisher Lighting, that there should be limited, if any, impact on neighbouring properties. However if complaints should happen to arise after completion, advising of light spill / nuisance impacting on residential receptors, this will be investigated under the relevant nuisance legislation, & the developer / applicant may thereafter be required to carry out any remedial measures necessary to mitigate the problem.

Hampshire Biodiversity Information Centre

Adjacent Priority Habitat – Lowland Mixed Deciduous Woodland.

Hampshire Constabulary

No comments received

Hampshire County Council, County Minerals

No comments received

Hampshire Highways

Final Comments:

In response to previous comments raised by the Highway Authority dated 10 January 2024 the applicant has submitted a revised package of drawings which the Highway Authority have reviewed and have the following comments to make.

Stage One Road Safety Audit (RSA1)

The only outstanding matter of the RSA1 was item 8.2 relating to visibility splays at the site access. The Highway Authority are satisfied that this matter is now resolved which is discussed further within this response.

Site Access

2.4m X 30.0m visibility splays have been shown at the site access on both the landscaping plan and site layout plan within drawing APL003 Rev N and APL004 Rev H respectively. This overcomes audit problem 8.2 of the RSA1.

The distances do not accord with HCC TG3; however, the splays are drawn to the junction of the spur road to Normandy Way to the right and to the redline boundary to the left. No further amendments are therefore required, and the Highway Authority are satisfied that appropriate visibility can be achieved at the site access.

Internal Layout

The incorrect use of corduroy paving has been removed which from the site plan (drawing APL003 Rev N), with corduroy paving now only present at the top and bottom of the steps. This is agreed.

Refuse/Serviceing

All tracking drawings have been updated confirming vehicle speeds of 7mph. This is considered an appropriate speed for the context of the development. The Highway

Authority are content that this does not impact the previously agreed tracking for the fire tender, ambulance and delivery vehicle as shown within drawing 0513 Rev 4, 0514 Rev 3 and 0515 Rev 3 respectively.

Drawing 0512 Rev 4 shows the ability of a car to pass a refuse vehicle when refuse collection is being undertaken. Whilst it is unlikely that the refuse will be positioned exactly in this location, there are opportunities to pass within the internal road network. This is therefore agreed. The applicant has confirmed that the refuse store falls within the required drag and carry distances as laid out within Manual for Streets. This is noted.

Drawing 0516 Rev 1 shows a delivery vehicle and ambulance accessing and egressing the servicing bay. The servicing and drop off bay have been merged into one to ensure appropriate access and egress of these vehicles can be maintained on a level surface. This is noted. The ambulance is shown to slightly overhang the allocated bay however this would not impact on the operation of cars being able to utilise the access road and therefore does not provide an operational or safety concern.

Tracking for a car to access the drop off bay has still not been provided, however, the Highway Authority are satisfied that this no longer needs to be provided as the larger delivery vehicle can access this bay appropriately.

The applicant has confirmed that the fire tender can access the building in line with the required distances needed to meet building regulation requirements.

Parking Provision

Tracking for a standard size car to access parking space 02 has been shown within drawing 0517 Rev 1. The Highway Authority are satisfied that a car can access and egress this space appropriately. The planting in this location has also been altered to increase the available visibility for vehicles accessing the site to see vehicles manoeuvring into space 02 appropriately.

The applicant has confirmed that the cycle spaces proposed within the refuse store are for staff. Additionally, the cycle spaces abutting the Care Home itself are to be sheltered and drawing APL003 Rev N has been annotated appropriately to state this. This is agreed.

Levels

The levels within the site have been revised to provide a 1:20 gradient for the ramp in the southern parcel of the site. This gradient is in accordance with the inclusive mobility standards and the applicant has confirmed that this complies with the building standards. This is agreed. Finer details on the proposed levels will be secured through an appropriate planning condition to be agreed prior to commencement.

Recommendation

Having regard to the above the Highway Authority provide no objections to this planning application subject to the following conditions:

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- a) A programme of and phasing of demolition (if any) and construction work;
- b) The provision of long-term facilities for contractor parking;

- c) The arrangements for deliveries associated with all construction works;
- d) Methods and phasing of construction works;
- e) Access and egress for plant and machinery;
- f) Protection of pedestrian routes during construction;
- g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
- h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality and in the interest of Highway Safety

Prior to commencement of development, the construction of the site access works onto Normandy Way

Reason: To ensure appropriate access is available during construction, in perpetuity to access the Care Home and in the interest of Highway Safety.

No development shall start on site until the care home access, including the footway and/or verge crossing shall be constructed and lines of sight provided in accordance with drawing APL003 Rev N and APL004 Rev H. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety.

Prior to commencement, final details regarding the levels and drainage strategy for the site to be submitted to and agreed in writing by the Planning Authority for approval in consultation with the Highway Authority, and for the levels and drainage strategy to be implemented in accordance with the approved plans

Reason: In the Interest of highway safety

Housing HBC

No comments received

Landscape Team HBC

Final Comments:

There does not appear to be any significant amendments to the soft landscaping plan from the previous submission so I have no further comments. Recommend to condition drawing no. M9437 APL004 to ensure this proposed design is implemented.

Further Comments:

The amended proposed landscape plan is more in line with the approved layout and is deemed acceptable.

Local Lead Flood Authority HCC

Final Comments

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application in our role as statutory consultee on surface water drainage for major developments.

This response does not reflect the position of Hampshire County Council as the Highway Authority. If there is a potential for the drainage features to be offered for adoption, this will need to be discussed separately with Highways development planning as they might not be considered acceptable by the Highway Authority.

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

The County Council has reviewed the following documents relating to the above application:

- Flood Risk Assessment and Drainage Statement, Issue C (Infrastruct CS Ltd, 17/10/23)

We consider that the information provided is sufficient to address our comments and as such we have no objection to this application.

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

Natural England

No comments received.

Officer Comment: *Natural England have been consulted in relation to the Habitats Regulations Assessment and Appropriate Assessment and members will be updated in relation to any comments received in advance of the Planning Committee. The recommendation below is subject to Natural England's comments.*

Norse South East, Operations Director

No comments received

Nutrient Team

The nutrient budget that you completed is correct, the applicant needs to change the occupancy rate to 1 and then change the number of units to 78. This means that the nutrient budget aligns with the application description.

In terms of mitigation the letter the applicant has sent us does not prove they have reserved the credits but instead states that the mitigation provider has capacity for the development.

Therefore, in order for us to complete a HRA/AA for the application the applicant will either need to reserve the credits and provide evidence that they have been reserved at which point a Grampian condition will be imposed on the application for them to purchase the credit prior to commencement, or the applicant can purchase the credits up front now for us to then undertake the HRA/AA without a condition being imposed.

Officer Comment: *The necessary amendments have been made to the nutrient budget, nutrient credits have been reserved using the Warnford Scheme and a Grampian Condition is required. Details of the required condition are being checked with the Nutrients Team.*

Planning Policy

Final Comments

This is a re-consultation request as the applicant has submitted further information in relation to BREEAM standards including a development quality standards checklist.

It is important to note that whilst further assessment has been given below this is only in reference to the design and BREEAM standards. The previous comments submitted in October 2023 are still relevant and should be used in any response given to the applicant.

Additional Information

Development Quality checklist

The Councils Housing Delivery Position Statement Principle 5 requires a development standards quality checklist to be submitted by the applicant.

A development standards quality checklist has now been submitted and outlines how the requirements of good quality design shall be achieved within the proposal. The detail of this needs to be assessed against and alongside the applicants plans, additional drawings and any supporting statements to ensure full compliance in this area. It is recommended that the case officer completes this assessment and addresses this area in the application.

BREEAM

Policy CS14 for 'Efficient Use of Resources' requires residential development to meet level 3 of the code for sustainable homes, multi occupation homes and non-residential development over 500sqm should be BREEAM standard 'very good' on completion, unless proven to be financially or technically unviable. In this case, it is noted that a C3 use is proposed which is multi occupation home. **Officer Comment:** *The use class is C2 (Residential Institutions).*

Under criterion i. of the Decision Making Principle 5 which refers to the requirement for the development to achieve a reduction in Co2 emissions of at least 19%, the submitted development quality standards checklist states 'Not applicable to C2 care homes however BREEAM Excellent standard targeted.' In this case a Class C2 use is proposed, and therefore it is agreed that the BREEAM standard is the relevant standard for the scheme to be assessed. A BREEAM Excellent standard is above what policy would require and is encouraging to see within the proposal.

Nevertheless, the submitted BREEAM report gives a detailed breakdown of where these measures could be included and it is considered that a 'Very Good' standard as confirmed in this report would meet with the requirement as stated within policy CS14. This standard and document should be conditioned as part of the application by the case officer. However, in the event the applicant wishes to achieve an 'Excellent' BREEAM rating, a revised BREAAM assessment should be submitted.

Original Comments

This application follows a general enquiry which was submitted in May 2023. The applicant has an existing planning permission for a 64 bed care home under APP/20/00761. Since the planning permission was granted in 2021 the Havant Borough Local Plan has been withdrawn from examination. Therefore, the policy status is different to that of when the proposal was originally assessed.

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough.

The Council's Housing Delivery Position Statement is therefore of relevance to the application proposals which was adopted by the Council on 16 March 2022, which is a material consideration in the determination of this application.

The following policies in the adopted Local Plan are of particular relevance:

CS9- Housing

CS17- Concentration and Distribution of Development within the Urban Areas.

AL2- Urban Area Boundaries and Undeveloped Gaps between Settlements

CS14 - Efficient use of resources

CS21- Developer Requirements DM6- Coordination of Development

DM7- Elderly and Specialist Housing Provision

DM8- Conservation, Protection and Enhancement of Existing Natural Features

DM10- Pollution

DM14 - Car and Cycle Parking on Development (excluding residential)

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

Relevant Supplementary Planning Documents:

Havant Borough Council Parking SPD (July 2016)

Principle of the proposed development

In 2021 planning permission was granted for a 64 bed care home to be built on the site. This permission was given due to the previously withdrawn HBLP being afforded weight in the decision-making process because at that time, it was approved at pre-submission stage in 2019 and Helmsley House formed part of a housing allocation under policy H25.

The HBLP has now been withdrawn from examination which means any current assessment must be based on the Adopted Local Plan as above.

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, the previous planning permission granted on the site represents a material consideration which should be afforded weight accordingly.

Under Decision Making Principle 2 of the Havant Borough Council Housing Delivery Position Statement, Helmsley House HB12 is listed as a site where the principle of development is accepted.

The application seeks to increase the 64 bed care home to a 78 bed care home and taking into account the above, the principle of development is supported alongside the increased number of units, subject to other material considerations.

5 year supply

Following the receipt of the Inspectors' Interim Findings Report, the Council's Five Year Housing Land Supply Update (March 2023) indicates the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF).

It does not follow that planning permission should automatically be permitted for development which would boost housing supply. However, permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

In this case weight must be given to the units that would contribute to the Borough's supply on a proportionate basis, equivalent to 1.8 persons. It should also be noted 64 of the 78 bedrooms are already included in the Borough's five year housing land supply position.

Decision Making Principle 5- Development Quality

Within the Housing Delivery Position Statement decision making principle 5 is relevant. This principle outlines set criteria development is expected to achieve and the Council will give substantial weight where proposals demonstrate compliance with these development quality standards.

Within this principle point 2.34 expects developers to include a 'development quality standards checklist' clearly setting out in table form their compliance with the requirements of decision making principle 5. A template checklist is available on the Council's website and this would be expected to be submitted for further assessment and review.

Development Considerations

- CS16- High Quality Design including responding and drawing inspiration from and respecting local context, producing a positive relationship between buildings and contributing to the public realm.
- CS14- Efficient Use of Resources requires major areas of development to ensure that onsite renewable energy production and resource efficiency is maximised. Residential development should meet level 3 of the code for sustainable homes, multi occupation homes and non-residential development over 500sqm should be BREEAM standard 'very good'. Improvements to these standards will be encouraged and particular attention should be paid to water efficiency measures.
- 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.

HRA and Nutrient Neutrality

This will need to be assessed and reviewed following the latest application. It is advised the case officer consults with the nutrient neutrality team regarding this.

Conclusion

The development is not supported by the ALP however, the planning permission is a material consideration and should be afforded weight accordingly. In addition, the general direction of the new 'building a better future plan' seeks to support for specialist accommodation to meet growing needs. It is considered therefore that the principle of this development and the increased addition of 14 units is supported, subject to other material considerations and the development quality standards checklist being completed.

Portsmouth Water

Final Comments:

The catchment Management Team have reviewed the revised documentation and have the following comments.

Portsmouth Water has no objections to the proposed development. Our comments dated 9th October 2023 remain valid.

Original Comments:

The catchment management team have reviewed the application and have the following comments. Our response is based on review of the following documents:

COVER_LETTER-1833982

FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY-1833786

FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY-1833787

FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY-1833788

FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY-1833789

PLANNING_STATEMENT-1833985 PROPOSED_DRAINAGE_AREAS-1833824

PROPOSED_DRAINAGE-1833823 PROPOSED_SITE_PLAN-1833804

Site Setting

The site is located in Source Protection Zone SPZ1c for the Havant and Bedhampton Springs, an essential public water supply source. The SPZ1c relates to subsurface activity only, where the chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities such as deep drainage solutions, site investigation boreholes and/or pilling may pose a risk to groundwater quality at the Havant and Bedhampton Springs.

Portsmouth Water's Position

Portsmouth Water has no objections to the proposed development.

Drainage

The proposed surface water drainage strategy is a sustainable urban drainage system, of shallow attenuation basins discharged into surface water.

If there is no drainage by deep bore soakaway systems then Portsmouth Water have no further comments on the surface water drainage strategy. If, however, there is deviation from the proposed and deep bore soakaways are considered we wish to be further consulted as we have a presumption against deep bore soakaways at this location.

The proposed foul water drainage strategy is the connection to an existing main sewer system. We have no further comments with regards to the foul water drainage strategy.

Water Efficiency

Portsmouth Water encourage local planning authorities to consider higher standards of water efficiency in new developments, with all new homes being built to a minimum standard of 100 litres per person per day. Planning policy can help to ensure long-term sustainability and management of water supplies, which is likely to reduce the need to take less water from the environment to protect local streams and rivers and the wildlife which rely on them.

For developments that can demonstrate meeting high standards of water efficiency of no more than 100 litres per head per day, Portsmouth water offer an incentive of a 50% discount on the Infrastructure charge. Based on a development of 200 properties with an occupancy of 3 people per property, there will be a minimum saving of 15,000 litres per day. The guide would benefit covering the importance of water efficient developments and to recommend this for all new dwellings'

South Eastern Hampshire Clinical Commissioning Group

This application has been reviewed from a primary care perspective and the response has been informed by the Health Contributions Approach which was jointly prepared with NHS England.

The GP surgeries within the catchment area that this application would affect, currently have sufficient infrastructure capacity to absorb the population increase that this potential development would generate.

However, due to the nature of the planning process, please be advised that this response from NHS Hampshire and Isle of Wight is a snapshot of the infrastructure capacity assessment at the date of this letter. Should there be any change to this position, as a result of any current planning applications that may or may not affect the capacity of Homewell Curlew Practice, The Bosmere Medical Practice, Emsworth Medical Practice and Blossom Health (The Saunton Surgery) being approved prior to a final decision on this particular development, then this will potentially initiate a further review of the NHS's position. Such factors could include but are not limited to:

- Increases in the patient list size which then exceed the GP surgeries capacity during the period between this application being validated and prior to a planning decision
- Consideration for future 'consented or commenced' planning applications that lead to an increase in the patient list size which then exceed the existing GP surgeries capacity during the period between this application being validated and prior to a planning decision.

Therefore, at this stage, it is important to highlight the NHS reserve the right to re-assess and respond to this application at any time, as a result of any planning application(s) received and approved subsequently by the Council that will have an associated impact on the assessed GP surgeries linked to this application, which in turn, could have the potential to initiate an NHS contribution request in accordance to regulatory and legislative obligations. With this in mind, whilst at this time there is no requirement for a Section 106 contribution towards NHS Primary Care infrastructure from this application, as a contingency, we would recommend you take this into consideration, factoring in an estimated sum of £680 per dwelling towards NHS Primary Care infrastructure to any viability assessments.

Waste Strategy Team Leader, Community Group

No comments received

6 Community Involvement

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

Number of neighbour notification letters sent: 16

Number of site notices: 3

Statutory advertisement: 29/09/2023

Number of representations received: 16

14 Comments objecting to the proposal.

2 Neutral comments from Havant Climate Alliance / Havant Friends of the Earth and Hampshire Swifts

Objections:

Principle:

Not against principle – would consider supporting smaller scheme.

Understand increased need for care homes - wrong place for such a large care home.

Scale:

Against size, height, number of bedrooms

Visual – Home expected to be 3 floors. No building in area this high and trees will only partially block sight of building during summer months.

Expectation of this area being semi-rural; do we need to be placing 74 bed care home here?

Seems a very large and tall building considering surrounding area.

Building size overwhelming. 74 rooms/3 floors. No Infrastructure to support.

Proposal even larger than original home.

Reminds me of prisoner cell block H.

Extremely imposing and completely change outlook of this area of land.

Would not blend to what is becoming more of a residential area.

Does nothing to enhance surroundings for local residents already struggling with an unfinished housing estate and the prospect of years of building work in area.

Impact on Neighbours:

When bought house not told of plans for care home – would not have bought because of concerns. Picked for how quiet and private it was – will be taken away.

Noted close proximity of homes to south of site.

Height of building would mean we would lose our privacy in back two bedrooms and also see into our kitchen/snug area.

Would spoil our outlook at back and block light as were already North facing at back.

Road can't cope with visitors/staff coming and going day/night adding to noise level & car fumes.

Impact on privacy – development at elevated position compared to houses on Normandy Way so will overlook these.

At least top floor, perhaps middle floor very visible from houses on Normandy Way - those in the top floor of development able to see directly into gardens/bedrooms.

Privacy greatly reduced.

Minimal tree cover between site & Normandy Way -full aspect of the building will be in sight along with internal/external lights.

Highways/Parking

Lack of sufficient parking

Main concern parking, staff/visitors & health professionals, parking insufficient.

No yellow lines around estate – could cause carnage.

Use street to park – which lacks parking space as is.

28 spaces do not seem enough

Officer Comment: *33 spaces are proposed plus a service/ambulance and drop off bay.*

What is answer to parking problem?

Overspill parking risk.

Plan needs to be in place to stop visitors and staff parking in estate.

Double yellow lines and private parking for residents sign needed in Normandy Way.

Already difficult to drive down when people park in Normandy Way for funerals.

Normandy Way parking for residents/visitors very limited and parking on pavement – leads to narrowing roads/concern over emergency vehicles access to estate.

Damage to grass verge from parking concerns.

Access concerns

Junction Normandy Road / Barton's Road already becoming problematic with high traffic flows in recent months.

Flow of traffic – one road in/out which already has enough traffic.

Please reconsider another entry for the site off Barton's Road.

Levels of traffic care home will produce not consulted on – what are these figures?

Funerals in Crematorium lead to estate filled with cars, unfair to Brookvale residents.

More people in area, including delivery drivers- increased traffic in Normandy Way.

At peak times already difficult to leave site due to traffic – set to get worse with housing development next to Crematorium. Don't see how Travel Plan mitigates this.

Building site traffic/disturbance/mess to local roads and noise from large vehicles.

No public transport for those in home to get anywhere.

Officer Comment: *Residents will require a high level of care and would not be likely to independently leave the site.*

Bartons Road traffic already congested, estate next to Crematorium and care home will contribute to congestion.

Travel Plans - nearest bus stops Bartons Green and Southleigh Road – distance/topography/frequency issues. Not good enough for older people or workers on site.

Can Bartons Road route be explored?

Closest bus 10/15 minute walk route steep and wheelchair/aided users have no chance of getting to stop over bridge.

Bartons Road feels unsafe to walk along due to 40mph speed limit/high level of traffic.

Drainage

Located in surface water run-off pathway. Proposed surface water run off discharged by Bellway pipes are soakaways/existing drainage sufficient for increased flows?

Roadway becomes river when heavy rain falls. Check Bellway laid correct pipes.

Other Matters

Area could be used as play park or small field for growing community to use.

Impact on wildlife.

See stags and young deer around this area – shame they will have their home built on.

Put pressure on infrastructure around area.

Lack of shops, schools or healthcare facilities

Need reassurance construction will not cause disturbance to residents.

Officer Comment: Building works are time limited and a Construction Management Plan Condition is recommended to help mitigate impacts as far as possible.

Had 2 years of living on building site, another across road causing more traffic/delays. Loss of open space where there are regularly deer, bats and other wonderful wildlife. Many trees with conservation orders.

Officer Comment: TPO'd trees to be retained.

Neutral Comment (Havant Climate Alliance & Havant Friends of the Earth & Hampshire Swifts):

Overall

Support application overall but some areas of objection and concern.

Sustainable Design

Support proposals to achieve Excellent BREEAM rating to reduce carbon emissions.

Officer Comment: The application achieves BREEAM very good which meets the Councils adopted policy.

Design & Access statement refers to suitability of building for Solar PV, Solar Thermal and Air Source heat Pumps.

Look at what combination would achieve lowest CO2 rating.

Would also like Ground Source Heat Pumps to be considered as more effective than Air Source – cooling as well as heating.

Support Travel Plans & proposals for secure bike shed for staff & 4 EV charge points.

Support plans to retain most of the trees with addition of other native trees and hedgerows and wildflower grassland.

Green roof with sedum and native vegetation will add value although may be some conflict with need to maximise solar panels.

Officer Comment: Both solar panels and green roofs are proposed.

Should be some biodiversity net gain although site cannot be compared to housing development.

Important that trees and vegetation can provide varied habitat to support foraging, roosting and nesting bats seen in area as well as birds and other wildlife.

Proposals should be implemented for bird and bat boxes plus bug hotels.

Agree with Council's Ecologist that there should be an Ecological Mitigation, Compensation and Enhancement Strategy before works begin.

Outdoor amenity space for residents – would this available on all sides of building.

Although needs to be secure for patients with dementia – there is evidence that access to green space very important to people's sense of well being and can have calming effect. For those bed bound – seeing greenery outside window can be therapeutic.

Room sizes

Noted design of building and rooms based on advice from Stirling University Dementia Centre Design Services. However individual rooms look too small should we return to Pandemic situation with residents in rooms 24/7.

Look too small for wheelchair use-manoevrability would be difficult. Would like to see reduction in bed space numbers to enable larger room sizes.

Birds

If granted include a requirement for multiple Swift boxes (swift bricks) to BS standards. Integral swift boxes are universal nest bricks, readily used by Swifts, House Sparrows, Tits, House Martins and other crevice nesting bird species.

Integral swift boxes have many advantages over externally mounted boxes.

BS recommends at least 10 integral swift boxes for a development of this size.

Installation of nest sites for birds in keeping with national policy and

Swift, House Sparrow and Starling are all now red-listed because they are at high risk

of extinction – declines caused mainly by loss of nest sites on existing houses and new houses due to modern building techniques.

Swifts declined by 62 % in UK and by 70% in South-East 1994-2021. All these species readily use Swift bricks when integrated into new developments.

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 (as amended).

7.2 The Council's assessment as competent Authority under those 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) 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 relates to a 78-bed care home (Use Class C2). In terms of the occupiers of the care home, the planning agent has confirmed that:

Unlike other forms of C2 use including housing with care, or Extra Care, an older persons Care Home provides 24hour, CQC-regulated care to elderly residents, who will neither own nor be able to drive private vehicles or indeed to leave the premises without supervision – indeed, staff will specifically need to be aware of residents' movements at all times.

As experienced specialist developers of care homes, we can confirm that the average age of residents entering such care homes is over 80 years of age, and the most likely reason for admission is that they are no longer able to care for themselves independently. The Care Home is designed to be self-sufficient, with all facilities in-house, with 'destination' facilities including cinema room, shop, hair salon etc, and with

providers coming into the facility to put on events. **Officer Comment:** A cinema room is not shown on the current layout.

Unlike older Residential care homes, the new facility will specialise in dementia care alongside nursing care, with heightened levels of acuity. It is therefore most unlikely that residents would be leaving the premises other than to attend for other medical needs, and never unaccompanied by staff.

- 7.6 In addition, the site is approximately 2.7km from the coast with significant gradients and transport infrastructure to negotiate in order to reach the coast from the care home. Accordingly, it is not considered that any patients will undertake visits to the coast. The facility would be self-contained with on-site facilities including various communal spaces, café, multiple lounges and dining rooms, shop, resident activity space, hair salon and treatment room. There is also a commercial kitchen and Laundry. There are communal balconies and external patios. Moreover, externally, there would be landscaped grounds providing natural growing areas, sensory garden, courtyard garden and a seating area etc.
- 7.7 The residents' bedrooms would not be self-contained accommodation – all the rooms would be ensuite bedrooms only, with no cooking or clothes washing facilities, and with all dining and lounge provision provided on a communal basis, so the residents would not be living in a self-contained manner. There would be no resident parking.
- 7.8 Furthermore, the proposed development would also not feature any on-site staff living accommodation.
- 7.9 For the above reasons, the care home development is not considered to require mitigation through the Solent Recreation Mitigation Strategy (SRMS) due to the nature and type of development, the distance and terrain from the site to the SPA, the type of residents who will be living at the establishment and the internal and external facilities for the residents. This approach is being assessed by Natural England and a consultation response is awaited.

Water Quality

- 7.10 The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA.
- 7.11 Natural England advises that there is a likely significant effect on the Solent European Sites due to the increase in wastewater from the new housing as a result of the Havant Borough Local Plan. Natural England also advises that any development proposed through any planning application providing overnight accommodation which would discharge into the Solent would be likely to cause a significant effect as there is uncertainty as new housing in the Solent catchment could have an adverse effect on the Solent's European Sites.
- 7.12 Natural England advise that there is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some designated sites. This causes eutrophication, which affects vegetation growth and food resources for qualifying species such that it affects the status and distribution of those species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites. The Partnership for South Hampshire (PFSH), Natural England (NE), and Environment Agency (EA) have been jointly working to develop an Integrated Water Management Strategy (IWMS). This examines

the potential for the PfSH region to accommodate future housing growth without having a detrimental effect upon the water environment. There is currently uncertainty as to whether there is sufficient capacity to accommodate the new housing growth.

- 7.13 Natural England recommends that any new proposals which include overnight accommodation have inevitable wastewater implications. These implications, and all other matters capable of having a significant effect on designated sites in the Solent, must be addressed in the ways required by Regulation 63 of the Habitats Regulations. Nonetheless, the existing use of the site can be taken into account and it is the 'net' nutrient emissions into European Sites that is critical.
- 7.14 This has been examined within an appropriate assessment and the existing nutrient and conservation status of the receiving waters has been taken into account.
- 7.15 As a result, there would be a likely significant effect to the Solent European Sites due to water quality and an appropriate assessment has been carried out.
- 7.16 Havant Borough Council has published a Position Statement and Mitigation Plan for Nutrient Neutral Development. This sets out how mitigation can be provided to enable development to take place within Havant Borough whilst avoiding any likelihood of a significant effect on the Solent European Sites.
- 7.17 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 nutrient load into European Sites via wastewater treatment works at Budds Farm. The calculations for this development site are part of the application case file.
- 7.18 Achieving a position where there are no net nutrient emissions into the Solent European Sites from this development involves the use of specific on-site avoidance measures as well as the use of a third party mitigation scheme. The Warnford Park Mitigation Scheme is proposed as mitigation for the development site. Natural England has confirmed that the scheme is appropriate for development draining to Budds Farm. This is due to Budds Farm being a coastal WwTW and the nutrients discharged from the long sea outfall are spread over a wider area due to water currents therefore a wider area can be considered for mitigation, page 27 of Natural England's methodology sets out the spatial suitability of mitigation schemes. In particular, paragraph 5.40 of the Solent Nutrients Guidance (v5 June 2020) details that mitigation affecting the River Meon can mitigate development draining to Budds Farm WwTW. The Warnford Park Mitigation Scheme will result in a reduction in nitrogen emitted into the Solent European Sites from the River Meon. As such, it represents a suitable mitigation scheme for this development.
- 7.19 A nitrate mitigation proposals pack has been provided to the Council and has been considered as part of the development HRA AA. The effect of this pack is to demonstrate that sufficient nutrient mitigation for the proposed development has been reserved subject to the grant of planning permission. A Grampian condition will need to be imposed should planning permission be granted.
- 7.20 The Council has entered into an overarching legal agreement with the mitigation land provider. This is necessary to secure this avoidance and mitigation package for the lifetime of the development in order to ensure that there will be no adverse effect on the integrity of protected sites as a result of development taking place which relies on

the Warnford Park scheme for its mitigation.

- 7.21 The Appropriate Assessment concludes that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the Solent European sites. The authority has concluded that the adverse effects arising from the proposal are wholly consistent with the effects detailed in the Position Statement and Mitigation Plan for Nutrient Neutral Development with regards water quality.

The authority's assessment is that the application complies with these strategies and the potential to provide mitigation to remove the significant effects that otherwise would have been likely. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites. This approach is being assessed in consultation with Natural England and members will be updated in relation to any response received prior to Planning Committee.

- 7.22 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 upon the character and appearance of the area and historic assets
- (v) Impact upon 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 and other Infrastructure Requirements
- (xii) Other matters

(i) Principle of development

- 7.23 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

- 7.24 The Development Plan consists of the:
Havant Borough Local Plan (Core Strategy) (2011), and 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.

Consistency with the National Planning Policy Framework

- 7.25 The Secretary of State's National Planning Policy Framework is a material consideration which should be placed in the s.38(6) planning balance.

7.26 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 there is a presumption in favour of sustainable development. This runs through both plan-making and decision making, which means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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.

Five-year housing land supply and delivery of housing need

7.27 The Government has an objective of significantly boosting the supply of housing (NPPF paragraph 60). Under paragraph 69 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 criteria in d) i. and ii. in paragraph 7.26 above apply.

7.28 Following the receipt of the Inspectors' Interim Findings Report, the Council's Five Year Housing Land Supply Update (March 2023) indicates the Council has 1.81 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF). It does not follow that planning permission should automatically be permitted for development which would boost housing supply. However, permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this case weight must be given to the units that would contribute to the Borough's supply on a on a proportionate basis, equivalent to 1.8 persons. It should also be noted 64 of the 78 bedrooms are already included in the Borough's five year housing land supply position.

Havant Borough Council Housing Delivery Position Statement (March 2022)

7.29 The purpose of the Housing Delivery Position Statement is to set out how planning applications for housing not in accordance with the Development Plan will be considered in the context of the Council's current five year housing land supply and Housing Delivery Test measurement. Due to the under-delivery of housing in recent years there is currently a presumption in favour of sustainable development in Havant Borough. In this context, the 'tilted balance' will apply to most planning applications for housing.

7.30 Applying the tilted balance means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Development Plan, and National Planning Policy Framework (NPPF) when taken as a whole.

7.31 In light of the Interim Findings report, the Council acknowledges that housing sites beyond those in the withdrawn HBLP will now be required to meet housing need in Havant Borough. A key action identified by the Council's Housing Delivery Action Plan is to support the principle of residential development on emerging allocations in advance of the Local Plan being adopted. In such cases, proposals should comply with

the new requirements and standards in the emerging Local Plan which is necessary to justify a departure from the Development Plan. The objective of the Position Statement is to make this expectation clear to applicants and developers for decision making purposes.

- 7.32 The Position Statement sets out how housing proposals not in accordance with the Development Plan will be considered by the Council in the context of the tilted balance in Havant Borough. The Statement does not replace the Development Plan for decision making purposes. However, the Statement has been adopted by the Council and forms a material consideration in the determination of planning applications until such time a new Local Plan is in place.
- 7.33 The application site was identified in the then emerging local plan for residential development under H12 for the indicative provision of 15 dwellings. The site therefore falls within the Housing Delivery Position Statement *Decision Making Principle 2 – Sites not in accordance with the Development Plan where the Council accepts the principle of development*. Within identified sites the principle of residential development will be supported in order to significantly boost housing supply in the Borough. However, the Position Statement confirms that: *In order to justify a departure, it will be necessary for proposals to demonstrate they constitute sustainable development by demonstrating compliance with the remainder of the Development Plan and Decision Making Principles set out in this statement.*

Planning History

- 7.34 On the 31st March 2021 planning permission was granted for a 64 bed care home to be built on the site following consideration at the then Development Management Committee of the 25th February 2021 under planning permission reference APP/20/00761. This permission remains extant and could be implemented and therefore represents a material consideration in the determination of the current proposal.
- 7.35 The APP/20/00761 permission was granted at the time when the then Emerging Havant Borough Local Plan carried some weight and the site had been identified for 'early release' as part of the Local Plan Housing Statement, which was part of the sites evolution. The application site was 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 then emerging plan, which gave explicit support for retirement and specialist accommodation given the established and growing need for such facilities, the application site was identified as one of those necessary to deliver the identified housing need for the Borough.

Conclusion

- 7.36 The application seeks to increase the 64 bed care home to a 78 bed care home and taking into account the above, the principle of development is supported alongside the increased number of units, subject to other material considerations.

(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 now withdrawn (previously emerging) Local Plan included both the application site and the land to the north and west and this has been maintained in the Council's current Housing Delivery Position Statement. 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 wider site included in the Position Statement.

(iii) Nature of Development

7.38 The application seeks a 78 room care home development, which would contribute the equivalent of 43 dwellings to the Councils housing supply figures, and based on this it equates to approximately 69 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:

High Density – Minimum of 60 dwellings per hectare

Medium Density – Minimum of 45 dwellings per hectare

Low Density – Up to 45 dwellings per hectare

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

7.40 Paragraph 6.23 of the Core Strategy 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 within paragraph 129 states that (amongst other matters): *Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:*

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible.....

b) the use of minimum density standards should also be considered for other parts of the plan area.

This scheme represents a high-density development, which is above the Housing Delivery Position Statement indicative development of 15 residential dwellings for the site. However, 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 provides for a self contained environment meeting residents needs on site. The proposal does not prejudice the remainder of the proposed site, and as such is considered an effective use of land.

7.42 In development sites supported in principle by the Housing Delivery Position Statement residential development will be expected to meet requirements as set out in Decision Making Principle 5 – Development Quality. These will be assessed below as part of the planning considerations of the development proposed.

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

7.43 The site currently is enclosed by residential development to the south, and mature planting limits views from the immediate area, including from Bartons Road, and 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 development to the south/south-east (which includes the provision of three floor apartment blocks), with a flat section of roof at the centre behind false pitches 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 multi red brick with elements of vertical tile hanging in grey. There are also elements of feature brickwork. The use of red brick, tile hanging and grey roof tiles pick up on materials used in the residential development to the south to create an element of communality with the surrounding design approach. The central flat roof sections of the building are proposed to feature a green roof and solar P.V. units (and these are also proposed on the south facing roof slopes).

7.44 The application proposes a three-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. This is similar to the previously approved scheme but with three rather than two storeys within the southern part of the site. Notwithstanding the proposed additional floor, the overall ridge height when viewed from the south would be the same as the previously approved scheme. This is achieved by setting the building into the existing slope much more significantly than the previously approved scheme. The ground floor level would be set 2.32m lower than the approved scheme and the extent of the pitched roof would also be reduced. This becomes more pronounced further north on the site where the rear part of the lower ground floor would be below ground level and the building would have the appearance of a two storey building.

7.45 This proposal is accompanied by a detailed landscape concept plan for the whole site which provides further tree planting, in addition to retaining important trees including the protected trees, to create a high-quality landscape design, breaking up areas of car parking and creating a positive and attractive development. The building would 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 raised beds 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

7.46 Eastleigh House, which is a grade II listed building is located to the west of the development. The application site is separated from Eastleigh House by approximately 125 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 Eastleigh House due to the separation distances, positioning of other development and landscaping and the height of the proposed building. As such the proposal is considered to conserve the character and setting of the listed building. The Council's Principal Heritage Officer has confirmed that no heritage concerns are raised with regards to the revised application.

(v) Impact upon residential amenity

7.47 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 No's 2, 4, 6, 8 and 10 Normandy Way.

7.48 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 approximately 4 metres from the application site boundary. The proposed back-to-side distance from the southern elevation of the proposed development to No 2 Normandy Way is approximately 28 metres to the walls and 26m from the proposed balconies. This compares to the previously approved scheme where the separation distances were approximately 24m to the walls and to the first floor balcony. 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 between approximately 33 and 36 metres and in the approved scheme between approximately 35 (to terrace) and 37 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, both of which are significantly exceeded in this application.

7.49 Notwithstanding this, and given the change in character of the application site, an enhanced landscape buffer is additionally proposed to be located inside the southern boundary of the development site, which would bolster the existing trees, 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.

- 7.50 Policy CS16 of the Core Strategy 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 Paragraph 191 of the NPPF, which requires that planning decisions “...mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.”
- 7.51 A noise impact assessment 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 to 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 in principle subject to an appropriate noise condition.
- 7.52 Taking all these factors together and 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 policies CS16 and DM10 of the Core Strategy, the Havant Borough Design Guide SPD and the NPPF.

(vi) Access and Highway Implications

- 7.53 The application is supported by a Transport Statement (TS) together with supporting drawings including vehicle tracking. The Highways Authority have confirmed that the starting point for the consideration of this application is the previous consent for a 64 bed-care home ref: APP/20/00761. The current proposal is for a 78 bed care-home and most matters regarding access into the site, walking and cycling infrastructure have been previously agreed by the Highway Authority (and planning permission granted), and the increase by 14 beds is not regarded as a significant increase to warrant any additional walking and cycling improvements to be secured as part of the current proposal.

Trip Generation

- 7.54 The Highway authority have assessed trip generation using previously agreed trip rates in the AM peak and PM peak which equate to 16 trips (AM peak hour) and 13 trips (PM peak hour) leading to a net increase in trips (above the consent level) of 3 and 2 trips respectively. Given these low additional numbers the Highways Authority do not consider that the additional trips generated would lead to a detrimental impact on the wider highway network.

Junction Modelling

- 7.55 Due to the minimal increase in trips generated by the development there is not a requirement for future junction modelling to be provided to support this application.

Site Access

- 7.56 The proposed site access remains the same as in the approved scheme from Normandy Way. This access is therefore agreed. The Highway Authority comment that it is understood that the new access road to the Brookvale development is not to be offered up for adoption at this stage and therefore the internal layout and footways will remain unadopted. The Highway Authority are satisfied that appropriate visibility can be achieved at the site access.

Internal Layout

- 7.57 Whilst the internal layout is not to be adopted it is important to ensure that the layout is acceptable in terms of design to provide a suitable environment to residents, staff and visitors. This particularly relates to road and footpath widths, crossing arrangements and how changes in level are addressed. The Highways Authority required changes to the detailed internal layout which have now been secured. Subject to conditions which are recommended the Highway Authority are now content with the internal layout.

Refuse / Servicing

- 7.58 Vehicle speed and tracking has been considered in detail and additional details secured during the application process. The refuse store is shown on the access into the site and tracking demonstrates that a refuse truck and car can pass when collection is undertaken. Tracking drawings also demonstrate that delivery and ambulance vehicles can access the service bay. Finally, the applicant has confirmed that the fire tender can access the building in line with the required distances needed to meet building regulation requirements.

Levels

- 7.59 Levels within the site have been revised to provide appropriate gradients for the ramp in the southern part of the site which is in accordance with inclusive mobility standards. A levels condition is recommended to secure wider site levels.

Travel Plan

- 7.60 Due to the scale of development a Travel Plan is not required for this proposal (the previously approved scheme did not include a Travel Plan). The originally provided travel plan is now provided for information only and would not form part of any planning approval.

Parking

- 7.61 A total of 33 parking spaces are proposed of which 3 provide disabled parking bays. Four bays would include Electric Vehicle Charging provision and a condition is recommended to secure this. The current application includes an increase in parking of four spaces over and above that proposed for the previously approved 64 bed scheme. The previously approved application included the following assessment of car parking in the Development Management Committee Report (paragraphs 7.65-7.67): *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.*

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.

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.

7.62 Given this assessment and the fact that the planning permission reference APP/20/00761 remains extant it is important to consider whether the proposed parking regime has changed, having regard to any uplift in both residents/staff and parking provision.

7.63 When assessed against the Council's Parking SPD, the standards state that 1 space per 4 residents and 1 space per staff is required. For this revised proposal this means 45 spaces are required to meet the adopted standards. The proposal only has 33 parking spaces, as such the proposal does not meet the minimum number of car parking spaces required by the SPD, with a deficit of 12 parking spaces. It should however be noted that the proposal now includes a Service / Ambulance & Drop off Bay approximately 7m long - the previous scheme had a loading bay approximately 3.5m long – and this would ease pressure on other parking provision.

7.64 The SPD states (amongst other matters):

This type of housing comprises a considerable range of need. From retirement living homes for the over 55s with few shared facilities which are managed and maintained by staff living off site to homes with full time onsite managers and varying degrees of personal care as required. These will attract people with a wide demographic and health profile with variable car ownership. Schemes where residents receive a high degree of support and care will require less parking for residents than general residential homes, but will need more parking for staff and visitors.

7.65 The applicant has justified the shortfall in parking provision, this outlines the dependency level of residents who will not drive and there is no parking for residents on site. Staff work in shifts and the maximum number of staff on site would occur in the daytime with a total of 26 on site at any one time thus 13 spaces for staff are provided. In addition, visitor parking at a rate of 0.25 per resident is proposed a provision of 20 spaces. The visitor parking meets the parking standards. The staff parking is below the parking standards, however this element of parking is easier to control by the site operator. It is important that the staff parking is appropriately managed to ensure that this provision is adequate and this aspect is being explored further with the applicant, members will be updated in related to this matter.

7.66 As with the previously approved scheme it is acknowledged that the care home has a deficit of parking when compared to the parking SPD. The applicant- who remains the same as the previous scheme and as per the previous application 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 subject to the assessment of further details that the proposed parking provision for this development is appropriate in this context, and any adverse effects arising would not result in an unacceptable impact on highway safety, or severe impacts on the road network such as to justify refusal of this application.

Cycle Parking

7.67 For the care home covered cycle storage would be provided adjacent to the access road for staff with 8 spaces provided (this exceeds the Parking SPD requirement for 5 spaces and would be covered and secure). There are also 10 covered parking spaces close to the building entrance, and given the level of dependency of residents would be available for visitors. The proposed cycle parking is considered acceptable.

7.67 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 115 of the NPPF that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

(vii) Flooding and Drainage

7.68 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 Flood Risk and Coastal Change Guidance, a Flood Risk Assessment and Drainage Strategy (FRA) has been submitted with the application.

Surface Water

7.69 As with the previously approved development the current application relies on surface water drainage provided by the Bellway scheme to the south of the site. The overall flows off the site including the wider site to the north will be restricted to 5l/s but flows off the application site currently under consideration will be restricted to a rate of 2.5l/s.

7.70 This would be achieved through the use of a hydrobrake flow control chamber with the storage required to cater for a 1 in 100yr plus 45% climate change event, contained within a cellular storage tank located along the southern boundary of the site.

7.71 The scheme also incorporates an element of biodiverse roofing to the proposed building and tanked permeable paving to the parking bays.

7.72 The Local Lead Flood Authority have confirmed that they have no objection to the proposed development and Southern Water have also confirmed theoretical capacity within the Southern Water network to accept the proposed discharge. A condition is recommended by Southern Water in relation to surface water drainage and this is recommended.

Foul Drainage

7.73 Foul drainage is proposed to the south of the site within the adjacent residential development. Southern Water has confirmed that their investigations indicate that they can facilitate foul sewerage disposal to serve the proposed development. A condition is recommended in relation to foul drainage.

(viii) The Effect of Development on Ecology

7.74 The application has been submitted with an Ecological Appraisal (FPCR, July 2023). This document includes details of ecological surveys carried out at the site in 2023, as well as reference to previous surveys from 2020. The site comprises primarily agriculturally derived species-poor grassland and taller herbage with boundary hedging, trees and areas of woodland.

7.75 The Council's Ecologist has provided the following comments:

In terms of protected species, the surveys have concluded that the site supports a range of foraging/commuting bat species typical of a semi-rural site in southern Hampshire. As well as common and widespread species, the surveys highlight the regular presence of Western Barbastelle and mouse-eared (Myotis) bat species. Bechsteins 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. Whilst there is no indication that Bechsteins bats are constraint at this site in particular, there is sufficient justification for assuming that the species is likely to occur on occasion and that the site forms part of a much larger fabric of suitable sites across the wider area. The key potential impacts on bats will occur through general habitat loss and the presence of new lighting. Existing tree lines are to be retained and new tree and scrub plantings are included in proposed landscaping alongside a range of native and ornamental planting areas. The submitted lighting plan (Kingfisher, June 2023) is in broad accordance with the previously acceptable lighting plan and is therefore satisfactory. The site has been shown to support Slow-worms and it is proposed to retain sufficient habitat within the site for this population.

Officer Comment: A slightly amended lighting plan has now been submitted and the views of the Council's Ecologist will be re-sought.

7.76 Overall the Council's Ecologist concludes:

Overall, I am content with the level of information submitted in respect to habitats and species and consider that the stated mitigation measures are acceptable. In terms of compensation and enhancement, the proposed landscaping includes a sizeable green roof comprising both Sedum and native vegetation sections. This is most welcome. In addition, the layout includes areas of wildflower grassland, native hedging, native tree/shrub species and more formal areas of ornamental plantings. Given the nature of the proposed development these measures are acceptable. The ecological appraisal also includes recommendations for other ecological enhancements such as bat and bird boxes, and bug hotels. I welcome the inclusion of these measures and would therefore request that firm details of such are provided prior to commencement.

7.77 An ecological condition is recommended in order to secure an Ecological Avoidance, Mitigation, Compensation and Enhancement Strategy. A requirement for swift boxes is also provided for within the condition.

(ix) Impact on Trees

7.78 There are two Oak Trees within the application site which are subject to Tree Preservation Orders, one to the eastern boundary and one towards the western part of the site, and both of these trees are shown to be retained. The site is generally open with a number of other significant trees located to the eastern and southern boundaries, and these trees are also generally retained and a Tree Protection plan is provided to show protection during the course of the development. The proposals do show the requirement for removal of 6 trees to facilitate the development, these are mainly Ash (4No.) many of which are understood to be starting to be affected by Ash die back, a Hawthorn and Crack Willow Tree. Additional planting is proposed within the site and particularly to the southern part of the site which will help to soften the impact of the development when viewed from the south and the residential properties in Normandy Way. In this respect, the Arboricultural report states that at least 29 new trees would be provided. The Councils Arboriculturalist and Landscape Officer raise no objections to the proposals and conditions are recommended in relation to securing Tree Protection Measures and Landscaping.

(x) Impact on Archaeology

7.79 The site has been subject to an archaeological evaluation which did not encounter any substantive archaeological remains. The site is not therefore considered to be of archaeological interest and the County Archaeologist has raised no archaeological issues.

(xi) Community Infrastructure Levy and other Infrastructure Requirements

7.80 The impacts of the proposed development on key infrastructure have been assessed. 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 where required which would be controlled through relevant conditions. In terms of the requirements regarding Nutrients these have been secured by off site mitigation using the Warnford scheme as set out in paragraphs 7.10-7.21. CIL is not applicable to a Care Home development.

7.81 It is noted that the previous permission secured a Health Contribution of £5,600 as then requested by the NHS Clinical Commissioning Group (CCG), however, the CCG have stated in relation to this application that "*The GP surgeries within the catchment area that this application would affect, currently have sufficient infrastructure capacity to absorb the population increase that this potential development would generate.*" At this time a Health Contribution has not been requested and therefore cannot be required by way of a S106 Agreement.

(xii) Other Matters

Affordable Housing

7.82 As per the previous scheme, the provision of a care home would not trigger the need for Affordable Housing provision.

BREEAM

- 7.83 The proposal is required under adopted Local Plan policy to meet BREEAM 'very good'. A BREEAM Design Stage Tracker has been provided which demonstrates that the standard can be met. Appropriate conditions are recommended to secure the 'very good' standard.

Development Quality Standards Checklist

- 7.84 The Council's Housing Delivery Position Statement Principle 5 requires a development standards quality checklist to be submitted by the applicant. This has been provided and many of the aspects of the checklist have fed into the assessment above. Members will be provided with an update on the full assessment of the checklist prior to Planning Committee.

8 Conclusion

- 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 Importantly there is an Extant Planning Permission on the site for the development of a 64 bed Care Home and this is a material consideration in the determination of the current proposal. The site is shown within the Housing Delivery Position Statement as a site not in accordance with the Development Plan where the Council accepts the principle of development. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver accommodation for residents in need of support on a site where such provision has previously been permitted. Furthermore, the Borough's five-year housing land supply figure was updated in March 2023. This shows that the Borough now has a 1.81 year housing land supply with the necessary 20% buffer applied based on the results of the housing delivery test. At the time of the previous consent there was a 4.2 year supply so the housing delivery position has significantly worsened. The provision of a care home with an increased number of residents which would 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. 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 and is not considered unacceptably different to the previously approved scheme. 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 this

would have an 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 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.
- 8.5 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 provision of accommodation for people in need of care on a site where the principle of such provision has previously been established that can be captured from this proposal. Such provision would also help to meet wider provision for housing in the Borough where a 5 year supply cannot currently be demonstrated. 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 Place be authorised to **GRANT PERMISSION** for application APP/23/00665 subject to:

- (A) Confirmation from Natural England that the Habitats Regulations Assessment/appropriate Assessment has been agreed with; and:
- (B) The following conditions (subject to such changes/or additions that the Head of Planning considers necessary to impose prior to issuing of the decision).

Conditions:

Conditions to follow.

Appendices:

Appendix A Location Plan
Appendix B Site Plan
Appendix C Landscape Concept Plan
Appendix D Floor Plan Lower Ground Floor
Appendix E Floor Plan Upper Ground Floor
Appendix F Floor Plan First Floor
Appendix G South Elevation
Appendix H East Elevation
Appendix I North Elevation
Appendix J West Elevation
Appendix K Street Elevation to Normandy Way
Appendix L Site Sections to Properties to the South
Appendix M Aerial View CGI (From South-East)
Appendix N Earlier Consultation Responses