BHH – Bursledon, Hamble and Hound Local Area Committee Thursday 29 June 2017.

Application Number: C/17/80613
Case Officer: Steve Nangreave
Received Date: Friday 12 May 2017
Site Address: St Andrews Buildings
Applicant: Proposal: Demolition of existing single storey commercial premises and replacement with two-storey mixed use building comprising of ground floor community facility and 2 No self-contained flats on first floor

Recommendation:

Subject to no material objection from consultees and following the expiration of press notice on the 6 July 2017.

CONSENT TO DEMOLISH AND PERMIT

CONDITIONS AND REASONS

1 The development hereby permitted shall start no later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.


Reason: For the avoidance of doubt and in the interests of proper planning.

3 Not withstanding the approved plans no development shall start until details and samples of the materials to be used in the construction of the external surfaces
of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

4 No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
   a) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
   b) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway including vehicle crossovers;
   c) the parking of vehicles of site operatives and visitors;
   d) measures to control the emission of dust and dirt generated by demolition and construction;
   e) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
   f) provision for storage, collection, and disposal of rubbish from the development during construction period;
   g) measures to prevent mud and dust on the highway during demolition and construction;
   h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
   i) protection of pedestrian routes during construction.

Reason: To limit the impact the development has on the amenity of the locality

5 Prior to the occupation of the residential flats or to be agreed in writing with the Local Planning Authority, as built stage SAP data and as built stage water calculator confirming energy efficiency and the predicted internal mains water consumption to achieve the following shall be submitted to and approved in writing by the Local Planning Authority: In respect of energy efficiency, a standard of a 19% improvement of dwelling emission rate over the target emission rate as set in the 2013 Building Regulations. In respect of water consumption, a maximum predicted internal mains water consumption of 105 litres/person/day. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To support a comprehensive approach to high quality design across the site; in line with the guidance set out in the Government's Ministerial Statement of 25 March 2015 which states that Local Planning Authorities should, from the date of its publication, take into account the government's intentions in the statement [and not set conditions with requirements above a Code level 4 equivalent]

6 No development shall start until an Arboricultural Impact Assessment, Method
Statement, Tree Survey and a protective fencing plan has been submitted to and approved in writing by the Local Planning Authority. The development must accord with the approved details and to the appropriate British Standard.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

7 No development shall start until a full noise assessment with respect to residential amenity and in particular of the noise insulation between the commercial and residential aspects of the proposed development shall be submitted to and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the residential units.

Reason: To protect the amenities of the occupiers of nearby properties.

8 No external plant or equipment shall be installed or used without the prior written consent of the Local Planning Authority. Any external plant designed for use in connection with the building must have provided with its sound mitigation measures necessary to ensure that the amenity of occupiers of the proposed flats and neighbouring premises are protected.

Reason: To protect the amenities of the occupiers of nearby properties.

9 No work shall commence on site until the following has been submitted to, and approved in writing by the Local Planning Authority: (a) Report of preliminary investigation comprising a Desk Study, Conceptual Site Model and Preliminary Risk Assessment documenting previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Reports Nos. 11 CLR11, and BS10175:2011+A1 2013 Investigation of potentially contaminated sites Code of Practice, and, unless otherwise agreed with the Local Planning Authority; (b) A report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Preliminary Investigation in accordance with BS10175:2011+A1 2013 and BS8576:2013, and, unless otherwise agreed with the Local Planning Authority; (c) A detailed site specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: To minimise the risk from land contamination for public safety.

10 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the local planning authority verification by the competent person approved under the provisions of the above condition 9(c) that any remediation scheme required and approved under the provisions of the above condition 9(c) has been implemented in full in accordance with the approved details (unless varied with the written permission of the local planning authority in advance of implementation). Unless agreed in writing with the local
planning authority such verification shall comply with the guidance contained in CLR11 and EA guidance for the safe development of housing on land affected by contamination - R&D Publication 66:2008. Typically such a report would comprise:-
(a) A description of the site and its background, and summary of relevant site information
(b) A description of the remediation objectives and redial works carried out
(c) Verification data including - sample locations/ analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc
(d) Certificates demonstrating that imported and/or material left in situ is free from contamination. Thereafter the scheme shall be monitored and maintained in accordance with the approved scheme under condition 9(c).

Reason: To minimise the risk from land contamination for the safety of the property's occupiers.

11 No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings.

12 The first floor windows on the north elevation shall either be:
   a) obscure glazed to Pilkingtons level 3 or equivalent with no more than a top-hung opening toplight: OR
   b) positioned at least 1.7 metres above the floor of the room in which they are installed. Once installed the windows shall be permanently maintained in that condition.

Reason: To protect the amenity and privacy of the adjoining residential properties.

Note to Applicant: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Note to Applicant: On the basis the proposed development is located adjacent to an existing substation. It is recommended advice is gained from UK Power Networks.
Report:

1. This application has been referred to Bursledon, Hamble-Le-Rice and Hound Local Area Committee on the basis of the Borough Council being the applicant.

**Description of Application**

2. This application for demolition of the former bank building in the Hamble Conservation Area and full planning permission for the construction of a two-storey mixed building comprising ground floor community facility and two flats at first floor. The scheme comprising one 1-bed flat and one 2-bed flat.

**Site Characteristics & Character of Locality**

3. The application site is situated to the west of Hamble, being situated north of High Street. Set back from High Street are St Andrews Buildings which currently comprise of a restaurant and shop and with what was formerly a Barclays Bank adjacent. The site is accessible off the main road with a large hardstanding area for parking in front of the business frontages. The application site is served by an established vehicular access and is relatively flat in profile. The application site has an area of 0.075 acres (302 square metres).

4. The existing architectural vernacular of the surrounding area is a highly diverse patchwork of architectural styles, with a large number of older property styles including 12th Century Church, Victorian terraces, Georgian through to stone houses accompanying modern property of various styles. The materials used are largely brick and Cedral Weatherboarding cladding with a small amount of render. The roofs are largely pitched with fibre cement slate roof tiles.

5. The local surrounding area is nearly entirely made up of two-storey buildings with a three-storey office block nearby and surrounding Churches. The majority are of more modern properties featuring off-street parking, and although most of the High Street is double-yellowed lined, there is designated parking marked up on one lane adjacent to St Andrews Church, on the opposite side off the road.

6. In terms of the application site its immediate location comprises a collection of buildings known as St Andrews Buildings, the application building being a south-facing, stand-alone building with a pitched roof and garage to the rear, formerly used as a bank. Adjacent, to the east of the building is a substation with the remaining St Andrews Building set back to the west and comprise of a two-storey terraced block providing a restaurant and a shop. In front of the terraced block and adjacent to the former bank is a hardstanding area which offers car parking. The terraced block to the right (west side), has a rendered brick façade with a mixture of sash, Georgian style and shop frontage windows. The substation to the left (east side) is enclosed with aluminium
powder-coated fencing and locked gate. To the far side of the hardstanding, on the west there is a two-storey modern residential building with lawned frontage enclosed with a white picket fence known as Hamble Lodge.

7. It is believed the application building was originally established and known as Longmans Shop, in part a vehicle repair shop, but mainly dealt with cycles and repair of other items. Barclays Bank closed the branch in November 2015 and has lain vacant ever since until, being acquired by Eastleigh Borough Council.

Relevant Planning History

8. The following advertisement application and notification of intent to fell trees in a Conservation Area are pertinent to the application site;


Representations Received

12. At the time of preparing this Committee Report there was no third party correspondence.

Consultation Responses

13. Conservation Officer

14. The overall concept of this building will give a fresh look to this corner of the village but some matters of detail are unsettling which would improve the composition in this Conservation Area setting if attended to remembering that any new construction in a Conservation Area should enhance it, meaning it should be of good quality:-

15. The proposed elevations show the new building as having little or no eaves and verge overhang which both leads to a very mean looking building and will not be in keeping with the adjacent buildings.

The three gables to the first floor on the east elevation are both out of synchronisation with each other (differing spacing) and the windows beneath, leading to an unsettling and awkward look to this elevation.

16. The unsettling look of the east elevation is reinforced by the roof over
the entrance to the flats which appear symmetrical on plan but not in elevation, with the ridge off centre from the middle of the separating wall between the two front doors and the pitch of the roof over, looking squashed compared to all the others on the building. A differing pitch between this and the lean-to roof is not a problem and easily dealt with in slate.

17. The illustrated brick does not come over well and I suggest that the one used would look better if it matched those on Hamble House Lodge on the other side of the courtyard, the ones on the road end have a good colour and texture. The mortar colour is another element that needs to be right as it is a fifth of the area of brickwork.

18. While I would prefer to see natural slate used I understand they may be beyond the budget but fibre cement ones used to either look plastic or lose their colour over time, so I suggest a materials condition for samples to be submitted for approval.

19. Following the receipt of a letter of explanation and further drawings, the Conservation Officer supports these architectural revisions and understands choice of facing materials can be covered by the imposition of planning condition. Slight concern remains on the flats entrance porch being rather thin, due to the 30 degree roof pitch compared to the window gables for the flats being 45 degree pitch.

20. Again further drawings have been received, addressing the slight concern with roof pitch. The Conservation Officer explaining “This looks much better, making the overall design a more cohesive whole that will be a compliment to this part of the Conservation Area and a worthy replacement for the existing building. On this basis I have no objection to the demolition of the existing old bank building.”

Highway Engineer

21. No objection in principle is made on highways grounds, subject from EBC confirmation on the following issues:

22. Whilst parking is an EBC function to assess, it is noted that the proposed library and two flats will be able to utilise existing shared parking (12 spaces) with the other units. No information has however been supplied to detail whether (a) this right to park is formally secured, or (b) if spare capacity exists in the shared car park to accommodate the additional use. This is of concern to the highway authority as if off-site parking were to occur, this could be obstructive in terms of flow and visibility. Whilst roadside parking is available opposite the site, this is already well utilised, and is aimed at those using local facilities with a good turnover of users. If residents of the flats were to start utilising this fully, then the facility for many throughout the day would be lost.
23. Additionally, in terms of providing for sustainable transport, it is noted that 6 cycle parking spaces are proposed. There is however no indication on the location of these on plans.

24. In regard to transport developer contributions, none would be required, given that the former bank use (and its official classification) would be anticipated to generate multimodal trips to / from the site in excess of those being proposed.

   **Tree Officer**

25. Raise no arboricultural objection to the proposed development, subject to the following:

26. The applicant should identify which trees are to be retained, then, if required, we will need an Arboricultural Method Statement and Tree Protection Plan to show how the retained trees will be protected.

27. If any trees are to be removed, we would need replacement planting. There is enough space for a good sized, columnar tree (e.g. Quercus robur Fastigiata Koster, or similar) to be planted to the east of the substation. This would then develop into a prominent tree, given its location adjacent to the main road.

   **Ecologist**

28. No objection to the above development. A bat surveys was undertaken and the building was assessed as having no opportunities for bats

   **Environmental Health Officer**

29. No objection in principle to the proposed development subject to the imposition of planning conditions to cover the matters of internal noise insulation, external plant and potential land contamination on the basis of its historic use as vehicle repair shop and petrol pumps.

30. Additionally it is further recommended hours of demolition and construction works are conditioned to protect the amenities of local people.

31. Finally, due to the development site being located adjacent to an existing substation and the submitted plans show the new structure will is built right up to the boundary with this facility. It is recommended advice is gained from UK Power Networks.

32. Airport Safeguarding - Consultation response awaited.

33. Southern Electricity - Consultation response awaited.

**Policy Context: Designation Applicable to Site**

- Within Built-up Area Boundary
Within Established Mixed Use Area
Forms part of the Hamble Conservation Area.

Development Plan Saved Policies and Emerging Local Plan Policies


Supplementary Planning Documents

- Supplementary Planning Document: Hamble Conservation Area
- Supplementary Planning Document: Quality Places (November 2011)
- Supplementary Planning Document: Biodiversity (December 2009)
- Supplementary Planning Document: Environmentally Sustainable Development (March 2009)

National Planning Policy Framework

37. The National Planning Policy Framework (NPPF) supports and encourages sustainable development which is considered to have three roles, economic, social and environmental. Paragraph 8 of the NPPF states that “These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”

38. Furthermore, the NPPF highlights “that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (paragraph 56) and goes on to state that “decisions should aim to ensure that developments will
function well and add to the overall quality of the area, not just for the short
term but over the lifetime of the development” (paragraph 58).

39. In terms of Heritage Assets paragraph 131 of the NPPF expounds “the
desirability of new development making a positive contribution to local
character and distinctiveness.”

**National Planning Practice Guidance**

40. Where material, this guidance should be afforded weight in the consideration
of planning applications.

**Policy Commentary**

41. The above policies and guidance combine to form the criteria against which
this application will be assessed with particular regard to improving
community facilities, enhancing the Hamble Conservation Area, respecting
the character and appearance of the area, residential amenity, transport
considerations and natural features.

**Assessment of Proposal: Development Plan and / or Legislative
Background**

**Proposal**

42. This application for consent to demolish the former bank building in the
Hamble Conservation Area and full planning permission for the construction of
a two-storey mixed building comprising ground floor community facility and
two flats at first floor. The scheme comprising one 1-bed flat and one 2-bed
flat

**Policy and Principle**

43. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

44. "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."

45. In addition, the proposal affects a Listed Building or its setting and section
66(1) of the Planning (Listed Building & Conservation Areas) Act 1990 states:

46. “In considering whether to grant planning permission for development
which affects a Listed Building or its setting, the Local Planning Authority …
shall have regard to the desirability of reserving the building or its setting or
any features of special architectural or historic interest which it possesses”.
47. In this case policy issues for consideration include:

48. The application site lies within the Hamble Conservation Area and urban edge where the basic principle of development is considered to be acceptable, with any formal planning approval being based upon the exact nature, design and impact of that proposed being considered appropriate and in accordance with the relevant saved Local Plan policies and Supplementary Planning Documents. The most relevant policies in this case are saved Policies 59.BE 169.LB 170.LB and 186.LB of the adopted Local Plan.

49. Saved Policy 59.BE of the Eastleigh Borough Local Plan Review (2001-2011) requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, a satisfactory means of access and layout for vehicles, cyclists and pedestrians, to make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, and noise and fumes. Also of relevance is Policy DM1 of the Submitted Eastleigh Borough Local Plan 2011-2029, July 2014, which essentially reiterates the above requirements.

50. Saved Policy 169.LB requires any development within a designated Conservation Area to preserve or enhance the character and appearance of the Conservation Area or its setting, to not detract from the character of the area or street, be appropriate in terms of its mass, scale design and materials, and to be sympathetic to existing buildings and the particular character of the area. These requirements are reiterated in Policy DM10 of the Submitted Local Plan.

51. Saved Policy 170.LB relates to the demolition of any building or important feature within a Conservation Area. It states that demolition will not be permitted unless it can be shown that the building is wholly beyond repair, or incapable of beneficial use and that its removal or replacement would enhance the appearance of the area or that its demolition is essential to allow an approved scheme which would enhance the character and appearance of the Conservation Area to go ahead.

52. Saved 186.LB relates to the provision of replacement, extension or improvement of facilities for use by the community will be permitted within the urban edge provide they will not adversely affect the amenities of residents of neighbouring properties.

Demolition

53. The application site currently comprises a redundant former bank, which does not reflect the buildings of the surrounding land that forms part of the Hamble Conservation Area. This application requests the demolition of the bank building and its replacement with a two storey mixed use building. The removal of the unattractive and tired building will allow the construction of a community based building to improve facilities for local people,
enhance the character and appearance of the Hamble Conservation Area and provide two additional residential units. Thereby, according with Saved Policy 170.LB.

Character and Appearance

54. A multi-use building is proposed for the application site. The proposed scheme is to build a volunteer led library and community building to serve Hamble village, with self-contained residential accommodation above. In essence the proposed development has been shown in a style that closely resembles the neighbouring buildings, interpreted in a more contemporary way so as to design a building of its time but respect and pays tribute to its historic surroundings. Also, by replicating the neighbouring buildings it will bring more continuity to the High Street in addition to fitting into and add to the street scene.

55. The layout has been designed to reflect and respect the existing street scene and courtyard arrangement by following the line provided by the existing residential unit on one side, terrace block to rear and existing building. The scale and massing of the proposed building is defined by its site context. The height of the proposed development is two storey to reflect the buildings in its surrounding location and Hamble as a whole, with traditional pitched roofs to match the neighbouring properties. The scale of the development takes into consideration the importance of not overbearing the site and its location, whilst keeping the trees and substation intact.

56. It is proposed that the design of the building will share some of the key characteristics of the local vernacular. The external appearance seeks to borrow elements from the local area specifically neighbouring terraced properties whilst blending contemporary features. To reinforce local distinctiveness the external appearance of the proposal will include brickwork and render to match existing surrounding buildings, external cladding to the upper level and slate type roofing.

57. On this basis the proposed development follows the thrusts of Saved Policies 59.BE and 169.LB ensuring schemes respects the host environment and development within a designated Conservation Area preserve or enhances the character and appearance of the Conservation Area, respectively.

Community Use

58. Similarly the proposed development complies with Save Policy 186.In, providing improvement of facilities for use by the community without adversely affecting the residential amenities of occupiers of neighbouring properties. These matters being addressed in the Amenity section of this report, below.
**Amenity**

59. In terms of the implications on the wider amenities enjoyed by local people, this mixed development is not anticipated to cause any material harm. A library by the nature of its use is a “silent” environment, with its wider community uses being limited by the relative small scale of the development proposed.

60. The residential accommodation above does not have access to any formal private amenity area. However it should be acknowledged the provision of two additional residential units with easy access to Hamble village and its associated water frontage to the River Hamble.

**Transport**

61. The application site has existing access by drop kerb off High Street to around twelve shared car parking spaces. This land is not included within the application site. This issue being raised by Highway Engineers. The land is unregistered and the owner is unknown. However, the secured right to use this car park has been established through its open enabled access across it to access the garage at the rear of the former bank and using the unallocated car parking spaces, uninterrupted since the premises were first built as a repair garage believed to be in the early 1940’s.

62. The mixture of uses is likely to see demand from the community users during the day and residents more evenings and weekends, complementing not conflicting. The layout does include six cycle parking spaces.

63. Whilst there is no formal on site car parking provided, on balance the merits of bring an under-utilised plot to provide improved community facilities and residential accommodation outweighs this parking deficiency.

**Sustainability**

64. The Council’s ‘Environmentally Sustainable Development’ SPD requires all new residential development to meet a minimum of code level 4 of the Code for Sustainable Homes together with a number of other mandatory requirements on water and energy conservation. However, the code has now been revoked with the intension that these requirements will be assessed by Building Regulations. Notwithstanding this, it is Council policy that any new residential development must meet the equivalent of Code Level 4 with regards to water and energy conservation. This would be secured via a planning condition.

65. However, on the basis of the ground floor community use only equating to just over 100 square metres, it falls below the 500 square metre threshold for non-
residential buildings. Accordingly the scheme is not required to achieve BREEAM rating.

Trees

66. Whilst a couple of Sycamore trees have been removed, the scheme proposes the retention of established trees to the east of the proposed building, framing the entrance to the first floor flats.

Biodiversity

67. Following a review of the submitted Ecological Report., it highlighted a bat survey was undertaken and the building was assessed as having no opportunities for bats.

Other Material Considerations:

68. Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014

69. Reference needs to be made the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. However very little weight can be given to these policies as, although the Submission Local Plan has not been withdrawn the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

Planning Obligations/Considerations

70. The changes to the National Planning Practice Guidance (NPPG) have increased the threshold for when tariff based planning obligations can be required by new development. This means that developments of ten units or less (and which have a maximum combined floor space of no more than 1000 square metres) will be exempt from the need to provide tariff based planning obligations or affordable housing. The proposed development in this instance falls within this threshold and as such no planning obligations can be requested.

Conclusion

71. The proposed development provides an opportunity to re-develop a redundant building to a much needed community facility in the village and provide additional housing with a sensitive redevelopment design that reflect the scale, form and character of the area, enhancing Hamble Conservation Area.

72. For the reasons outlined in this report the recommendation is to consent the demolition of the former bank building and grant planning permission subject to conditions, for the mixed development of community facility and residential.