

Report to	Director of Planning
Date	11 June 2020
By	Richard Ferguson
Local Authority	East Hampshire District Council
Application Number	SDNP/19/04720/FUL
Applicant	Metis Homes
Application	Erection of 29 apartments and approximately 241 square metres of office floor space following demolition of existing buildings.
Address	Workshop and land rear of 34 Lavant Street, Petersfield, Hampshire, GU32 3EF.

Recommendation:

- 1) **That planning permission be granted subject to completion of a S106 Legal Agreement, the final form of which is delegated to the Director of Planning, to secure the following:**
 - **Provision of 3 on site affordable units.**
 - 2) **That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress has not been made within 6 months of the Planning Committee meeting of 11 June 2020.**
 - 3) **The conditions as set out in paragraph 10.1 of this report.**
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Executive Summary

The application site is within the centre of Petersfield, adjacent to the railway station and partially within the defined town centre and conservation area. It comprises of a vacant retail and office building, a workshop and a large industrial building which has a general industrial use. The Site is allocated for employment uses (office, industrial, warehousing) in the Petersfield Neighbourhood Development Plan (PNDP).

The application proposes a mixed use development which includes new office space in the proposed frontage building onto Lavant Street, with residential flats in the remaining area of the site. It would replace a vacant brownfield site.

A report has recently been presented to Members via the interim arrangements for applications to be determined under the delegated authority of the Director of Planning. In response to the submission of further information from the Applicant, the proposals are now before the Planning Committee with an alternative recommendation to approve the application.

Development Plan policy safeguards existing employment sites unless it can be demonstrated that they are no longer fit for purpose primarily through a robust marketing campaign. The relevant period to consider in this application is a minimum of 18 months prior to the submission of the application. Previous to receiving further information, it had not been satisfactorily demonstrated that the site cannot remain in business use. Following further scrutiny it is considered that a reasonable and robust marketing campaign has been undertaken at least over the 18 month period.

Furthermore, additional information on the financial viability of re-developing the site for solely new business use floorspace has demonstrated that it would not be financially viable to do so.

The proposed office space would still retain some employment floor space on site and provide more modern small flexible office space. This would be a benefit but it would not necessarily mitigate the loss of the whole site for business uses, however, the proposals have met the policy tests of SD35 in regard to justifying its loss.

No.1 and 2 bed flats would be a social benefit to the town and would also be in a highly sustainable location. A well designed scheme has been proposed which is acceptable in regard to the townscape and built character of Petersfield, including the conservation area, and would not have a significant impact upon surrounding amenities.

The proposals include 3 affordable flats following an independent assessment by ourselves (Bruton Knowles) of the Applicant's viability appraisal. Their conclusions are that a policy compliant scheme cannot be achieved and that the scheme is viable with no more than 3 affordable units, which has been scrutinised by the case officer. On balance, this is an acceptable amount of on-site provision.

The proposed design is acceptable in regard to the siting, scale and architecture of the buildings and an assessment has been undertaken in regard to the impact upon surrounding residential amenities and the character and appearance of the conservation area.

The application is placed before the Planning Committee to consider the merits of this key town-centre location.

I. Site Description

- I.1 The application site is within the centre of Petersfield and is adjacent to Petersfield Railway Station and its car park on Lavant Street. The site is located behind properties on both Lavant Street and Charles Street to the east. It is also partially within the defined town centre boundary but it is somewhat detached from the main shopping areas. Its frontage building, the workshop behind it and the access are within the conservation area.
- I.2 The site covers an area of 0.34ha and comprises of a single vacant retail unit, with office accommodation above, which fronts onto Lavant Street, a storage building behind it, and a vacant large industrial building which occupies the approximately two thirds of the site and fronts onto a tarmac forecourt. This part of the site has an established general industrial use (Use Class B2).
- I.3 Alongside the retail unit is the main access into the site from Lavant Street which leads down to a courtyard area in front of the industrial building. The courtyard is adjacent to the railway car park which is on higher ground and they are separated by a retaining wall and bank covered with vegetation. The site then 'bends' away from the car park whereby the industrial building, whilst still partially adjacent to the car park, largely is behind residential properties on Drum Mead to the west. These are tall 3 storey properties. The boundary alongside these properties is a mixture of vegetation and close boarded fence and the industrial building can be seen from within Drum Mead. A stream also runs along the southern site boundary and through Drum Mead.
- I.4 The eastern site boundary is defined by the end of long rear gardens of properties on Charles Street and a garage block. The industrial building abuts the rear gardens and this eastern site boundary is defined by vegetation and fencing. The adjacent gardens gently slope down away from the site. There is also a second access leading to the site from Charles Street, which is between the end terraced property on Charles Street and a restaurant, which is included within the application site. The northern site boundary is defined by the rear curtilages of properties which face Lavant Street, which are a mix of offices and flats above.
- I.5 The retail unit on the Lavant Street frontage and adjacent properties along this road are within a conservation area, which covers the town centre. The town centre is very accessible with a wide range of shops and services. The site is also near to supermarkets and employment opportunities in the Bedford Road area which is a large area of commercial premises.

2. Relevant Planning History

- 2.1 The site is allocated in the Petersfield Neighbourhood Development Plan (2013-2028) for employment uses (business uses, eg. offices, industrial, warehousing).
- 2.2 F49751/001/FUL: Outline application for 36 flats within 6 blocks after demolition of 34 Lavant Street. Refused 27.09.2006.
- 2.3 SDNP/15/05781/FUL: Mixed-use development comprising 32 dwellings, 130sqm of retail floor space and 80sqm of retail floor space together with associated access and landscaping, following the demolition of existing industrial and office buildings. Refused 07.02.2017 for the following reasons:
 - Loss of an allocated employment site;
 - Cramped form of development which would not preserve or enhance the character and appearance of the conservation area and the townscape;
 - Impact on residential amenities;
 - Lack of financial contributions (community facilities, public open space and affordable housing);
 - Insufficient parking;
 - Was not demonstrated that protected species would not be harmed.
- 2.4 SDNP/18/05862/PRE: Erection of 30 apartments and approximately 272 square metres of employment floor space. Pre-application enquiry closed following submission of this application. An early iteration of the scheme was considered by the Design Review Panel.

3. Proposal

- 3.1 The scheme was amended during the course of the application which involved a re-design of the proposed building onto Lavant Street, along with amendments to the hard and soft landscape scheme within the other areas of the site.
- 3.2 The application proposes to replace the existing retail unit, small commercial building behind it, and the industrial building with 29 flats, which comprise of 11 no.1 and 18 no.2 bed properties, and 241sqm of new commercial floor space. The commercial use could be flexible in regard to offices or retail, or other office based uses in A2 use.
- 3.3 The development would be a mix of 2 to 4 storey development across the site, which incorporates undercroft parking, with a predominance of 3 storey. The existing site levels would also predominantly be retained.
- 3.4 The existing Lavant Street access would be used as the primary vehicular access. It would still slope and would be re-surfaced to fit in with the hard landscape scheme proposed throughout the scheme. The access from Charles Street would also be retained and re-surfaced to improve its accessibility and amenity. It would be used for pedestrian access into the site, but it would also be used as a vehicular access for the neighbouring garage block and properties on Lavant Street.
- 3.5 The proposed built form would be in three buildings with a series of courtyard spaces. At the site entrance a new semi-detached building would be sited on the footprint of the retail unit and extend further into the site. It would be 3.5 storeys with a dual frontage onto Lavant Street and towards the railway station, in recognition that it would be a prominent building. Further into the site, the building would be 2.5 storey with a flat roof. This building would include office space on all floors fronting onto Lavant Street.
- 3.6 Adjacent to the above building, there would be a separate 3 and 4 storey building which, due to the lower ground level of the site, would have a notable lower height compared to the proposed frontage building and would also be lower than the existing neighbouring Lavant Street properties. The siting and footprint of this building would create a hard landscaped courtyard area, within which the shared space would allow access to the building and undercroft parking spaces. This building would also face onto a central shared space within the site and include balconies so as to create a more active frontage.

- 3.7 The third building further into the site is the largest and would be sited on the footprint of the industrial building. It would range between 2 and 3 storey with the lower sections 'linking' the higher elements together. Courtyard areas would be created between sections of the building and it would also face onto a central shared space. An accessible amenity area adjacent to the stream is also proposed.
- 3.8 Surrounding the buildings would be a new landscaped areas with a variety of planted areas and a shared spaces around the buildings for access, amenity and parking. The shared courtyard areas would be surfaced with a variety of materials, with a predominance of permeable block paving. A new amenity area adjacent to the stream would also be created.
- 3.9 A contemporary style of architecture is proposed. The building fronting onto Lavant Street incorporates more traditional features of gables, and brick detailing but with a more contemporary fenestration. The scheme elsewhere also includes simple gable ends to buildings and a red brick façade. The fenestration, dormer windows balconies (projecting and recessed) and timber clad flat roof elements are of a contemporary style.

Affordable housing

- 3.10 Three no.1 bed flats are proposed as affordable housing, following discussions regarding viability of the scheme.

Parking

- 3.11 The scheme includes 29 parking spaces, one for each flat, and 2 spaces for the office units. Electric vehicle charging points are proposed.

Sustainable construction

- 3.12 The scheme is proposed to achieve a 19% reduction in carbon dioxide emissions, in relation to energy efficiency of the buildings. Water efficiency has been proposed to meet 110 litres per person per day. No renewable technologies are proposed.

Landscaping

- 3.13 A soft landscape scheme is proposed with primarily new planting along the north-west site boundary and in the southern area of the site adjacent to the stream. This would involve some clearance and new grasses and shrub planting to enhance these area for wildlife. There would also be a planted courtyard at the southern end of the scheme. A rainwater garden is also proposed on the north-west boundary to manage surface water. Large areas of the site would be new courtyard areas which would be hard landscaped with permeable paving.

4. Consultations

- 4.1 The consultee responses below summarise original comments received at the initial stage of the application and any subsequent comments from a re-consultation exercise undertaken following the submission of amended plans.

4.2 **Arboriculture:** No objection, subject to conditions.

4.3 **Archaeology:** No objection (no conditions recommended).

4.4 **Drainage (EHDC):** No objection, subject to conditions.

4.5 **Design (SDNPA):** Objection

Layout

- Layout has reduced the visual impact of car parking as viewed from the public realm.
- Limited on-site amenity space; only acceptable if it can be of the highest quality in terms of materials and landscaping.
- Amenity space next to the stream is supported; needs to be a green link with the boundary vegetation.

Architecture

- Building onto Lavant Street much improved from original proposal; more detailed design of the ground floor frontage required to reflect the shopfront character of the street.

- Remainder of residential development is 'safe' architecture; only acceptable if high quality public realm can be achieved.
- National Space Standards met.
- Use of red brick supported.
- Substitution of timber cladding with cement based timber effect cladding disappointing.
- Use of aluminium windows on the Lavant Street building supported.

Landscaping

- Limited opportunities to include soft planting should be maximised; suggest 'green walls' of climber plants.
- Consider green roofs on flat roof elements.
- Scheme needs to create more meaningful green infrastructure enhancements.

Drainage

- Use of permeable paving supported, but missed opportunities for multi-functional SUDs.

Objection:

- Further work needed to demonstrate the Lavant Street building is worthy of being a 'gateway' building into the town and national park and in the conservation area through more details of the ground floor Lavant Street design.
- Due to minimal private or public amenity space, the architecture of the residential development only be acceptable if public realm is of the highest quality.
- Scope for more multi-functional SuDS along the western boundary not achieved.
- The roof material must be natural slate or red clay tiles.
- Not meeting the Sustainable Construction Technical Advice Note.

4.6 **Ecology:** No objection, subject to conditions.

4.7 **Economic Development (EHDC):** Objection.

- Inadequate evidence to demonstrate the proposals meet policy for the loss of employment land.
- Would result in a new loss of industrial floorspace which will exacerbate the situation in Petersfield of very high occupancy rates, which limits market 'churn', business growth and investment, and demand for industrial/warehouse premises.
- Petersfield Neighbourhood Plan identifies a shortage of light industrial and small business units.
- PNDP allocated employment sites to safeguard and that process did not discount this site.
- Site is a redevelopment opportunity to deliver smaller industrial units and attract investment.
- Financial viability appraisal needs to be further justified and independently assessed.
- Inadequate evidence of a sustained marketing campaign for the business use premises.
- Not been provided with information on when, where and how the business use premises were marketed and enquiries received.
- Should be provided with a detailed marketing report produced in accordance with appendix 3 of the South Downs Local Plan.
- Require further details on all enquiries received.
- Property was either occupied or under offer during marketing since 2014.
- EHDC made an offer for the site, which demonstrates some interest, which was rejected as landowner was seeking residential values.
- In the absence of a structural survey, insufficient justification to demonstrate the buildings are not suitable for use. (Officer note – EHDC have received this but have not commented further.)

- Statement that the existing buildings would need significant investment does not mean the buildings cannot be refurbished.
 - No exceptional circumstances that would necessitate the loss of this employment site.
- 4.8 **Environment Agency:** No objection, subject to conditions.
- 4.9 **Environmental Health (Contamination):** No objection, subject to conditions.
- 4.10 **Environmental Health (Pollution):** No objection, subject to conditions.
- 4.11 **Highways Authority:** No objection, subject to conditions.
- 4.12 **Historic Buildings Officer:** Comments.
- Comments relate to the Lavant Street frontage building.
 - Previous approach to the site used architectural styles more traditional in form, which contrasted with modern architecture in the rest of the scheme.
 - A traditional approach has not been pursued and the submission has focussed on a contemporary proposal for the Lavant Street building. A more traditional approach would produce a better result.
 - Some significant improvements to the Lavant Street building have been achieved.
 - Concern about a lack of detail for architectural detailing of the ground floor.
 - Amendments have raised the quality of the architecture for the landmark function that is required on Lavant Street, but the architecture does not 'lift the spirits.'
- 4.13 **Housing (EHDC):** Objection.
- No affordable housing proposed, contrary to policy SD28.
 - Viability Appraisal needs to be independently assessed.
 - There is a lack of affordable 1 and 2 bed flats in Petersfield to meet housing need.
- 4.14 **Lead Flood Authority:** Objection pending further information on drainage calculations.
- 4.15 **Petersfield Town Council:** No objection.
- 4.16 **Refuse (EHDC):** No comments received.
- 4.17 **Southern Water:** No objection, subject to conditions.

5. Representations

- 5.1 5 representations have been received which comprise of 3 objections and 2 neutral responses. These representations are the result of a consultation exercise at the start of the application process and a subsequent re-consultation exercise following receipt of amended plans.

Objections

- Busy town with many new developments and at the weekend is at vehicle capacity with road infrastructure unable to cope with the volume of cars.
- Brownfield sites are a way to create affordable homes for people but do not see any affordable housing or benefits to the local community.
- Parking locally is at maximum capacity and abused by non-residents, which can also be dangerous to highway safety.
- Concern that visitors to the development may to have park elsewhere.
- Solution to local parking pressures could be to provide residents on Charles Street access to their rear gardens to build a parking space. This approach would support local community needs.
- Height of buildings would exceed the height of the current buildings.
- Height, orientation of the roofs and proximity of new building to rear garden boundary of Charles Street property would be overbearing and impact upon amenity including loss of sunlight within garden.

- Access between rear of new buildings and Charles Street gardens would create a thoroughfare and cause safety and security risks to existing property.
- Existing parking pressures on Charles Street could be exacerbated by the development.
- New office space could increase congestion from commuters who may drive to the site.
- Introducing a rear access for Charles Street properties would allow new off street private car parking areas (and provide potential for electric vehicle charging) and help to alleviate concern about the scale and proximity of the development to neighbouring property.
- Elevations do not 'fit' with the character of Petersfield.

2 neutral responses:

- Proposals do not replace the employment the former use provided.
- Near to railway line and main road and the residential use of the site isn't fully utilising the site as an economic resource.
- Intend to apply for a new hotel on the site.
- Request the development includes multiple integral nest sites for Swifts; swift bricks would be a permanent maintenance free biodiversity enhancer to support a declining bird species.

5.2 Petersfield Society: Objection.

- Loss of a substantial percentage of employment space, contrary to the PNDP.
- PNDP identifies a shortage of light industrial and small office units within Petersfield.
- Community overall is supportive of businesses and that a rich mix of small businesses should be a key feature of Petersfield.
- PNDP policies BP1 and BP2 respectively allocates the site for employment uses and seek to safeguard its use.
- PNDP policy BP6 supports the provision of affordable workshop space.
- SDNP policies SD35 and SD35 respectively seek to sustain the local economy and safeguard employment sites.
- Site has limited access which will become more restricted in time as the Lavant Street section of the PNDP shared space project is implemented.
- Will result in increased vehicular movements, which will impact surrounding roads from congestion and increased risk of accidents.
- Cumulative impact upon congestion on surrounding immediate roads, particularly around the railway station.
- Development will have a large negative impact upon the Conservation Area and Petersfield.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the South Downs Local Plan (SDLP) 2014-2033 and the Petersfield Neighbourhood Development Plan (PNDP) (2013-2028). The relevant policies are set out in section 7 below.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 24 July 2018 and revised in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF) 2019

- 6.4 The National Planning Policy Framework has been considered as a whole. The following NPPF sections have been considered in the assessment of this application:

- Achieving sustainable development
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Building a strong competitive economy
- Requiring good design
- Meeting the challenge of climate change, flooding and coastal change.
- Conserving and enhancing the natural environment

Relationship of the Development Plan to the NPPF and Circular 2010

- 6.5 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with it.

Legislation for Heritage Assets

- 6.6 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Major development

- 6.7 The proposed development does not constitute major development for the purposes of the NPPF and policy SD3 (Major Development) of the SDLP given its location and lack of significant adverse effect upon the National Park area.

The South Downs National Park Partnership Management Plan 2019-2025

- 6.8 Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.” The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant outcomes include: 1, 3, 9, and 10.

Other relevant guidance and evidence documents

- 6.9 Other relevant guidance includes:
- The Ecosystems Services Technical Advice Note 2019.
 - The Sustainable Construction Technical Advice Note 2019.
 - The Petersfield Town Design Statement 2010.

7. Planning Policy

- 7.1 Whilst the SDLP must be read as a whole, the following policies are relevant:

- SD1: Sustainable Development

- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding views
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD19: Transport and Accessibility
- SD21: Public Realm, Highway Design and Public Art
- SD22: Parking Provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of Homes
- SD28: Affordable Homes
- SD35: Employment Land
- SD37: Development in Town and Village Centres
- SD45: Green Infrastructure
- SD48: Climate Change and Sustainable Use of Resources
- SD50: Sustainable Drainage Systems
- SD55: Contaminated Land

7.2 Whilst the PNDP must be read as whole, the following policies are relevant:

- HP2: Provide an appropriate mix of market housing
- HP6: Provide Affordable Housing
- HP8: Quality and layout of housing developments
- BEP1: The character, setting and quality of the town's built environment
- BEP2: The character of the conservation area
- BEP4: Shop fronts in conservation area
- BEP6: The Settlement Boundary
- BEP7: Sustainable and adaptable buildings
- GAP1: Provide pedestrian, cycle and mobility scooter access to the town centre from new developments
- BP1: Allocate sites specifically for employment use
- BP2: protect existing employment sites
- BP3: Encourage businesses to come to Petersfield
- RP1: Encourage new retail development in the town centre
- RP2: Maintaining an appropriate mix and balance of retail uses
- NEP7: Biodiversity, trees and woodlands
- NEP8: Flood risk and waterway enhancement

8. Planning Assessment

- 8.1 Petersfield is one of two market towns within the National Park which serve as economic and social hubs. Petersfield also has good road and rail links as well as a wide range of facilities and services. It's linked with the wider economy in East Hampshire District, within which approximately 60% of East Hants residents work in the district.
- 8.2 Employment sites, by their very nature, can be hard to replace. Determining the loss of these sites is taken looking at a relatively short period in their lifespan. Policies BP2 and

SD35 respectively require at least 6 months and up to 18 months marketing periods to determine the viability of and demand for these sites. Such an approach focusses on looking back at a site's viability and efforts to market it and whether it is fit for purpose, whilst there is other more general policy at the local and national level which supports the economy looking ahead.

- 8.3 These considerations are currently pertinent given the Covid-19 crisis. The impact on the economy is uncertain and whilst Petersfield has a reasonably buoyant economy, particularly in regard to the high occupancy rate of business premises, the viability of this site to remain as an employment site may worsen as well as its potential for a residential scheme. For the purposes of this application, the viability appraisals considered in the assessment pre-date the current crisis.

The principle of development

- 8.4 The existing industrial building has an established general industrial use (Use Class B2). The building on the Lavant Street frontage is a retail unit with offices above. In regard to the site's allocation, employment uses are those which fall within the B Use Class which are:

- B1 – offices, research and development, light industrial
- B2 – General industrial
- B8 – storage (warehouses) and distribution

- 8.5 The Site is within the Settlement Policy Boundary of Petersfield. It is an allocated employment site in the PNDP (policy BP1) which is a principal issue concerning its re-development. The purpose of this policy was to allocate sites which are important to the economy of Petersfield. Along with policy BP2, detailed below, the PNDP objectives encourage retaining existing employment areas and new growth. The PNDP does outline that there is a demand for better quality small scale office and serviced office space, which this scheme would provide and in a greater amount compared to the existing frontage building. It is noteworthy however that the Town Council have not objected to the scheme.

- 8.6 Policies BP2 and SD35 safeguard existing allocated employment sites, subject to considerations about whether they are fit for purpose and the outcome of a robust marketing campaign. The relevant marketing periods are 6 months and 18 months in each policy respectively. The longer 18 month period should take precedence given that the SDLP is a more recent Local Plan and greater weight is given to this policy. The marketing should also be undertaken based on the marketing requirements set out in appendix 3 of the SDLP. The onus is on applicants to demonstrate that there is no demand for the site for business uses.

- 8.7 The proposals do include new office space which also needs to be considered in the planning balance, as outlined below. Criteria no.2 of policy SD35 allows for the change of use of industrial premises and land for new offices, however, given the scheme is predominantly residential rather than a wholly commercial scheme this element of the policy has been given less weight compared to its other criteria relating to the safeguarding existing business use sites.

- 8.8 The policy supporting new housing needs to be balanced with the allocation of the site. The PNDP is supportive of new housing and allocates new sites to meet its need. Policy HP4 supports small scale 'windfall sites' within the built up area, subject to design considerations. Additionally, policies SD26 and SD27 support the provision of new homes and an appropriate mix of properties.

- 8.9 Regarding the existing retail unit, policy RPI has a presumption against the loss of existing ground floor premises with an A Use Class (retail, financial services, restaurant, takeaway) within the defined town centre, which this site is within. The submitted marketing information does not include this unit, but the loss of this modest retail unit within a much larger site would not be a sufficiently robust reason to justify a refusal on its own, given the considerations regarding the re-development of the site in this report.

Employment need

- 8.10 Policy SD34 offers broad support for fostering the economic and social wellbeing of local communities, in line with the National park duty, and supports the provision of new business enterprises. This proposal would offer new employment opportunities through the provision of new commercial floorspace and has the potential for more people to be employed than the existing industrial premises.
- 8.11 In regard to the supply of employment land, policy SD35 outlines an overall provision for new employment land of 5.3ha for new office space, 1.8ha for industrial and 3.2ha for small scale warehousing. Its supporting text outlines that this need is already being met through sites with extant permission, Neighbourhood Plan allocations (including this site) and the SDNP Local Plan allocations.
- 8.12 Policy BP3 encourages new business development, especially small office units and workshops. This originates from the view that the c.3ha of new employment sites would not fulfil demand over the lifetime of the PDNP, based on a 2014 employment land study, which suggested that 6ha worth of sites was needed. Based on the commentary in the PNDP, there is a need for new employment space.

Viability and marketing of the site in business use

- 8.13 The application is accompanied by a commercial viability report (CVR). It analyses the viability of re-developing the site for differing scenarios of offices, industrial and warehousing (B Class uses) re-development.
- 8.14 The analysis considers in more detail whether an industrial/warehouse use could be viable, taking into consideration an indicative site layout of various units to determine its scale and modelling its build and other costs, rental values/yields, marketing and void periods for example. The CVR does not model the viability of refurbishing the building on the basis that it considered it was unviable to retain due to its condition and indeed outlines that its structural defects in particular have previously been under estimated. A Structural Survey of the building provided to outlines its poor condition to the extent that it would be unviable for substantial investment to refurbish it.
- 8.15 East Hampshire District Council's (EHDC) Economic Development Service (EDS) object to the submitted appraisals due to inadequate evidence and justification to support the assumptions which have been used in the CVR. For example, no comparable data for the figures of freehold sales, rents and yields and further evidence relating to costs. Furthermore, EDS contend that the assessments have not been sufficiently 'sensitivity tested' whereby changes to inputs in the calculations (eg. yields, rental values, amount of floor space on site, mix of uses etc) are examined to see how these could determine whether business use re-development of the site is viable. Also, that there are no exceptional circumstances to justify its loss.
- 8.16 The CVR outlines that many assumptions used are taken from the SDNPA's own viability appraisals for determining its CIL charging scheme and updates the build costs data and contends that the re-development of the site is unviable, particularly with abnormal costs identified and its concerns regarding rental values of new units and other market factors.
- 8.17 The SDNPA's CIL assumptions and viability evidence can correctly be used to inform viability appraisals, which is outlined in the NPPF and national planning guidance. The SDNPA's evidence covers the whole National Park and it is not until viability is assessed on a site specific basis, within the context of Petersfield's market, that the viability of a site can be specifically assessed in much more detail.
- 8.18 Further viability information provided by the Applicant includes modelled differing specific development scenarios for this particular site, with varied amounts of new office and industrial floorspace. The scenarios have undergone sensitivity testing provided by the Applicant in regard to the financial assumptions used within them by inputting differing figures, like higher or lower rental values for example. This analysis has demonstrated that a commercial re-development scheme of either total office or industrial uses are unviable.

- 8.19 It is noteworthy to add that the financial assumptions used are before the Covid-19 crisis and it is likely that they represent an optimistic view of the current and future commercial market. The figures adopted for rents/yields, void periods for when premises are vacant for example will have worsened, which further exacerbates the viability of a wholly commercial scheme. Furthermore, demand for new floorspace may weaken through changes in future working practices, i.e more home working.
- 8.20 Ultimately, it is a balance between considering whether the viability information presented is acceptable or to give weight to the Economic Development Service's (EDS) concerns. Notwithstanding the comments received from EDS, the level of information and extent of analysis presented by the Applicants sufficiently convinces officers that the re-development of the site for a commercial scheme is not viable.
- 8.21 Furthermore, the EDS also state that no exceptional circumstances have been presented to justify the re-development of the site. Policies BP2 and SD35 do not include considerations relating to exceptional circumstances, but the viability information submitted, in any event, sufficiently justifies the viability of retaining it for business use purposes.

Marketing of the Site

- 8.22 Occupancy rates for business use premises in Petersfield have typically been high over recent years. Whilst this could be a sign of a buoyant market, it can also be due to lack of availability of new premises for businesses to move and expand to.
- 8.23 The marketing details for the site are included in the CVR and additional information has been provided in response to Officers concerns. This has been assessed in relation to SD35 and Appendix 3 of the SDLP. Firstly, whether the site is practically fit for purpose and an attractive site for a business to occupy is relevant. Unlike other industrial sites nearby (Bedford Road and Frenchmans Road), the site is relatively less accessible being partly within the town centre and adjacent to the railway station and its car park.
- 8.24 In addition, the siting and scale of its access, as well as on site turning space, limit accessibility for heavy good vehicles. The large industrial building also abuts neighbouring residential boundaries.
- 8.25 The Site is not as an attractive location for businesses compared to the other areas mentioned above (paragraphs 8.22 and 8.23). It should not be entirely discounted because of its location and its characteristics, but they are notable factors in attracting new investment and businesses. In addition, Lavant Street is subject to a PNDP aim to turn it into a more attractive shared space, linked to similar town centre proposals which, if delivered, will affect its accessibility further.
- 8.26 A robust campaign of at least 18 months needs to demonstrate that the site is no longer suitable for a business use. This would cover the period from April 2018 to October 2019 when the application was submitted as a minimum. During this period, the Local Plan was adopted but policy SD35 was referred to in pre-application discussions.
- 8.27 The marketing of the industrial building started in 2014. Following a dismissed Appeal in August 2016 concerning a residential scheme at Paris House, Frenchmans Road (a nearby PNDP allocated employment site), the marketing strategy changed with the freehold being marketed in addition to its leasehold. This was in response to the Inspector concluding that not marketing the freehold was a critical flaw. The marketing period between 2014 to August 2016 should therefore be discounted and is somewhat dated in any event.
- 8.28 Since August 2016, the site has continued to be marketed independently by the same commercial agent through a variety of means. The time up to April 2018 (the threshold for the minimum period of marketing in SD35) resulted in no offers apart from EHDC in June 2017. EHDC offered £1.025m in its then existing use and condition, which was based on an independent valuation. The offer was rejected and no reasons were provided to EHDC. They have stated that they are still interested in the site.
- 8.29 EHDC's offer was not too dissimilar to the valuation cited in the current Applicant's viability appraisal, however, limited weight has been given to it as it was 3 years ago and it is understood that there have been no further discussions between EHDC and the landowner

or any offers made. Marketing particulars from around August 2017 provided by EHDC show the site was also advertised with a guide price of £1.5m. This is notably higher than the existing use value of the site presented in the Applicant's viability appraisals and an independent valuation undertaken by EHDC. At that time, the site appears to have been marketed on unrealistic terms given this guide price. In which case, the marketing of late 2017 is not sufficiently robust.

8.30 The minimum marketing period in relation to SD35 would be from April 2018 and it is a matter of judgement regarding how far back from then that the marketing needs to be scrutinised. Since the Applicant's involvement in the Site in 2018, based on all of the information now provided a reasonably well outlined marketing campaign has been undertaken. This has been assessed against the marketing requirements in Appendix 3 of the SDLP as outlined below.

8.31 Appendix 3 advises that a variety of media and outlets to attract potential interest should be used in order to demonstrate a sustained marketing effort. The criteria from Appendix 3 are cited in the table below, alongside Officer's comments to summarise how they have been addressed.

Appendix 3 Criteria	Officer comment
Property details made available through a minimum of one local professionally accredited agent with a specialism in the type of relevant use	Holloway, Iliffe and Mitchell were instructed in 2014 and have continued to be the marketing agent.
The property sales particulars should include basic site information and terms of sale (leasehold/freehold)	Undertaken (particulars appended to CVR).
A copy of the dated letter of instruction to the commercial agent and dated copies of the agent's property details.	Letter of instruction provided, which dates from 2014, and property particulars appended to CVR are dated 5 th July 2018.
On site/premises marketing boards in place throughout the period the property has been marketed.	Photograph of sales board referred to in CVR but missing in appendix. Notwithstanding, officer is aware that historically there has been an advertising board, albeit it was moved further into the site.
Targeted mailshot or email to a list of potential purchasers agreed with the Authority.	Sent to other commercial agents and those on the agent's 'enquiries list.' Advised that the site has been included in periodical mailshots by the Agent.
Web-based marketing through a prominent location on the appointed commercial agent's website and other relevant search engines.	12 websites in total cited (including the agent's) where the site is marketed. 2 should be discounted as their use ended in 2016/17.

8.32 Appendix 3 requires evidence to show that the site has been marketed on realistic terms. i.e - a price and terms commensurate with market values for the existing use. It has been contended that a sale or leasehold value was not advertised during the latest marketing campaign so as not to put off any interested parties. This is a reasonable approach.

8.33 Information about the marketing originally lacked evidence and in particular dates to outline that a sustained campaign has been undertaken over the 18 month period. Further dated

information provided shows a clearer timeline of marketing efforts, with the freehold and leasehold being advertised, including more detail about enquiries and when these were received.

- 8.34 The marketing efforts have included the use of 10 websites over the 18 months, including the Estates Gazette, and there have been periodical mail shots of the Site's details to the commercial agent's mailing list totalling c.500 recipients. These are two key means for advertising a site. This resulted in 21 enquiries, 4 of which relate to employment uses, and no offers have been made.

Conclusion in relation to marketing

- 8.35 Having considered the information provided, it has been sufficiently demonstrated that the site is not fit for purpose and that there is not a strong likelihood of the site being retained or re-developed for business uses, through a robust marketing campaign.

The proposed housing

- 8.36 As above, there is support for new housing and to maximise the re-use of brownfield land in both the Development Plan and the NPPF. In regard to housing need, the PNDP outlines a requirement of a minimum of 700 new dwellings over the PNDP period and allocates various sites (policy HPI). A number of large allocates sites have either been built or benefit from planning permission. The National Park as a whole can also demonstrate a 5 year housing land supply, albeit this is not a significant consideration compared to areas outside of the National Park. This application would be a windfall site in terms of new housing provision.
- 8.37 There is demand for new housing and this scheme would deliver 1 and 2 bed flats, which there is a need for in Petersfield, including affordable housing as outlined by EHDC's Housing Officer. In this regard, the scheme would improve the existing housing stock in Petersfield particularly given many of the allocated housing sites have delivered more family homes than smaller dwellings. Smaller dwellings would, therefore, be a social benefit to Petersfield. Whilst the proposed mix does not explicitly follow policy SD27 (which requires schemes to deliver 50% 1 and 1 beds) or HP2, for the reasons above and in the context of making efficient use of brownfield sites in sustainable locations this mix is acceptable. The mix of smaller dwellings may also aid the viability of the site, particularly in regard to proposing to deliver new office accommodation which, given comments on the commercial viability of B class uses, may be less valuable development.
- 8.38 A residential scheme on this site could also create a better relationship with surrounding residential uses compared to the existing industrial site and the merits of the design are considered below.

Affordable Housing

- 8.39 Bruton Knowles, on behalf of the SDNPA, have independently assessed the viability appraisal submitted with the scheme. The independent appraisal has considered the benchmark land value (BLV) and the Residual Land Value (RLV). The BLV is determined by an assessment of the existing use value of the site, plus a premium for the landowner for selling the land. The RLV is the value of the development minus costs and accounting for a profit. The difference between BLV and RLV determines what a scheme could achieve in regard to contributions including affordable housing.
- 8.40 There have been differences in opinion centring on the existing use value (EUUV) but the RLV is greatly affected by significant costs including abnormal costs of clearance and remediation given previous uses. Bruton Knowles' conclusions are consequently that a policy compliant scheme (i.e 50% affordable housing) is not achievable and that only 3 affordable units could be delivered. At the lower end of the Applicant's profit expectation (15%), the scheme could provide these units in line with the SDNP Authority's preferred mix (2 x Affordable Rent 1 x Shared Ownership). However, at the higher end developer's profit expectation (17.5%) the Proposed Development is at the margin of viability with a tenure of 2 x shared ownership units and 1 x affordable rent unit.

- 8.41 For further comparison, the VA submitted with the previous 2015 application was independently assessed by the District Valuer Service which concluded that it could not provide any affordable housing. Furthermore, the case officer has also reviewed the Local Plan and Affordable Housing Viability Assessment (2017) which underpins policy SD28. This does not provide significantly contradictory analysis which would suggest inputs in the VA for the current scheme are unreasonable.
- 8.42 The site is in a highly sustainable location and not significantly contributing to affordable housing need is disappointing given that it is based on current viability inputs. Officers have sought to scrutinise the VA for this scheme and, on balance, a contribution of three units on site is accepted as the viable proposition. The Applicant has confirmed that they will provide the 3 affordable units as no.1 bed properties.

The proposed layout

- 8.43 The layout seeks to maximise the use of the site. This is supported given its highly sustainable location. The layout has sought to achieve a balance between the scale of development and the amount of amenity space.
- 8.44 Siting the Lavant Street building on the footprint of the existing building and retaining the access is an acceptable approach. Further into the site, the proposed building immediately behind the frontage would comfortably 'sit' within the site and retain acceptable distances from neighbouring properties and respect their amenity through an appropriate scale, massing, orientation and fenestration.
- 8.45 The largest proposed building would be sited on the footprint of the existing industrial building. It is sited close to the rear gardens of Charles Street properties but this is an acceptable approach for a number of reasons. These are that neighbouring properties have very long rear gardens with mature planting, the proposed building largely reflects the heights of the existing industrial building, apart from the gable ends, and by virtue of its architecture, scale, massing, and fenestration would improve the outlook from these dwellings and would not compromise their private amenities. The siting of this building also allows for a better public realm within the site. Additionally, it would also provide good separation from the adjacent car park. Overall, the heights, massing and scale of the buildings are acceptable and make best use of the site and its topography, without significantly impacting upon adjacent properties.
- 8.46 The Design Officer raised a concern that given the amount of public and private amenity space, the public areas need to be of a high quality design. By maximising the number of flats the amenity space is consequently reduced, but the site is in a town centre location and the spaces around the buildings have been well designed so as not to appear dominated by cars. The central space adjacent to the Charles Street access would be more as a shared space rather than purely serving as access. The elevations of the proposed buildings on either side of this space include balconies to create 'active' frontages and natural surveillance. The proposed landscaped courtyard and amenity space next to the stream at the western end of the site would provide further amenity for residents, with balconies looking out onto it. The amount of amenity space is considered to be acceptable and the quality of materials and planting for these areas could be addressed via planning conditions in order to address the Design Officer's concern about the quality of these spaces.

The Conservation Area and proposed architecture

- 8.47 In regard to the designation of the Conservation Area, it extends out from the historic core of the town around The Square to include Lavant Street. This street was developed with residential properties and shops from c.1880s onwards after the construction of the station. The Conservation Area Character Appraisal (2017) identifies the Station as a focal point and a positive listed building at the end of Lavant Street. Many of the later 19th and early 20th Century properties on the southern side (same side as the site) are identified as high quality examples which retain their original materials and details, particularly their shop fronts, make apposite contribution to the character and appearance of the conservation area.

- 8.48 It also highlights that the character of Lavant Street includes various detailing around windows, red brick facades, tile hanging, render, gables fronting onto the road, dormer windows and closer to the station older properties 'step up' in height, which contribute to its character. The Appraisal also highlights that more modern unsympathetic development close to the station as well as other later materials evident on the more historic buildings detract from its character and appearance.
- 8.49 The architecture of the proposed frontage building would not be of an excessive height in the context of the attached adjacent property and the street scene. It would not interrupt the long view of the Station from the southern end of Lavant Street, given its scale and siting on the existing building line. It would also not have an imposing relationship with the Station given the change in levels and that the station has a 3 storey element.
- 8.50 The Conservation Area Character Appraisal identifies the modern buildings near to the station are of a poor quality. In contrast, the proposed building would reflect traditional forms and have a characterful architecture in terms of its detailing and features, including English Bond brick work. These characteristics are evident in the conservation area. A notable difference are the proposed aluminium windows which would be in keeping with the proposed contemporary style but are less characteristic of Lavant Street. Sash windows are notable within Lavant Street, primarily on the more original buildings, but there are examples of unsympathetic UPVC windows. Given the contemporary building proposed, it is better to propose a contemporary fenestration than replicate more traditional windows which is an acceptable approach.
- 8.51 Of key concern are the design and conservation officers' views on the treatment of the ground floor elevations. Within Lavant Street there is a predominance of shopfronts with a variety of detailing, materials, and proportions. The proposed building would introduce large openings for new glazing to reflect the shop front character. Limited details have been provided for the detailing of window frames, cills and brick detailing around them. In the event planning permission is granted, a suitably worded condition could require additional details to be provided for the ground floor frontages around the windows to ensure that appropriate detailing contributes to the building and the character and appearance of the streetscene.
- 8.52 The architecture of the other buildings proposed is more simplistic with its gabled and flat roof forms and does not incorporate a wealth of features and detailing. However, its simple forms and features do create a coherent scheme that is not overly fussy or competes with the frontage building which needs to be more of a landmark building. The proposed balconies would also add visual interest to the building. Good quality materials would also help to 'lift' the building and the predominant red brick for the elevations would be characteristic of Petersfield. In light of these considerations, the scheme would also respect the setting of the conservation area.
- 8.53 In light of the above considerations, the scheme is considered to preserve would preserve and enhance the character and appearance of the conservation area. The design would also be an attractive addition to the street scene, which is an important consideration in light of a PNDP aspiration to create a new shared surface along Lavant Street.

Sustainable construction

- 8.54 In regard to the Design Officer's objections about the sustainability of the scheme, concerns have been raised about materials, how green infrastructure (including green roofs) could be realised to deliver a scheme which enhances biodiversity as well as helps to manage surface water (i.e its multi-functional), and that these matters should be resolved prior to the determination of the application. Furthermore, that no renewable technologies are proposed. These aspects are included in the Sustainable Construction Technical Advice Note (TAN).
- 8.55 The scheme would meet the energy and water efficiency requirements of SD48 and the TAN in regard to the fabric of the buildings. It would also incorporate electric vehicle charging points. Regarding the concerns about renewable technologies, condition 12 is proposed to address this.

- 8.56 In respect of green infrastructure and surface water drainage, details have been provided which could be developed and considered further via planning conditions and, similarly, for ecological enhancements. This could include enhancements of the banks and watercourse alongside the southern end of the site, with appropriate planting in this area to encourage wildlife and manage any surface water flooding. Large areas of permeable paving and a modest sized rain water garden on the north-west boundary are also proposed which could be considered further via the planning conditions.

Eco-systems Services and biodiversity

- 8.57 The scheme would not impact upon any trees proposed to be retained. The landscape scheme, via condition, could contribute to enhancing biodiversity (see paragraph 8.55). Condition no.6 also requires the enhancements outlined in the submitted ecological report to be secured, which relate to provision of roosts for bats and birds, including for Swifts which was raised in a representation.

Access and parking

- 8.58 Development Plan policies seek to ensure that new developments provide adequate off-street parking provision. One space per dwelling and the provision of parking for the office space is considered acceptable in this location. The Highways Authority has not objected to this provision on highway safety grounds or the use of the existing access.

Impact on amenity of local residents

- 8.59 An objection raises concerns regard the design of the scheme, notably the height, orientation and siting of buildings and proximity to the rear garden boundaries of properties facing onto Charles Street. Given the long rear gardens of these adjacent properties and the scale, massing, orientation and fenestration (with some obscure glazed rear windows) of the buildings there is not considered to be a significant impact upon the amenities of these neighbouring properties. Also, with the site being to the north of them there is not a significant issue in regard to overshadowing of their rear gardens. The scheme also includes sufficient access and an acceptable amount of parking, would be in a location which would not cause significant impacts upon neighbouring properties.

Drainage and flood risk

- 8.60 The drainage engineer and Southern Water have not raised an objection in principle. The Lead Flood Authority have objected on the grounds of a lack of drainage calculations having been provided. This issue could, however, be considered via a planning condition relating to further details of the surface water drainage scheme.

Pollution

- 8.61 Environmental Health have not raised concerns in regard to ground contamination or other pollution, subject to conditions. The Environment agency has also not objected, subject to conditions.

9. Conclusion

- 9.1 The application submission has, on balance, satisfactorily demonstrated that the loss of the employment site is acceptable in principle through extensive viability appraisals and marketing, which has been scrutinised.
- 9.2 Regarding affordable housing, a submitted Viability Appraisal has been independently assessed by Bruton Knowles. They have concluded that 3 of the flats could be an affordable tenure which the Applicant has agreed to provide. On balance, the affordable housing provision is acceptable albeit a claw back clause would be included in any S106 agreement in regard to the re-consideration of viability at a later stage.
- 9.3 The proposed design is considered acceptable in terms of its siting, scale and architectural approach, which would also preserve and enhance the character and appearance of the conservation area and not cause significant impact upon neighbouring amenities. Furthermore, the buildings would comply with policy SD48 insofar as energy and water efficiency and further aspects outlined in this report (eg. materials, landscaping, renewable

technologies) are proposed to be addressed further via the conditions outlined below.

10. Reason for Recommendation and Conditions

10.1 The application is recommended for approval, subject to:

- 1) The completion of a S106 Legal Agreement, the final form of which is delegated to the Director of Planning, to secure the following:
 - Provision of 3 on-site affordable units.
- 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress has not been made within 6 months of the Planning Committee meeting of 11 June 2020.
- 3) The conditions as set out below.

Planning Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended) and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

Use

3. The floor space within the frontage building onto Lavant Street annotated as 'commercial space' on plans PP1263-120-03-P4 and PP1263-120-04-P4 shall only be used as office accommodation as defined by Use Class B1(a) of the Use Classes Order 1987 (as amended) and for no other use whatsoever unless otherwise agreed by the Local Planning Authority.

Reason: To provide new business use floor space in accordance with the proposals.

Materials

4. No development above slab level shall be commenced unless and until a schedule of materials and samples of such materials, finishes and colours to be used for external walls, windows and doors, roofs, and rainwater goods of the proposed buildings, have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

Landscaping, ecology and trees

5. No development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a. Written specifications (including cultivation and other operations associated with plant and grass establishment;
 - b. Planting methods, tree pits & guying methods;
 - c. Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
 - d. Retained areas of trees and hedgerows;
 - e. Manner and treatment of existing frontage ditches and ha-ha feature;

- f. Details of all hard-surfaces, including paths, kerb edges, access ways, boundary treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting.
- g. Details of the siting, specifications and management of the Sustainable Urban Drainage systems.
- h. A landscape schedule for a minimum period of 5 years including details of the arrangements for its implementation;
- i. A timetable for implementation of the soft and hard landscaping works.
- j. A landscape plan with services shown.

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

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.

- 6. The Development shall proceed in accordance with the measures relating to bid and bats detailed in section 6.4 'Enhancements' of the Ecological Appraisal report by WYG (January 2020). Thereafter, the provisions outlined for bats and birds shall be permanently retained and maintained in accordance with the approved details. The grassland planting and its management cited in section 6.4 of the report shall be subject to the details agreed in condition 4.

Reason: To ensure a net gain in biodiversity on the site.

- 7. No development above slab level shall take place until a site-wide detailed Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing by the Local Planning Authority. The LEMP shall include, but not necessarily be restricted to, details of: measures to retain existing boundary features; long term objectives and management responsibilities and regime of the landscape scheme; measures to enhance ecology through the provision of landscape species. The measures shall thereafter be implemented in accordance with the approved details.

Reason: To conserve and enhance flora and fauna

- 8. No development shall commence until a detailed Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. These details shall accord with British Standard BS5837:2012 and include the routes of services and their installation. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To conserve trees which are to be retained.

Dark night skies

- 9. No development shall commence above slab level until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the type and location of all external lighting to be installed throughout the site. All external lighting on the dwellings shall be restricted to down lighters that do not exceed 1000 lumens, which shall be designed and shielded to minimise upwards light spillage.

Reason: To conserve dark night skies.

Ground floor fenestration and detailing

- 10. No development shall commence until further details of the ground floor windows and surrounding brickwork of the building fronting onto Lavant Street have been provided. These details shall include 1:20 scaled plans and sections of the window frames, details of cills, and further architectural detailing around windows to reflect the shop front character of buildings within Lavant Street.

Reason: to ensure that appropriate detailing contributes to the building and the character and appearance of the street scene.

Levels

11. No development shall commence until details of site levels and longitudinal and latitudinal sections through the site have been submitted to and approved in writing by the Local Planning Authority. These shall show how the buildings are proposed to be set into the topography of the site, in comparison to existing levels.

Reason: To ensure a satisfactory development which responds to the characteristics of the site.

Sustainable Construction

12. No development above slab level shall commence until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings will achieve a minimum 19% improvement over the 2013 Building Regulations Part L Dwelling Emission Rate (DER)/Target Emission Rate (TER), a further 20% reduction in CO₂ emissions through the use of renewable sources and a maximum of 110 litres/person/day internal water use in the form of a design stage SAP calculations and a water efficiency calculator, unless otherwise agreed in writing by the Local Planning Authority. The dwellings shall thereafter be constructed in accordance with these details.

Reason: To ensure the development has minimised its overall demand for resources and addresses climate change mitigation.

Drainage

13. No development shall commence until a detailed sustainable surface water drainage scheme, including a Management Plan detailing its future management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The details provided shall include hydraulic calculations for all rainfall events (1 in 1, 1 in 30 and 1 in 100 year events (plus 40% climate change allowance)) and the results to include design and simulation criteria, network design and results tables, and manholes schedule tables. The scheme shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure satisfactory provision of surface water drainage.

14. No development shall commence until a detailed drainage scheme for the means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority. These details shall include drainage calculations and a Management and Maintenance Plan. The development shall be carried out in accordance with the approved details. No dwelling shall be occupied until the drainage system has been implemented in accordance with the approved details.

Reason: To ensure satisfactory provision of foul water drainage.

Parking

15. Prior to the development being brought into use, the parking provision shall have been made in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site parking is provided.

Construction Management Plan

16. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i) An indicative programme for carrying out of the works;
- ii) Method Statement for the demolition and construction work;

- iii) The arrangements for public consultation and liaison during the construction works;
- iv) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method for constructing foundations, the selection of plant and machinery and use of noise mitigation barrier(s);
- v) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- vi) The parking of vehicles of site operatives and visitors;
- vii) Loading and unloading of plant and materials;
- viii) Storage of plant and materials used in constructing the development;
- ix) The erection and maintenance of security hoarding, where appropriate;
- x) Wheel washing facilities;
- xi) Measures to control the emission of dust and dirt during construction;
- xii) A scheme for recycling/disposing of waste, including spoil, resulting from demolition and construction works;
- xiii) Protection of pedestrian routes during construction;
- xiv) Provision for storage, collection and disposal of rubbish;
- xv) Any Re-use of on-site material and spoil arising from site clearance and demolition work.
- xvi) Working hours.

Reason: In the interests of highway safety and the amenities of the area.

Contamination

17. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
- a) a scheme outlining a site investigation and risk assessment designed to assess the nature and extent of any contamination on the site.
 - b) a written report of the findings which includes details of all previous uses; a description of the extent, scale and nature of contamination; a conceptual model of the site indicating sources, pathways and receptors and an assessment of all potential risks to known receptors including any off site; identification of all pollutant linkages; any potentially unacceptable risks arising from contamination, and unless otherwise agreed in writing by the Local Planning Authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site.

And (unless otherwise first agreed in writing by the Local Planning Authority)

- c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages.

The above reports should be completed by a competent person, as stipulated in the National Planning Policy Framework, Annex 2, and site works should be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS10175:2011 Investigation of potentially contaminated sites - Code of practice.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and others offsite receptors.

18. Before any part of the development is first occupied or brought into use (unless otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the completion and effectiveness of the remediation works carried out, including any future monitoring of pollution linkages, maintenance and contingency actions, and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the Local Planning Authority. The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure satisfactory development and in the interests of the safety and amenity of future occupants.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices I. Site Location Map

SDNPA Legal Services, Development Manager.

Consultees

Background Documents

All planning application plans, supporting documents, consultation and third party responses

<https://planningpublicaccess.southdowns.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

South Downs National Park Partnership Management Plan 2019

<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>

South Downs Integrated Landscape Character Assessment 2005 and 2011

<https://www.southdowns.gov.uk/planning/planning-advice/landscape/>

South Downs Local Plan 2019

https://www.southdowns.gov.uk/planning/south-downs-local-plan_2019/

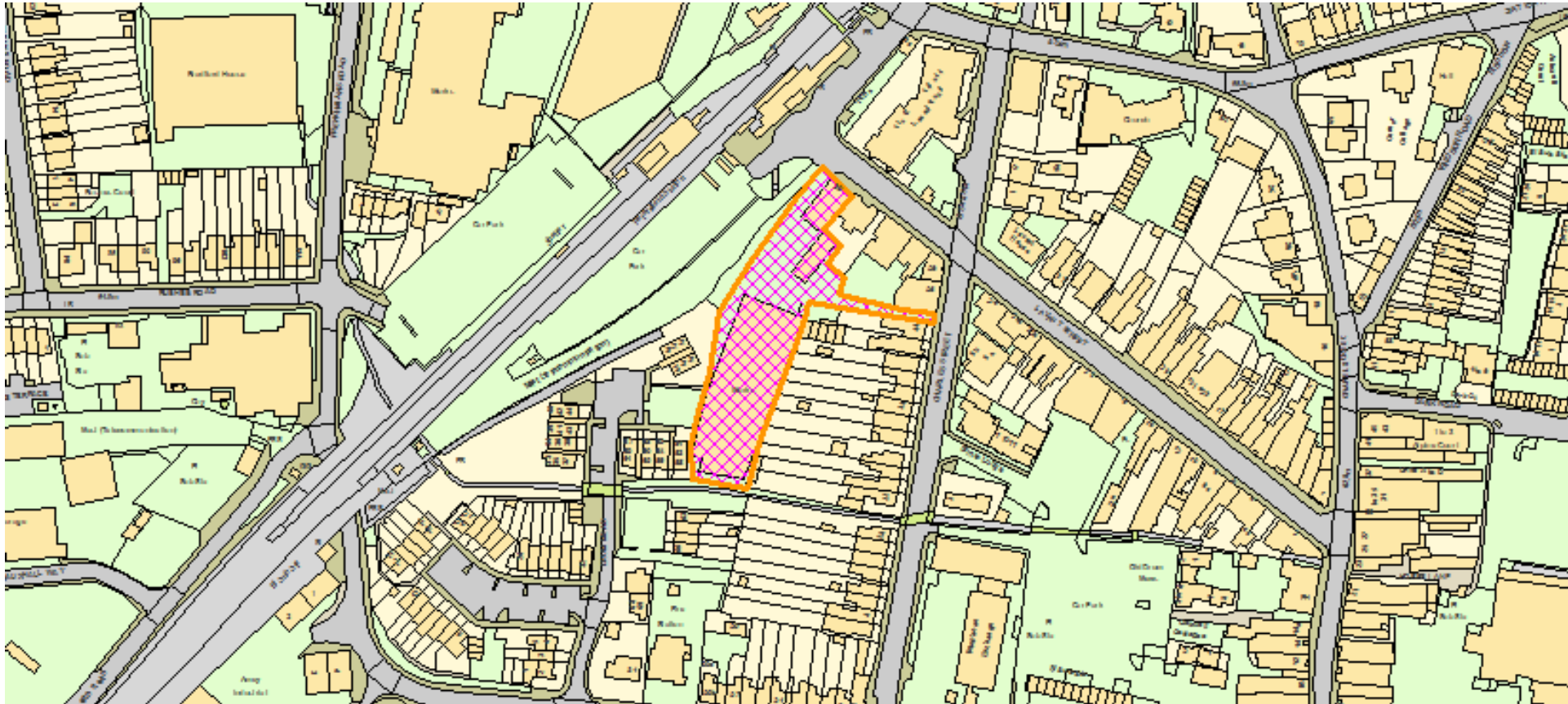
Petersfield Neighbourhood Development Plan 2013-2028

<https://www.southdowns.gov.uk/planning/planning-policy/neighbourhood-planning/neighbourhood-development-plans/lavant-neighbourhood-plan/>

Sustainable Construction Technical Advice Note

<https://www.southdowns.gov.uk/planning/supplementary-documents/>

Site Location Map



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