

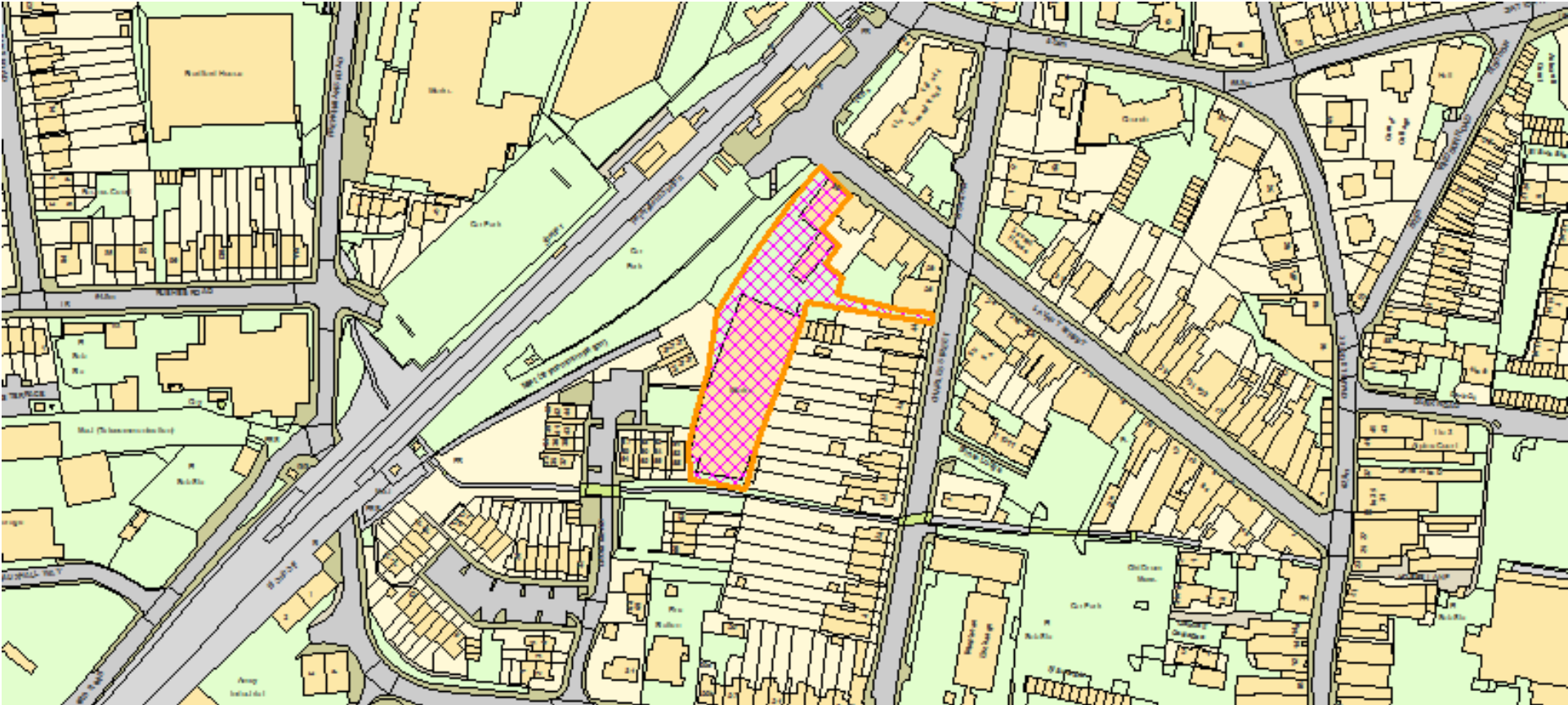
Agenda Item 6
Report PC22/23-34

Report to	Planning Committee
Date	8 June 2023
By	Director of Planning
Local Authority	East Hampshire District Council
Application Number	SDNP/22/04504/FUL
Applicant	6a Vision Homes Limited
Application	Demolition of existing workshop building and erection of 34 flats, extension and recladding of 34 Lavant Street and change of use to cafe/office/meeting space (Use Class E), with associated parking, cycle and bin stores and landscaping.
Address	Workshop and land rear of 34 Lavant Street, Petersfield, Hampshire, GU52 3EF.

Recommendation:

- 1) That planning permission be granted subject to:
 - i) The completion of a legal agreement to secure the following, the final form of which is to be delegated to the Director of Planning:
 - 5 on-site affordable units plus a £100,970 in lieu financial contribution.
 - ii) The completion of a satisfactory preliminary feasible surface water drainage strategy, the consideration of which is delegated to the Director of Planning, as necessary.
 - iii) The conditions as set out in paragraph 9.2 of this report.
 - 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:
 - a) the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 8th June 2023 Planning Committee meeting.
 - b) Within 6 months of the 8th June 2023 Planning Committee meeting the preliminary feasibility surface water drainage strategy has not been acceptable.
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Site Location Map



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Executive Summary

Key Matters

- The site is an allocated employment site within the Petersfield Neighbourhood Development Plan (2016). The previous 2020 planning application and subsequent dismissed appeal did not refuse a mixed use development of the site in principle.
- The proposed mixed use scheme includes a greater amount of commercial space than the previous proposals which would help to support the local economy and in conjunction with the café has the potential to become a hub and generate employment.
- A contemporary scheme is proposed with a 'landmark' building on the Lavant Street frontage, where it would be a prominent addition within the conservation area. The design of a building in this location has been a previous concern of Members and formed part of the reasons for refusal in the 2020 scheme. The current proposed approach has had regard to the character and appearance of the conservation area and references positive local vernacular of Petersfield.
- The 33 flats proposed is a larger development than the previous scheme (29 flats), however, the scale and contemporary design is acceptable.
- There are ongoing discussions about affordable housing provision. The recommendation reflects that a resolution is anticipated. A more specific recommendation citing the exact affordable housing contribution will be included in the update sheet before the meeting.
- The recommendation also delegates to the Director of Planning further information to be received and considered regarding the detailed information required by the Local Lead Flood Authority for the proposed surface water drainage scheme.
- The application is before Members due to the determination of the previous application and the scale, design and nature of the proposals.

1. Site Description

- 1.1 The site is partially within Petersfield town centre and opposite to Petersfield Railway Station and its car park on Lavant Street. It is also partially within the conservation area, which extends from the town centre square and along Lavant Street up to the Station.
- 1.2 It has an area of 0.34ha and comprises of a two storey flat roof building which fronts onto Lavant Street, and has a vacant retail unit with offices in use above, a storage building behind it, and a large vacant industrial building (Use Class B2) which occupies approximately two thirds of the site. The main site access is on Lavant Street which leads down to a yard area in front of the industrial building. There is a second access leading from Charles Street.
- 1.3 The adjacent railway car park is on higher ground than the site. The industrial building is in between flats on Drum Mead to the west and two storey terraced properties on Charles Street to the east. The site boundaries alongside these properties are a mixture of vegetation, timber fencing and walls. The northern site boundary is defined by the rear curtilages of properties which face Lavant Street. A stream also runs along the southern site boundary which defines the site.

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.

- 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. Closed 03.12.2019.
- 2.5 SDNP/19/04720/FUL: Erection of 29 apartments and approximately 241 square metres of office floor space following demolition of existing buildings. Refused 01.07.2020 due to lack of affordable housing; design of the frontage building; and impact upon the character and appearance of the conservation area. Appeal dismissed 26.02.2021 for the following reasons:
- Inadequate provision for affordable housing.
 - Frontage building poorly designed and would not preserve or enhance the character and appearance of the conservation area.
- 2.6 SDNP/20/02824/FUL: Change of use from retail (A1) to hotel accommodation (C1): Refused 26.11.2020. Appeal dismissed 31.01.2022 for the following reasons:
- Frontage building would not provide a suitable environment for a hotel.
 - Unlikely good quality accommodation could be provided.
 - Could prejudice the re-development of the wider site.
- 2.7 SDNP/22/02020/PRE: Demolition of buildings and erection of 29 flats, remodelling of 34 Lavant Street, retention of the retail unit with new offices above. Advice:
- Principle likely to be acceptable subject to further information on marketing and viability.
 - Contemporary scheme acceptable in principle.
 - Require a landmark building on the frontage, its café and office space supported.
 - Form, heights and massing of buildings need to fit in with townscape, conservation area, setting of the station, and respect surrounding amenities.
 - Use of existing access supported.

3. Proposal

- 3.1 A residential and commercial development comprising of 34 no.1 and 2 bed flats plus a café and office space is proposed. A three storey 'landmark' frontage building would re-purpose the structure of the exiting building and accommodate a ground floor café and flexible office space on the floors above it.
- 3.2 The frontage building would have a gabled tiled roof, brick, terracotta tile detailing and render would be employed on the elevations in a contemporary way around large glazed windows with a variety of proportions. Recessed glazed balconies are also proposed. Its office space would offer a mix of 'hot desking' and meeting room rental space to suit modern working lifestyles. Café customers and users of the office space would have access onto a new raised landscaped terrace behind the frontage building.
- 3.3 Immediately behind the frontage building would be a new three storey block of 8 flats on top of an elevated landscape terrace that would connect the two buildings and have parking underneath. It would have a gabled and flat roof and be of the similar form, contemporary character and appearance as the frontage building, plus protruding balconies.
- 3.4 On the site of the industrial building, a block of 25 flats is proposed which would have a footprint and form that would create new landscaped courtyards and predominantly undercroft parking, along with four protruding gables which would face the railway car park and Drum Mead. It would predominantly be three storey apart from a fourth floor at its northern end. This building would be the largest part of the scheme and continue the design character and appearance of the other proposed buildings to create a coherent scheme.
- 3.5 The existing Lavant Street access would be the primary vehicular access. It would slope and be re-surfaced to fit in with the hard landscape scheme. The access from Charles Street would also be retained and improved as part of the hard landscaping.

Affordable housing

- 3.6 Five flats are proposed as affordable housing comprising of three affordable rented and two shared ownership tenure (15%). In addition a financial contribution of £100,970 is proposed in lieu of further on site provision.

Sustainable construction

- 3.7 It is proposed to install solar PV on all south facing roof slopes with red tinted panels link with the clay tiled roofs. Energy is proposed to be stored in battery storage and through smart technology used efficiently to avoid excess energy consumption. Efficient water consumption is proposed to meet the 110L per person/day standard. Green roofs are proposed on the flat roof elements of the buildings.

Landscaping

- 3.8 Surrounding the buildings would be a new hard and soft landscape scheme with a variety of planted areas, shared spaces for access, amenity and parking. The shared courtyard areas would be surfaced with a variety of materials, including permeable block paving. The soft landscaping is also linked into the surface water drainage scheme with rain gardens and rills. A new landscaped area adjacent to the stream would also be created including a communal decked area.

Parking

- 3.9 There would be 22 residential car parking spaces, along with cycle storage. Electric charging points are proposed.

4. Consultations

- 4.1 Responses received from a range of consultees are summarised below.

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

- 4.3 **Design and Historic Buildings Officers (joint response):** Support, subject to conditions.

- Well-considered and attractive residential development.
- Successful layout and public realm with a combination of courtyard gardens, roof terrace garden and hard/soft landscape scheme with SUDs.
- The main apartment building is well articulated with textured red brick and tile hanging, which is locally appropriate and distinctive. Its height and rear elevation would be an acceptable neighbouring development to Charles Street properties.

Frontage building and conservation area

- Attractive new landmark building with bold and well animated elevations and windows from active rooms, a roof terrace, balconies and locally characteristic materials.
- Distinctive design which is appropriate for its 'landmark' role.
- Frontage building would preserve and enhance the character of the conservation area; both the redevelopment of the existing poor quality building and the proposed building which picks up on local characteristics.
- Would not dominate the station building.

Sustainability

- Good sustainability credentials - retention of the shell of the existing frontage building a significant attribute of reducing embodied carbon within the scheme.
- Red solar PV panels fitted flush with roofs are appropriate.
- Between 58-68% reduction in CO2 emissions from energy use.
- More than 10% green roofs and multi-functional SUDs proposed is positive.

- EV charging points provided but 7Kw chargers need to be proposed.
- 4.4 **Ecology:** No objection, subject to conditions.
- 4.5 **Economic Development (EHDC):** No response received.
- 4.6 **Environmental Health (Contamination):** No objection, subject to conditions.
- 4.7 **Environmental Health (Pollution):** No objection, subject to conditions.
- 4.8 **Highways Authority:** No objection, subject to conditions.
- 4.9 **Housing (EHDC):** Objection.
 - Insufficient affordable housing.
 - Viability Appraisal needs to be independently assessed.
 - High need for 1 and 2 bed flats.
- 4.10 **Lead Flood Authority:** Further information required regarding SUDs maintenance and management, water treatment, flood exceedance flows and water discharge rates.
- 4.11 **Petersfield Town Council:** No objection in principle but request the scheme is reviewed by the SDNPA Design Review Panel.
- 4.12 **Refuse (EHDC):** Refer to published guidance.
- 4.13 **Southern Water:** Development is over an existing public surface water sewer which is unacceptable; diversion may be possible provided this would not result in a loss of capacity.
- 5. Representations**
- 5.1 7 representations received which comprise of 4 objections (including The Petersfield Society - para 5.2 below), one support, and one neutral response.

Objections

- Proximity to rear garden boundaries on Charles Street and gables too high.
- Construction phase – management of noise, disturbance, and dust necessary.
- Poor access for adjacent existing business and fire safety issue.
- Building heights and loss of views.
- Charles Street link should only remain for pedestrian/cycle access.
- Insufficient parking and potential for overspill on street parking.
- Need to address pollutants on site.

Support

- The Hampshire Swifts organisation support the Ecologist’s view for including nest bricks.

Neutral response

- Site suitable for development;
- Initial appearance of the scheme is good;
- Co-ordinated development better than existing.
- Housing is an appropriate re-use.
- Number of units is excessive and flats too small.
- No provision for EV charging.

- 5.2 **The Petersfield Society:** Objection.
 - Need to re-assess the volume of the Lavant Street building.
 - Frontage building out of scale.

- Need to enhance gateway location, with visitors being met by a scale of development that is 'natural' to the town with views of the Downs beyond.
- Allocated employment site; appreciate some short term office space provided, however, question how is Petersfield going to attract small businesses in the future.

6. Planning Policy

6.1 Most relevant polices of the adopted South Downs Local Plan (2019) (a longer list of other relevant policies can be found in Appendix I)

- SD5: Design
- SD12: Historic environment
- SD15: Conservation areas
- SD35: Employment land
- SD28: Affordable homes

6.2 Most relevant policies of the adopted Petersfield Neighbourhood Development Plan (2016)

- BEP1: The character, setting and quality of the Town's built environment
- BEP2: The character of the conservation area
- BEP3: Key focal points and buildings in the conservation area
- BP2: Protect existing employment sites
- HP8: Quality and layout of new housing developments

6.3 Relevant supplementary planning documents (SPD) and other guidance

- Design SPD (2022)
- Sustainable Construction SPD (2020)
- Affordable Housing SPD (2020)
- Parking for Residential and Non-Residential Development SPD (2021)
- The Petersfield Town Design Statement (2010)
- Biodiversity Net Gain Technical Advice Note
- Ecosystems Services Technical Advice Note

6.4 Most relevant sections of the National Planning Policy Framework 2021

- Section 5: Delivering a sufficient supply of homes
- Section 12: Achieving well designed places.
- Section 15: Conserving and enhancing the natural environment.
- Section 16: Conserving and enhancing the historic environment.

6.5 Most relevant policies of the South Downs Management Plan (2020-2025)

- Outcome 4: Arts and heritage
- Outcome 9: Great places to live
- Outcome 10: Great places to work

7. Planning Assessment

Principle of development

- 7.1 The site is within the urban area and an allocated employment site in policy BPI of the PNPD. Such commercial sites, by their nature, can be hard to replace and policies BPI, BP2 and SD35 collectively seek to identify, safeguard, and promote these sites for their economic

contribution to the local economy. These policies also allow for their re-development to other uses, subject to considerations about whether they are fit for purpose and the outcome of a robust marketing campaign.

- 7.2 The previously refused planning application and dismissed appeal (see paragraph 2.5) did not determine that a mixed use re-development of the site, in principle, was unacceptable. Weight should be given to this fact. In addition, this current application sufficiently justifies the loss of the site as a wholly employment allocation, on the basis that there has been marketing since the appeal and the unviability of retaining it. The Local Plan also outlines that the need for employment floorspace is already being met through sites with extant permission, Neighbourhood Plan allocations (including this site) and the SDNP Local Plan allocations.
- 7.3 The scheme has many positive aspects that weigh in favour of redeveloping the site. It would re-develop a vacant and run down brownfield site with twice as much new office floorspace than the previous application, which would create employment generating uses on site. The flexible offices would cater for changing working patterns and trends and combined with a new café has the potential to become a ‘hub.’
- 7.4 This aspect of the scheme accords SD34 which supports the provision of new business enterprises and fostering the economic and social wellbeing of local communities, in line with the statutory duty. Policy BP3 also encourages new business development including small office space specifically and the new café on the ground floor would not conflict with policy RPI that seeks to retain retail uses in the town centre, given the flexibility of the Use Class Order (1987 as amended).
- 7.5 This scheme would deliver 1 and 2 bed flats which there is a need for in Petersfield, including affordable housing. This would improve the housing stock in Petersfield given many residential site allocations have delivered houses – of which many are family homes. Smaller flats would, therefore, have a social benefit. A residential scheme would also create a better relationship with surrounding properties compared to the existing industrial use.
- 7.6 Having considered the planning history, the merits of the proposals and the loss of the employment allocation as a whole and the principle of redeveloping the site as proposed is acceptable.

Major development

- 7.7 A development is proposed which would be centrally located in Petersfield, on a brownfield site amongst a mix of uses and scales of buildings. The proposals would only be visible within the townscape from close range views. Having considered the scale, character, setting and potential impacts, and Local Plan supporting text, the proposals are not considered to be major development for the purposes of SD3 and NPPF paragraph 177.

The proposed design

- 7.8 The development seeks to maximise the use of the site, balancing the scale of development with how it fits in with the townscape, including the conservation area, as well as creating an acceptable level of amenity and not significantly impacting upon surrounding properties. The scale of development is supported given a satisfactory layout and orientations, heights, massing and appearance of buildings are achieved, plus given this highly sustainable town centre location and need to viably deliver its re-development. The design is considered to be an attractive addition to the street scene.
- 7.9 The proposed landmark building onto Lavant Street utilises the fabric and foundations of the existing building which aids the sustainability of the scheme and enables the vehicular access to be retained, which is an acceptable approach. Further into the site, the proposed building immediately behind the frontage would comfortably ‘sit’ within the site and have acceptable distances from neighbouring properties to respect their amenity, along with having an appropriate scale, massing, orientation and fenestration.
- 7.10 The largest proposed building would be sited on the footprint of the existing industrial building. It would be sited close to the rear gardens of Charles Street properties but this is an acceptable approach for a number of reasons. These 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 hipped gable ends and the 4th storey would be at the northern end of the building which would be set further back from adjacent gardens.

- 7.11 The siting and orientation of the buildings allows for a good public realm within the site, with the creation of new landscaped courtyards and good separation from the railway car park. By maximising the number of flats the amenity space is consequently reduced, but this is a town centre location and the spaces around the buildings have been well designed. 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.
- 7.12 The central space adjacent to the Charles Street access would be a shared space rather than purely serving as an access, albeit it would be defined by the tallest buildings within the scheme. Overall, the heights, massing and scale of the buildings are acceptable and make best use of the site and its topography. 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 and a decked communal area.

The proposed architecture and impact upon the conservation area

- 7.13 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.” The conservation area extends from The Square up to the Station. The northern part of the site is within it, which includes the existing frontage building, the Lavant Street vehicular access and the Charles Street access. The large industrial building is outside of it.
- 7.14 The Conservation Area Character Appraisal (2017) identifies the Station as a positive focal point along Lavant Street. Many of the later 19th and early 20th Century properties on the southern side (same side as the site) of the street are also identified as high quality examples of their period which retain their original materials, features, and detailing, particularly shop fronts, which positively contribute to the character and appearance of the conservation area. There is also a diversity of architectural forms.
- 7.15 The appraisal also highlights that older properties closer to the station ‘step up’ in height, which contributes to its character. It also identifies that modern buildings near to the station are of a poor quality. In contrast, the proposed building would have a characterful architecture.
- 7.16 In regard to preserving and enhancing the character and appearance of the conservation area, Lavant Street is a 19th century shopping street characterised by strong gables, red brick and rich detailing. The scheme picks up on many of the local characteristics including strong gables, use of red brick with stucco render, terracotta scalloped tiling which provides a range of textures and celebrates clay detailing, decorative shop frontages, red clay tiled roofs and windows taller than they are wide.
- 7.17 The proposals would introduce a new high quality form of development due to its scale, form, and appearance of the buildings, with a rich palette and texture of materials that responds to the local vernacular and conservation area. The high quality hanging tiles reflect Petersfield and would introduce visual interest and articulate the verticality of buildings and their changing sizes between storeys would create well-articulated elevations.
- 7.18 The frontage building would not have an excessive height and is well proportioned, along with a gable which reflects the roof pitch of the station. It would also respect the stepped characteristic of rising roof heights towards the station and would be an appropriate terminus to the rising end of the street. The building would not unduly interrupt the long view of the Station from the southern end of Lavant Street, given its scale, form, and retaining 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.
- 7.19 The fenestration of the frontage building does not seek to replicate more traditional window patterns. It is also a corner building where there is a need to address the street and the station. There is not a consistent pattern of windows or frontages of buildings within the

immediate street scene from the station to the Lavant Street/Charles Street crossroads. The window design adds further visual interest to the building and does reflect the asymmetrical character of the fenestration of the Station. The ground floor café frontage is also of a form that reflects the character of local shop fronts within the conservation area. The proposed design including fenestration is therefore acceptable and considered to enhance the existing built environment.

Impact on listed buildings/non designated heritage assets

- 7.20 Of key consideration is the need to have special regard to the desirability of preserving listed buildings and their settings. The nearest listed building is the signal box north of the station and on the opposite side of the railway line. This building is a sufficient distance away and has a limited visual relationship with the application site. On this basis, its setting would not be impacted upon by the proposals.
- 7.21 The station building is not listed but it is considered to be a non-designated heritage asset. Its setting has also been given consideration in the design of the scheme. The design approach, including scale, bulk and massing, of the proposed frontage building would not dominate the setting of the station nor interrupt its contribution as a focal point along Lavant Street. It would also be a positive contribution to the townscape as outlined above. The remainder of the scheme similarly would not impact upon the station due to its siting, design and being on a lower level to the station. The Historic Buildings Officer has not objected on this issue.

Design summary

- 7.22 Overall, the proposals would introduce a modern scheme that positively reflects characteristics of Petersfield, including the use of materials, without overly replicating traditional features and precedents (such as fenestration) that could otherwise 'drive' the design approach. The proposed landmark building would be a positive addition that would preserve and enhance the character and appearance of the conservation area.

Sustainability

- 7.23 The scheme would exceed the energy and water efficiency requirements of SD48 and the SPD in regard to the fabric of the buildings and reducing CO2 emissions from energy use. It would also incorporate suitable measures to minimise water usage. Renewable technologies and battery storage are proposed. Electric vehicle charging points are also proposed.
- 7.24 An acceptable amount of green roofs are proposed. Surface water drainage at ground level could be managed sustainably and its details can be considered further via planning conditions.

Drainage and flood risk

- 7.25 The drainage engineer has not raised an objection. The Lead Flood Authority have requested further technical information in response to the submitted drainage information. On the basis of the LFA's advice, the Recommendation includes that further information be submitted to demonstrate the feasibility of the surface water drainage scheme prior to the granting of Planning Permission. Subsequently, a condition is also included to require the approval of the more detailed aspects, provided the LFA's concerns can be addressed.
- 7.26 Southern Water are concerned about a surface water sewer on their records, however, the applicant's consultants cannot find any evidence of its existence. This could be addressed as part of the Construction Management Plan.

Ecosystems services and biodiversity

- 7.27 The scheme would not impact upon any retained trees. The landscape scheme would contribute to enhancing biodiversity and ecosystems services, all of which could be secured via conditions.

Highways and parking

- 7.28 Development Plan policies seek to ensure that new developments provide adequate off-street parking provision. The scheme does not provide sufficient parking if the Parking SPD

were to be rigidly applied. However, the scheme is in a highly sustainable location and a degree of flexibility is therefore appropriate. The Highways Authority has not objected on highway safety grounds either to the access arrangements or parking issues. Furthermore, on street parking permits are available in this location and are subject to management by East Hampshire District Council.

Neighbouring amenities

7.29 Concern has been raised in regard to the height and proximity of the larger apartment block to the rear garden boundaries of Charles Street properties. These properties have long rear gardens. The proposed rear elevation would present a long consistent roof line and hipped gables but the architecture, scale, massing, and fenestration would improve the outlook from these dwellings and would not compromise their private amenities with obscure glazed windows at the second and third floors. There is also a tall brick wall at the end of Charles Street Gardens which also mitigates for the presence of the new building and avoids an overly 'blank' elevation facing towards their gardens.

7.30 There is no significant issue in regard to overshadowing of the neighbouring rear gardens given the scale and form of the proposed building. The scheme also includes sufficient access and an acceptable amount of parking, which would not cause significant impacts upon neighbouring properties.

Affordable housing

7.31 A crucial issue in determining the amount of onsite affordable housing is the matter of Vacant Building Credit (VBC). VBC is a national policy which allows eligible floorspace of existing buildings, on brownfield sites, to be used to offset affordable housing requirements.

7.32 The large industrial building, plus a separate smaller building, have been vacant for a sufficient period of time to be eligible for VBC. Consequently, when applying VBC, this results in a significantly reduced level of affordable housing than the 50% required by policy SD28, which equates to 5 affordable units (15%) and a financial contribution in lieu of further on-site provision. This position is irrespective of a viability appraisal submitted by the applicant which seeks to demonstrate that a policy compliant scheme of 50% of the total number of units is unviable and Bruton Knowles' opinion of this appraisal.

Pollution

7.33 Environmental Health have not raised concerns in regard to ground contamination or other pollution, subject to conditions.

8. Conclusion

8.1 The proposals would facilitate the re-development of a vacant brownfield site, in a sustainable location, and deliver new commercial space and smaller housing stock within Petersfield town centre.

8.2 Overall, the scale and design of the proposals are acceptable, having taken into account consultee responses, representations, and the character and appearance of the conservation area and townscape for the reasons outlined. The impacts upon surrounding amenities are not significantly harmful to justify a refusal of Planning Permission. The proposals would also preserve and enhance the character and appearance of the conservation area for the reasons outlined.

8.3 The proposals substantially comply with the Development Plan and the NPPF, National Park Purposes and duty, and relevant legislation. The proposals represent sustainable development in regard to social, economic and environmental considerations. There are no material considerations of sufficient weight which would justify refusing permission.

8.4 The application is, therefore, recommended for approval subject to the completion of a S106 Legal Agreement, submission of further drainage information and conditions.

9. Reason for Recommendation

9.1 It is recommended that the application be **APPROVED** subject to:

- 1) That planning permission be granted subject to:**
- i) The completion of a legal agreement to secure the following, the final form of which is to be delegated to the Director of Planning:**
 - **5 on-site affordable units plus a £100,970 in lieu financial contribution.**
 - ii) The completion of a satisfactory preliminary feasible surface water drainage strategy, the consideration of which is delegated to the Director of Planning, as necessary.**
 - iii) The conditions as set out in paragraph 9.2 of this report.**
- 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:**
- a) the S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 8th June 2023 Planning Committee meeting.**
 - b) Within 6 months of the 8 June 2023 Planning Committee meeting the preliminary feasibility surface water drainage strategy has not been acceptable.**

9.2 And the following conditions:

Conditions to note are:

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 shall only be used as a café (Use Class E(b)) on the ground floor and office accommodation on upper floors (Use Class E(c)) of the Use Classes Order 1987 (as amended) and for no other use whatsoever unless otherwise agreed by the Local Planning Authority. The extent of these uses shall accord with approved plan P22023-RFT-00-ZZ-DR-A-0203-P.02.

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 birds and bats detailed in section the Ecological Appraisal report prepared by The Ecology Group (dated 15.08.2022). Thereafter, the provisions outlined shall be permanently retained and maintained in accordance with the approved details.

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. The development shall be undertaken in accordance with the Arboricultural Method Statement and Tree Protection Plan by Helen Brown Treescapes (reference HBD2212IA, dated 21.06.2022).

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. The measures shall thereafter be implemented in full accordance with the approved details.

Reason: To conserve dark night skies.

Levels

- 10. 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. The development shall thereafter be implemented in accordance with the agreed details.

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

Sustainable Construction

11. 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 development 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

12. 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.

13. 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

14. 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

15. 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; and
- xvi. Working hours.

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

Contamination

16. 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.

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.

17. 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.

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.

18. 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.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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SDNPA Consultees Legal Services, Development Manager

Background Documents: [All planning application plans, supporting documents, and consultation and third party responses](#)

[SDNP/22/04504/FUL | Demolition of existing workshop building and erection of 33 flats, extension and recladding of 34 Lavant Street and change of use to cafe/office/meeting space \(Use Class E\), with associated parking, cycle and bin stores and landscaping. | 34 Lavant Street Petersfield Hampshire GU32 3EF \(southdowns.gov.uk\)](#)

[Petersfield Neighbourhood Plan - South Downs National Park Authority National Planning Policy Framework \(2021\)](#)

[South Downs Local Plan \(2014-33\)](#)

[South Downs National Park Partnership Management Plan](#)

[SDNPA Supplementary Planning Documents and Technical Advice Notes](#)

Previous planning application:

[SDNP/19/04720/FUL | Erection of 29 apartments and approximately 241 square metres of office floor space following demolition of existing buildings. | Workshop and Land rear of 34 Lavant Street Petersfield Hampshire GU32 3EF \(southdowns.gov.uk\)](#)