

11th January 2024

REF: FRON1086

Havant Borough Council
Planning Department
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

Dear Sir/Madam,

Submission of Details Pursuant to Conditions 4, 7 and 8 of APP/22/00837 – Land at Cowplain School, Hart Plain Avenue, Waterlooville

On behalf of our client, Frontier Estates (WAT) Limited, I am pleased to submit details pursuant to Conditions 4, 7 and 8 of planning permission APP/22/00837, for the development at Land at Cowplain School, Hart Plain Avenue, Waterlooville.

The application has been made via the Planning Portal (ref. PP-12639821) and comprises:

- Application form;
- Deed of Allocation of Nitrate Offsetting Scheme (dated 9th May 2023);
- Deed of Variation relating to Deed of Allocation (dated 15th November 2023);
- Draft Community Use Agreement; and
- Technical Note – Construction Completion (dated 4th December 2023).

The application fee of £116.00 has been paid via the Planning Portal.

Background

On 10th January 2024, planning permission was granted for the redevelopment of Land at Cowplain School to provide a care home and residential dwellings. The description of development is:

Erection of a 64 bed care home (within Use Class C2) and 6No. dwellings (within Use Class C3) with associated works including access, parking and landscaping.

The permission is subject to planning conditions which require further details to be agreed and this application seeks approval of conditions 4, 7 and 8 as detailed further below.

Condition 4

Condition 4 states:

“No development shall take place in a phase until the Council has received evidence that the required nutrient mitigation capacity for that phase has been purchased pursuant to the allocation agreement dated 9th May between (1) William Northcroft Butler and James Nicholas Butler (2) HN Butler Farms Limited and (3) Frontier Estates (WAT) Ltd”

This condition is required to be discharged prior to commencement of the development. A Deed of Allocation (alongside a Deed of Variation) has been agreed by parties to address this condition in full. This sets out details including, but not limited to:

- The commuted sum and reserve fee;
- The required capacity, reserve capacity and site capacity;
- The wetland area and associated details for Whitewool;
- The mitigation land; and
- Offset engineering work.

A 10% deposit of the total commented sum has been paid by Frontier Estates, and the intention is for the full amount to be paid. Now that a decision has been issued the full payment will be made as soon as possible and confirmation of this will be sent to the Council shortly.

Condition 7

Condition 7 states:

“Prior to commencement of the care home development hereby permitted, a community use agreement to be prepared in consultation with Sport England shall be submitted to and approved in writing with the Local Planning Authority, and a copy of the completed approved agreement must be provided to the Local Planning Authority. The agreement shall apply to the school's sports and ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The school's sports facilities and associated ancillary facilities shall be made available for community use in strict compliance with the approved agreement.”

This condition is required to be approved prior to commencement of the development. The enclosed draft Community Use Agreement (CUA) has been agreed between The Cowplain School and Havant Borough Council to address this condition in full. This sets out details including arrangements for use of the pitches, targets, marketing, financial matters and monitoring to be undertaken.

The submission of the draft CUA seeks the agreement of the Council so that the CUA can be formally completed and agreed by all parties in accordance with this condition.

Condition 8

Condition 8 states:

“The care home development hereby permitted shall not be commenced until the drainage works scheme for the playing fields, permitted by planning permission APP/22/00838 dated 23 March 2023, has been completed and confirmation of which shall be submitted to and approved by the Local Planning Authority in writing.”

Separate planning permission has been granted via application APP/22/00838 for drainage works to improve the school playing fields. Condition 8 of APP/22/00837 seeks to ensure the drainage works are completed prior to the commencement of the care home development.

A technical construction completion note has been prepared by Ridge & Partners LLP to address this condition. Confirmation is required in writing from the Local Planning Authority to ensure the agreed mitigation for the loss of playing field at the site is implemented and to accord with Policy DM1 of the adopted Core Strategy.

The technical construction completion note sets this out fully and confirms that all works have been carried out and that the drainage works were completed on 11th October 2023.

Summary

I trust that the submitted details provide sufficient information to approve Conditions 4, 7 and 8. Should you have any queries regarding this please do not hesitate to contact me.

I look forward to receiving confirmation that the application is valid and to discussing it further with you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patchell', written in a cursive style.

Emma Patchell

Associate

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