
Site Address:	Former site of Colt International Ltd, New Lane, Havant, PO9 2LY		
Proposal:	Application for non-material change to planning permission APP/19/01166 relating to realignment of shared footpath and cycle way from South of the site to further North.		
Application No:	APP/20/00647	Expiry Date:	26/08/2020
Applicant:	Mr O'Shea Drew Smith Homes Limited		
Agent:	Mr O'Shea Drew Smith Group	Case Officer:	David Eaves
Ward:	Bondfields		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 This site is the former Colt International industrial premises and lies to the west of New Lane, south of Bartons Road and east of Martin Road. Until recently the tall buildings fronted New Lane including offices for the business with extensive lower industrial buildings to the rear. There is a car park area to the Martin Road frontage of the site. The site is relatively flat within the area of the buildings and car park, however, there is a drop in levels between the western car park and the former site of the buildings and from Bartons Road to the site. The site has now been cleared of above ground buildings and structures.
- 1.2 With regards to surrounding uses, to the south are industrial buildings fronting New Lane and a more modern industrial estate with access to Martin Road. To the west beyond Martin Road is the Church of St Alban, a residential property (Vicarage) and a Skate Park. To the north beyond Bartons Road are residential properties and to the east are other industrial units within New Lane industrial estate.
- 1.3 The site is mainly open but with important trees to the periphery including TPO trees to the south beyond the site. There is a stream crossing the site in a man made channel.
- 1.4 The current proposal relates to a Non-Material amendment to the shared pedestrian / cycle route to New Lane in the South - East corner of the site.

2 Planning History

01/50098/016 - Renewal of Temporary Permission 99/50098/15 for retention of research test rig for environmental monitoring located on roof on east side of building., TPP, 12/07/2001

99/50098/015 - Research test rig for environmental monitoring located on roof on east side of building, TPP, 16/03/2000

93/50098/006 - Raising roof on existing store on north elevation to form test house, PERM, 06/07/1993

93/50098/009 - Two internally illuminated box signs to replace existing applied neon signs., PERM,

04/50098/017 - To replace wooden perimeter fence along Bartons Road and Martin Road boundaries with galvanised steel palisade fence to a height of 2 metres., PERM,20/12/2004

APP/17/01001 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration of the site (Approved 11.10.17). Request to Discharge Condition No.s 3, 6 and 7 (16.01.18). , PAYA,11/10/2017

APP/18/00244 - Outline application with all matters reserved. Mixed use development comprising up to 100 new homes, including up to 40% affordable, 2860 sqm of employment floorspace and improved access onto New Lane and Martin Road. On-site parking for residential and employment uses. Landscaping to be provided, including acoustic bund to rear of employment units and naturalisation of existing watercourse (full details to be submitted at a later stage) (Approved 30.01.19) Request to Discharge Conditions 4 & 18 and partially Discharge Condition 8 (20.02.2019). Request to Discharge Condition 4 (6.01.20).Request to Discharge Conditions 15 & 16 (20.12.19) and Condition 5 (6.2.20. Request to Discharge Condition No.s 6,7,8,11,14,17,18,19,21 & 25 (22.07.20)., PERM,30/01/2019

APP/19/01166 - Reserved matters application following Outline Planning Permission APP/18/00244 relating to access, appearance, landscaping, layout and scale for residential development of 94 dwellings and discharge of requirements of conditions 5 (ecological mitigation and enhancement strategy), 15 (vehicular access points) and 16 (pedestrian and cycle links) (Approved 24/06/2020). Request to Discharge Conditions 2, 3, 4, 5, 6 and 7 (15/07/2020). , PERM,24/06/2020

Officer Comment: This is the application proposed to be varied.

3 Proposal

Application for non-material change to planning permission APP/19/01166 relating to realignment of shared footpath and cycle way from South of the site to further North.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS20	(Transport and Access Strategy)
CS8	(Community Safety)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Planning Considerations

5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

5.2 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties
- (iv) Impact on sustainable transport options
- (v) Impact on flood risk
- (vi) Impact on crime and antisocial behaviour

(i) Principle of development

5.3 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development control criteria.

(ii) Appropriateness of design and impact on the character of the area

5.4 The proposal changes marginally the alignment of the proposed pedestrian /cycle route. It is not considered that the changes would materially impact the character and appearance of the area.

(iii) Effect on neighbouring properties

5.5 The minor change to the route would not result in any significant change in terms of impacts on the nearest business uses.

(iv) Impact on sustainable transport options

5.6 The proposal retains the sustainable transport links for the site and the County Highway Authority have raised no objections to the proposed changes stating:

Given that the SUP will remain 3m wide I am happy with the NMA.

(v) Impact on flood risk

5.7 The minor change in routing of the route is not considered to result in any change to flood risk.

(vi) Impact on crime and antisocial behaviour

- 5.8 The minor re-routing of the pedestrian / cycle route is not considered to alter crime and antisocial behaviour risks.
- 5.9 The proposed changes are relatively modest and it is considered they are unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

6 Conclusion

- 6.1 Overall, the proposed alteration/alterations to pedestrian / cycle route are not considered to result in a material change to the extant planning permission and the change/changes is/are recommended for approval.

7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00647 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Site Plan Drawing No. 0004 Rev A10
Proposed Block Site Plan Drawing No. 003 Rev A10
Reason: - To ensure provision of a satisfactory development.