
Site Address: Former Oak Park School, Leigh Road, Havant
Proposal: Variation of outstanding pre-commencement conditions 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24 and 25 of planning permission APP/15/00303 (Havant Health and Well-Being Campus) by the addition of the words "With the exception of the minor access works and service yard shown on drawing no. 598-PL-103" at the beginning of the relevant pre-commencement conditions and removal of duplicated condition 16 to allow for early construction of minor access works and service yard.

Application No: APP/18/00845

Expiry Date: 29/11/2018

Applicant: Hampshire County Council

Agent: Mrs Roome
Hampshire County Council
Property Services

Case Officer: David Eaves

Ward: St Faiths

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is located on land formerly occupied by Oak Park Secondary School. The site is now mainly open in character with grass and low scrub. The site boundaries are enclosed by chain link fencing.
- 1.2 The site is located approximately 0.8 km to the north of Havant Town centre and Havant Station. Crossland Drive runs to the north of the site and this road joins Petersfield Road to the north-west. To the east of the site runs Old Copse Road and the main access to the proposed development would be via River Way, a short link between Old Copse Road and the site. The River Way access route formerly served an Education Office to the south-east of the site (now demolished).
- 1.3 Lavant Drive runs to the south of the site. The land beyond is owned by the PCT, and is partly used for car parking in association with the Oak Park Community Clinic to the south of Lavant Drive. The PCT land is outside the application site. To the east is Leigh Road which would provide emergency and servicing access to the application site.
- 1.4 There are some important features around the site boundaries. To the west on the Leigh Road frontage are a number of important Horse Chestnut trees which are subject to a Tree Preservation Order (TPO 1809). The northern boundary is marked by a mature hedgerow which is rather overgrown with a wide grass verge to Crossland Drive beyond. To the east of the site are a number of boundary trees including a significant Oak tree. Lavant Stream runs to the east of the site and the River Way access crosses this stream.
- 1.5 The site is located close to a number of health related services. To the south of the site is Oak Park Community Clinic (NHS) and Hollybank Rehabilitation Unit (NHS), to the west The Parkway Centre (NHS) and slightly further off The Homewell Practice, Havant Health Centre (NHS), to the east is Elmleigh (NHS). Therefore the proposed development would be located within a significant wider context of health related services.

2 Relevant Planning History

- 2.1 The site has a significant planning history in relation to both the policy background and submitted planning applications.

Policy Background

- 2.2 There is a long history of allocation of the site for health related development including a Joint Development Brief by HBC and HCC published in 1991 where this part of the site was allocated for a community hospital development.
- 2.3 The current policy position is expressed in the Havant Borough Local Plan (Allocations) July 2014.

Policy HB3 allocates the site under allocation H69 (including the retained PCT land to the south-west corner) as Housing (90 dwellings), Care Home and Community Health.

H69 provides site specific requirements and states under Site Opportunities - *To create a community health campus with a nursing home, extra care accommodation and a replacement health centre. New homes including affordable and extra care housing.* It is anticipated that the replacement health centre would be located on land outside the current application site.

APP/15/00303 - Havant Health and Well-Being Campus, comprising an 80-bed nursing home, 51 affordable extra care flats, 48 affordable and market supported living flats, community hub facilities, landscaped amenity gardens, car parking, with vehicular access from River Way and Leigh Road and pedestrian access from Lavant Drive and Crossland Drive with associated infrastructure (approved 18.12.2015).

Request to Discharge Condition 4 (08.03.2016 approved 16/03/2016). Request to Discharge Conditions 5 and 6 (26.04.2016). Request to Discharge Condition 21 (06/02/2017)., PERMITTED, 18/12/2015

The permission from 2015 included a series of pre-commencement conditions and the current application is seeking to vary these conditions to allow for a limited commencement of development

APP/18/00105 - Application for non-material change to Planning Permission APP/15/00303 relating to minor rearrangements of internal spaces, changes to a small number of facades within the site and changes to site plan to accommodate paths adjacent to fire doors., WITHDRAWN, 09/04/2018

3 Proposal

Variation of outstanding pre-commencement conditions 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24 and 25 of planning permission APP/15/00303 (Havant Health and Well-Being Campus) by the addition of the words "With the exception of the minor access works and service yard shown on drawing no. 598-PL-103" at the beginning of the relevant pre-commencement conditions and removal of duplicated condition 16 to allow for early construction of minor access works and service yard.

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

CS1	(Health and Wellbeing)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS7	()
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM6	(Coordination of Development)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
HB3	(Havant and Bedhampton Mixed Use Allocations)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboriculturalist, Havant Borough Council

No objection providing the work is contained within the red line identified on the proposed site plan.

Community Infrastructure, Planning Policy & Urban Design CIL

There is a CIL Liability attaching to this development of £321 ,219.29 under APP/15/00303. This is currently payable in instalments upon commencement.

The CIL liable elements being housing and potentially the 'shop'. The residential CIL rate is not payable on extra care housing. CIL is not charged on nursing homes. Please note any accommodation regarded as sheltered housing is CIL liable. See Developer Contributions Guide:
<http://www.havant.gov.uk/planning-and-environment/planning-policy/community-infrastructure-levv/developer-contributions-guide>.

CIL form 2 will be required to be completed and submitted by the developer prior to commencement to allow any mandatory social housing relief.

Phasing may be agreed with the applicant prior to the variation decision. More advice on phasing is given at Appendix A at the end of this document (and if phasing is agreed a plan for this should be incorporated into the deed of variation to the S106*).

The phasing once agreed cannot be deviated from and the applicant should decide if phasing the development they may wish to consider any combination or amalgamation of the build below:

- . Minor Access Works and Service Yard
- . Nursing Home
- . Supported Living Units
- . Extra Care Units
- . Hub

The applicant will need to provide figures stating the GIA of each aspect of the phased development. The total liability will be reduced once any mandatory social housing relief is agreed.

We would therefore encourage the applicant to discuss phasing further with the council.

S106

There is an existing S106 for this site dated 18 December 2015.

The applicant refers to the existing S106 at Chapter 4 of their 'Planning Supporting Statement' and indicates how the outstanding obligations will be met.

We can confirm there are a number of pre-commencement obligations that would need to be satisfied prior to commencement, these are identified in the column titled 'Pre' in Appendix B. The Reptile Translocation Obligation has been discharged and the Employment and Skills

Plans Obligations will be deemed discharged. The Case Officer will also need to check how the variation of conditions may interact with the S106 particularly in respect of Condition 3 which relates to SUDS and may wish to seek the opinion of the Councils Development Engineer.

*Ideally any agreed phasing plan should be incorporated in the S106 and a deed of variation agreed to accommodate this.

Officer Comment: The S106 Agreement is not being applied to varied. The requirements within the S106 will therefore remain in place. Further assessment of the S106 are proposed in part 7 (iii) of this report. The first phase of development includes a stand alone drainage proposal. The S106 requirements remain extant for the wider scheme.

Southern Water

Southern Water would have no objections to the proposed variation of the above conditions. Please note there is a public decommissioned foul sewer located in the vicinity of proposed access road and service yard works. If the sewer is to be found during the works, the applicant shall approach Southern Water for further assistance. Southern Water would not allow storage of materials over public sewers as shown on drawing 598-PL-105.

The impact of any works within highway / access road on public sewers shall be assessed and approved, in consultation with Southern Water, under NRSWA enquiry.

The use of soakaways for surface water run off disposal from service yard area is satisfactory to Southern Water. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of these proposals.

Officer Comment: An informative is proposed alerting the applicant to Southern Waters comments.

Environment Agency

We don't have any comments to make on this application - the condition if just surface water drainage will be for the LLFA to comment on.

Environmental Health

I have no objection to pre-commencement conditions 23 & 24 being varied in relation to the minor access works & service yard.

Others will comment on the balance of conditions.

Hampshire Highways

I can confirm that the Highways Authority's comments on this application should be made by the District Council's own engineers, due to the size of the application being below that of the Agency threshold and agreement.

Highways Engineer, Development Engineer

The Highway Authority has no adverse comment to the variations 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24 and 25 of planning permission APP/15/00303

Landscape Team HBC

From a landscape perspective we have no adverse comments in relation to this application.

Local Lead Flood Authority HCC

Thank you for consulting us on the above planning application. Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application as our statutory consultee role in relation to surface water drainage for major development.

Works in relation to ordinary watercourses

PLEASE NOTE: If the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. **This consent is required as a separate permission to planning.**

Information on ordinary watercourse consenting can be found at the following link <http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm>

It is strongly recommended that this information is reviewed before Land Drainage consent application is made.

A Pre-application service for Ordinary Watercourse Consents is available, allowing consents to go through in a smoother, often more timely manor. For full information please visit:
<https://www.hants.gov.uk/landplanningandenvironment/landplanningandenvironment/flooding/WatercoursePreApplication>

Surface Water Drainage

Planning consent with conditions was previously given for this site and the following conditions relate to that of the surface water drainage:

Condition 3

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year 30% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- *details of how the scheme shall be maintained and managed, including who will have responsibility for the drainage system after completion.*

Condition 8

The development hereby permitted shall not be commenced until such time as a scheme to:

- *Dispose of surface water from parking areas;*
- *Install oil and petrol separators;*

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented and maintained as approved.

Condition 17

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended soils from surface water run-off during construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

We have reviewed the following information in relation to the discharge of conditions 3,8 & 17:

- Service Yard Area Drainage Strategy - A048-R04, Abley Letchford Partnership, dated 24th August 2018
- Planning Supporting Statement, HCC, dated August 2018
- HCC Letter from Rosie Roome, dated 10th October 2018

The submitted information addresses our requirements/previous concerns and we have no further comments.

Please see below for further general guidance for the application

It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the Local Planning Authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

For SuDS systems to be adopted by Hampshire Highways it is recommended that you visit the website at:

<https://www.hants.gov.uk/transport/developers/constructionstandards> for guidance on which drainage features would be suitable for adoption.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Officer Comment: An informative is recommended alerting the applicant to LLFA comments.

HBC Drainage Engineer

Confirmed happy with suggested approach (below):

Case Officer email to Drainage Engineer:

I assume that the EA and LLFA will be assessing the bespoke drainage for the servicing yard, however, there is also a requirement in relation to SUDs in the S106 Agreement linked to the original planning permission. I would like us to be in a position to say that this drainage solution for the service yard works ok and that the wider suds can be submitted at that stage of the development to comply with the S106 wider requirements. Are you content with that approach?

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 45

Number of site notices: 5

Statutory advertisement: 07/09/2018

Number of representations received: No comments received

7 Planning Considerations

7.1 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) Proposed changes to planning conditions and their impacts on the planning merits of the development
- (iii) S106 considerations

(i) Principle of development

7.2 This application is seeing to vary conditions imposed in relation to planning permission reference APP/15/00303. The application is made under S73 of the Town and Country Planning Act 1990. This sets out the criteria for the consideration of such applications as follows:

73 Determination of applications to develop land without compliance with conditions previously attached.

(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly,

and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

(3) [F1] Special provision may be made with respect to such applications—

(a) by regulations under section 62 as regards the form and content of the application, and

(b) by a development order as regards the procedure to be followed in connection with the application.]

(4) This section does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun.

[F2] (5) Planning permission must not be granted under this section to the extent that it has effect to change a condition subject to which a previous planning permission was granted by extending the time within which—

(a) a development must be started;

(b) an application for approval of reserved matters (within the meaning of section 92) must be made.]

It is clear that such applications should not revisit the principle of the development but should only consider the question of the conditions on which the original permission was granted.

- 7.3 Further guidance in relation to this type of application is provided by *Government guidance on Flexible options for planning permissions* March 2014. This guidance confirms the following:

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

Officer Comment: This aspect is considered further in part 7 (iii).

A section 73 application is considered to be a new application for planning permission under the 2011 Environmental Impact Assessment Regulations. Where the development is listed under either schedule 1 or schedule 2 to the Regulations, and satisfies the criteria or thresholds set, a local planning authority must carry out a new screening exercise and issue a screening opinion whether Environmental Impact Assessment is necessary.

Officer Comment: The original development was subject to a screening opinion which concluded that the development was screened out from needing an EIA and in accordance with the above advice a new screening exercise has been carried out in relation to the current application. As a result the development has been screened out from needing an EIA. Details of the screening opinion can be viewed on the Council's website.

Annex A provides further guidance:

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

Officer Comment: As advised this application will be assessed in relation to changes to national and development plan policies and other material considerations that have changed since the original planning permission dating from December 2015.

7.4 The originally approved development was as follows:

Havant Health and Well-Being Campus, comprising an 80-bed nursing home, 51 affordable extra care flats, 48 affordable and market supported living flats, community hub facilities, landscaped amenity gardens, car parking, with vehicular access from River Way and Leigh Road and pedestrian access from Lavant Drive and Crossland Drive with associated infrastructure.

7.5 The site is allocated in the Local Plan under policy HB3 (H69) for mixed use development comprising new housing, a care home and community health facility. The development plan is supportive of a health based development in this location.

7.6 Policy CS9 of the Local Plan discusses the need to achieve 450 Extra Care dwellings between 2006 and 2026 across the Borough as a whole. These proposals will make a valuable contribution to achieving this target and include an 80 bed Care Home, 51 Extra Care apartments (1 and 2 beds), and 48 Supported Living apartments (1 & 2 beds); these three types of accommodation will provide a balance in care provision and will meet the full spectrum of care needs.

7.7 There are no changes to the Council's adopted policies since the original approval which continue to support the principle of the development. The NPPF 2018 changes the policy position in relation to national guidance and has therefore been considered.

7.8 The NPPF confirms that planning law requires that applications be determined in accordance with the development plan. Achieving sustainable development is a priority of the NPPF which sets out the three objectives of sustainable development as, an Economic, Social and Environmental objectives, where relevant these will be applied to the condition changes being sought as a result of this application. There is a clear presumption in favour of sustainable development.

7.9 The NPPF emphasises the need to deliver a sufficient supply of homes, including affordable homes. There is also an emphasis on promoting healthy and safe communities and promoting sustainable transport. The requirement to make effective use of land encourages mixed use schemes and good design. Development needs to take account of flood risk and conserve and enhance the natural environment. Habitats and the natural environment need to be protected. These aspects are

considered to have been addressed by the original consent. In general terms it is considered that all these aspects have been previously considered in relation to the original permission; any changes in relation to the individual conditions are addressed below.

- 7.10 Since the original planning permission the Council has adopted Havant Borough Council Parking Supplementary Planning Document 2016. The application results in no changes to the car and cycle parking approved under the original planning permission. The Development Engineer has raised no objections in relation to the current application.

- 7.11 The original consent was assessed in detail in relation to the complex combination of uses proposed as set out below:

In relation to car parking, this is arranged in two main areas, to the north of the site and within the central 'courtyard' area. A detailed analysis of parking requirements has been made and the Development Engineer has raised a number of points of clarification with the agent. Essentially, the car parking requirements for the scheme have been assessed against the particular model of residential and care provision that the development provides. This includes the more limited parking requirements for some residents or patients compared to a standard residential development, staff numbers and shift patterns and visitors to the site. It also takes account of the relatively sustainable location of the development and the implementation of the Travel Plan (secured through the S106 agreement).

The Development Engineer raises no objection to the proposals subject to the provision of a Car Parking Management Plan which allows for the monitoring of car parking including any over spill parking beyond the site and the implementation of measures to address any significant impacts identified. In addition the S106 includes provision for a Traffic Regulation Order contribution for a period of 3 years from the completion of the project should on street parking prove to be a problem.

These provisions in effect provide a mechanism to address problems with over spill car parking should they occur notwithstanding the initial assessment of parking need on site. On this basis it is considered that adequate car parking can be provided on site and that any off site issues that do occur can be satisfactorily addressed.

- 7.12 It is considered that this assessment continues to be relevant and that the bespoke nature of the accommodation and its parking requirements were appropriately addressed and this assessment remains relevant to the current proposal.

- 7.13 In conclusion in relation to the principle of development, it is considered that the proposed development continues to be supported by national and local policies.

(ii) Proposed changes to planning conditions and their impacts on the planning merits of the development

- 7.14 The proposal seeks to vary pre-commencement conditions of planning permission APP/15/00303 by allowing a relatively limited area of development to take place in relation to minor access works and construction of a service yard. It is therefore necessary to assess the implications of varying the conditions as proposed on the reasons for their imposition. The proposal seeks to vary the wording of all the applied for conditions (with the exception of condition 16) by adding at the start of the condition the additional line, "With the exception of the minor access works and

service yard shown on drawing no. 598-PL-103".

7.15 Condition 3

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year 30% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

details of how the scheme shall be maintained and managed, including who will have responsibility for the drainage system after completion.

Reason: *To safeguard the amenities of the locality and to ensure that surface water drainage is provided to an appropriate standard to avoid on and off site flood risk having due regard to policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 the National Planning Policy Framework 2012 and NPPF Planning Practice Guidance Flood Risk and Coastal Change.*

The works proposed to the access and service yard have been submitted with their own stand alone drainage proposal seeking to demonstrate that this phase of the development can be carried out and that surface water drainage can be suitably provided to avoid off site flood risk. The Service Yard Area Drainage Strategy sets out how the wider drainage scheme could be adapted without additional negative impact on the overall drainage scheme for development.

The LLFA and the EA have been consulted in relation to the development. The LLFA have confirmed that they have no objection to the proposal. The EA have raised no objection.

7.16 Condition 7

The development hereby permitted shall not commence unless and until plans and a timetable for the scheduling of the works to the River Way Old Copse Road junction shown in principle on drawing No: A048-020/PO have been submitted to and approved in writing by the Local Planning Authority (in consultation with Hampshire County Council Highways). The approved works shall thereafter be carried out in accordance with the approved scheme and schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason: *To ensure safe and adequate access to the development having due regard to policies CS20 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The proposed works to the Leigh Road access and service yard would be accessed from this access rather than the River Way access. The Development Engineer has raised no objection to this approach. The proposal would not compromise the reason for the condition to ensure safe and adequate access to the development. The wider development would continue to require the River Way, Old Copse Road junction works to be carried out in accordance with further details.

7.17 Condition 8

The development hereby permitted shall not be commenced until such time as a scheme to:

- *Dispose of surface water from parking areas;*
- *Install oil and petrol separators;*

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented and maintained as approved.

Reason: *To ensure that the proposals provide adequate water quality protection measures having due regard to policies CS11, CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The service yard area is not a parking area and the service yard will utilise a system of trapped gullies at low points of the road connected to an infiltration soakaway. The proposed system contains a 2 stage treatment process providing a comprehensive SuDS scheme. The applicant has confirmed in their letter of the 10th October 2018 that *the service yard area will be used for the limited temporary storage of inert building materials and temporary fencing. It may temporarily be used for the short term parking of vehicles during the site survey works, however the majority of parking will be by the contractors compound on the existing area of hard standing. There will be no storage of any chemicals, diesel etc. and no washing of vehicles or use of water supply within the service area. There will be no other activity likely to generate pollutants.* The LLFA have confirmed that they have no objections on the basis of this information. The wider SuDS scheme would be secured at the next phase of development.

7.18 Condition 9

No development including site clearance shall commence on the site until all trees / hedges, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority. Such fencing shall conform to the following specification in accordance with BS5837:2012.

Minimum 2.4 metres high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting weldmesh.

Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: *To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The first phase of the development proposed is located away from any trees or hedges proposed for retention. The Council's Arboriculturalist has confirmed that there is no objection to this phase of the development.

7.19 Condition 10

No development hereby permitted shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: *To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site and having due regard to policies D1 and L6 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The stand alone drainage proposals for the first phase would not include any underground services within the RPZ's of retained trees or hedges. The proposal will therefore not harm retained trees at this phase of the development.

7.20 Condition 11

Prior to the commencement of the development hereby permitted the developer shall submit details of the measures which will be undertaken to protect the public sewers during the development to the Local Planning Authority (in consultation with Southern Water). No development shall commence until the approval of the submitted measures and the development shall thereafter be carried out in accordance with the approved details.

Reason: *To ensure the protection of infrastructure having due regard to policy CS19 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The main sewer crossing the site is located to the northern frontage of the site away from the siting of the phase 1 works. Southern Water have raised no objections to the proposed change to the condition wording. An informative in relation to Southern Waters comments is attached.

7.21 Condition 12

The development hereby permitted shall not commence unless and until details of the proposed means of foul water sewage disposal have been submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure that the development is adequately drained and to mitigate flood risk having due regard to policies CS15, CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The phase 1 works would not result in any foul sewerage requirements and should not impact on the wider foul drainage proposals. No objections have been received from Southern Water in relation to the proposal.

7.22 Condition 13

No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and

implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: *To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The application includes details of material storage area and contractors compound to the north of the phase 1 area and contractors parking would take place within this area as confirmed by the Planning Supporting Statement. This is located on an existing reinforced concrete slab and with the storage areas shown outside RPZ's. No objection has been raised by the Development Engineer or Arboriculturalist. It is considered that this area is acceptable for the phase 1 development. The wider development will require further proposals to be submitted.

7.23 Condition 14

No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

Reason: *To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The materials storage compound is as set out in 7.22. The proposals are considered to be acceptable in relation to phase 1.

7.24 Condition 15

No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: *To ensure that the development has an acceptable impact on the character and appearance of the area having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy framework 2012.*

The proposals include levels for the service yard and the surrounding existing ground levels. The details in relation to the service yard are considered acceptable. The wider site levels requirement will continue to apply.

7.25 Condition 16

The development hereby permitted shall not be commenced until such time as a scheme to:

- *Dispose of surface water from parking areas;*
- *Install oil and petrol separators;*

has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent potential pollution by hydrocarbons to the water environment from parked vehicles having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

This is effectively a duplicated condition to condition 8 and can be agreed to be deleted.

7.26 Condition 17

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended soils from surface water run-off during construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site is adjacent to the River Lavant. As such, there exists the potential for pollutants to enter controlled waters. Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters. Having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

The phase 1 works are located away from Lavant River and relate to a limited area. The EA and LLFA have raised no objection to the proposals.

7.27 Condition 18

No above ground construction works shall take place until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

The phase 1 works will not in themselves create above ground development requiring soft landscaping. The Council's Landscape Officer has raised no objections to the proposed works. The wider scheme would continue to require comprehensive landscaping proposals.

7.28 Condition 19

No above ground construction works shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: *In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The service yard will be surfaced with tarmac which is considered appropriate for this part of the development. The wider development hardsurfacing materials will be subject to approval at the next stage of development.

7.29 Condition 22

No above ground construction works shall take place until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure including gates at access points, security features at access points and acoustic fencing have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: *To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The entrance gates to the service yard are proposed to be installed at a later stage and it is noted that there are existing secure gates to the Leigh Road entrance. In the longer term boundary treatments will be required in relation to the wider site.

7.30 Condition 23

No above ground construction works shall take place until a specification of the provision to be made for the storage and disposal of refuse following the commencement of the use of the buildings has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

Reason: *To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

This condition is seeking to secure provision of storage and disposal of refuse facilities in relation to the use of the buildings. It is considered that the phase 1 development could commence without impacting on the wider refuse requirements.

7.31 Condition 24

No above ground construction works shall take place until a scheme for protecting the proposed Nursing Home, Extra Care Flats and Supported Living Flats (and their external amenity spaces) from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority. Those buildings shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

Reason: *To safeguard the amenities of occupiers in the accommodation and having*

due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM18 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012.

The phase 1 development would not impact on the noise protection scheme and no objection has been received from the Environmental Health Officer.

7.32 **Condition 25**

No above ground construction works shall take place until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: *To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.*

The phase 1 development will not impact on the external facing and roofing materials which will be secured in relation to the wider development.

(iii) S106 considerations

7.33 The original planning permission reference APP/15/00303 was subject to a S106 Agreement dated 18th December 2015. This agreement included a number of pre-commencement requirements. There has been no application to vary the S016 Agreement.

7.34 The S106 pre-commencement requirements have been discussed with the applicants and advice provided by the Councils Infrastructure Officer. The position in relation to the S106 Agreement (summarised) is as set out below:

Schedule 1:

1.1 The Owner and Developer covenant to advise the Council not less than 14 days before commencement of development.

The applicant has provided notification of commencement of development - This has been noted by HBC and the submission of CIL form 6 will provide the precise date of commencement.

3.1 The Owner and Developer covenant not to commence development until the Council has approved the management company responsible for management and maintenance of the common parts.

The applicant has advised that; At this stage, as the final provider is not yet appointed, it remains unknown who the management company will be for the management and maintenance of common parts. Hampshire County Council will work with potential bidders and the ultimate provider to ensure that an appropriate management arrangement will be put in place to affect the management and maintenance of the common parts of the building(s) together with the landscaped garden areas, service and access roads and parking areas. It is highly likely that the company will be appointed by either the care home operator or the appointed Registered Housing Provider as part of the wider management/maintenance arrangements for the care home and/or affordable housing units. It is anticipated that the cost of managing/maintaining the common parts will be met through a service charge levied as part of the care home fees and affordable housing rents or the service charge

payable in respect of the private units. Once the final provider is known, the County Council will submit the relevant information to Havant Borough Council for approval.

This position is noted and it is for HBC to determine how this requirement is to be pursued. At this stage it is considered that the very limited area of works currently proposed would not require immediate further action to secure the requirements of the management clause.

5.1 The Owner and Developer shall not commence development until they have agreed in writing with the Council the design for the SuDs scheme, together with a programme for its construction and delivery.

The applicants have stated, In line with condition 3, a SUDs scheme will be provided to ensure effective surface water drainage. This will be provided prior to the commencement of the rest of the development (Phase 2). The Local Lead Flood Authority are happy with this approach in relation to condition 3.

This position is noted by HBC and the first phase of the development is subject to a stand alone drainage scheme.

6.1 The Owner and Developer covenant the Council not to commence development until the requirements of the Reptile Translocation plan have been complied with to the satisfaction of the Council.

This requirement has previously been discharged.

7.1 The Owner and Developer covenant not to commence development unless the Solent Ecological Mitigation Contribution (£11,524) has been paid or caused to be paid. It shall be applied at such a time and in such a manner as the Council shall in its absolute discretion determine in relation to the costs incurred by the Council in respect of the Special Protection Area avoidance and mitigation measures.

The applicant has confirmed that:

A sum for all the S106 financial requirements will be transferred to Havant Borough Council totalling £16,774 upon receiving the decision notice.

HBC will issue a Demand Notice to be issued by the Council, subsequent to receipt of CIL Form 6, this will include details of how to pay.

8.1 The Owner and Developer covenant not to commence development until either the submission of an Employment and Skills Masterplan for the site or the payment of a financial contribution in lieu of this.

This has been confirmed as deemed discharged.

10.1 The Owner and Developer covenant with the Council not to commence development until the Travel Plan sum (£250) has been paid to the Council and to notify the Council within 14 days.

The applicant has confirmed that; *this will be paid to Havant Borough Council.*

12.1 The Owner and Developer covenant to pay the Council before commencement of development the monitoring and administration fee (£5,000).

The applicant has stated: *As confirmed above, this will be paid to Havant Borough Council.*

HBC will issue a Demand Notice, subsequent to receipt of CIL Form 6, this will include details of how to pay.

- 7.34 The S106 requirements are being addressed with the applicants and will continue to be monitored and if necessary pursued by Havant Borough Council. The S106 Agreement requirements would not in themselves prevent commencement of development in terms of the requirements of the Town and Country Planning Act 1990 Section 56.

8 Conclusion

- 8.1 In conclusion it is considered that the variation of conditions to enable a limited amount of work to commence on site is acceptable. The first phase development would either not result in any harm to the intentions of the original conditions or the phase of development successfully addresses its own impacts as a result of the submitted details.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00845 subject to the following conditions:

- 1 The development must be begun not later than 18th December 2018.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans:

Minor Access Works and Service Yard Plans:

Location Plan Drawing No. 598-PL-104 Rev B

Proposed Site Plan Drawing No. 508-PL-101

Proposed Service Yard Area Drawing No. 598_PL-103 Rev A

Contractors Compound and materials storage areas Drawing no. 598-PL105

Overall Plans

Site Location Plan Drawing No. CRM.1112.005.D.001

Site Boundary Plan Drawing No. CRM.1112.005.D.002

Proposed Site Plan Drawing No. 598-PL-101 rev C

Care Home & Supported Living (N) - Ground Floor Drawing No. 598-PL-200 rev C

Care Home & Supported Living (N) - First Floor Drawing No. 598-PL-201 rev C

Care Home & Supported Living (N) - Second Floor Drawing No. 598-PL-202 rev C

Extracare & Supported Living - Ground Floor Drawing No. 598-PL-203 rev C

Extracare & Supported Living - First Floor Drawing No. 598-PL-204 rev C

Extracare & Supported Living -Second Floor Drawing No. 598-PL-205 rev C

Care Home & Supported Living Roof Plan Drawing No. 598-PL-206 rev C
 Extracare & Supported Living Roof Plan Drawing No. 598-PL-207 rev C
 Site Layout - Elevation Key Drawing No. 598-PL-300 rev C
 Extracare Elevations 1 Drawing No. 598-PL-301 rev C
 Extracare Elevations 2 Drawing No. 598-PL-302 rev C
 Hub Elevations Drawing No. 598-PL-303 rev C
 Care Home Elevations 1 Drawing No. 598-PL-304 rev C
 Supported Living Elevations - North Block 1 Drawing No. 598-PL-305 rev C
 Supported Living Elevations - North Block 2 Drawing No. 598-PL-306 rev C
 Supported Living Elevations - South Block Drawing No. 598-PL-307 rev C
 Care Home Detailed Elevation Drawing No. 598-PL-308 rev A
 Site Layout Section Key Drawing No. 598-PL-400 rev C
 Extracare Cross Section through entrance Drawing No. 598-PL-401 rev C
 Supported Living Cross Section + Site Edge (1) Drawing No. 598-PL-402 rev C
 Supported Living Cross Section + Site Edge Drawing No. 598-PL-403 rev C
 Extracare and East Boundary Section Drawing No. 598-PL-404 rev C
 Campus Entrance View Drawing No. 598-PL-500 rev A
 View from Lavant Drive Drawing No. 598-PL-501 rev A
 View from Supported Living Balcony Drawing No. 598-PL-502 rev A
 Landscape Proposals Drawing No. 7 rev B

Documents:

Minor Access Works and Service Yard Documents:

Planning Supporting Statement August 2018 as amended by updated paragraph 3.27 and Appendix A
 Technical Note Service Area Drainage Strategy Doc Ref: A048-R04
 Letter from Hampshire County Council providing further information in relation to use of the service yard dated 10th October 2018

Overall Documents

Design and Access Statement CRM.1112.005
 Planning Statement CRM.1112.005
 Statement of Community Involvement CRM.1112.005
 Heritage Statement and Archaeological CRM.1112.005
 Transport Assessment Report March 2015
 Travel Plan July 2015
 Preliminary Ecological Appraisal CRM.1112.005.EC.001
 Arboricultural Impact Assessment March 2015
 Addendum to Arboricultural Impact Assessment July 2015
 Landscape and Visual Impact Assessment CRM.1112.005.R.L.002
 Landscape Report CRM.1112.005 Rev A
 External Lighting Scoping Statement 4th February 2014
 Noise Impact Assessment CRM.1112.005.NO.R.001
 Fire Strategy 21st July 2015
 Energy Statement Ref 14599
 BREEAM 2014 New Construction Multi-residential Pre-Assessment Report Ref:14599 Oak Park
 Code for Sustainable Homes Design Pre-Assessment
 Employment and Skills Plan CRM.1112.005
 NPPF: Flood Risk Assessment CRM.1112.005.HY.R.001.A
 Drainage Strategy March 2015
 Geo-Environmental Report CRM.1112.005.GE.R.001.A
 M&E Environmental Services - Ventilation and Extraction Scoping Statement

Project No. 14599 5th March 2014
Utilities statement to support Planning Submission Project No. 14599 2nd
March 2015
Affordable Housing Statement CRM.1112.005

Reason: - To ensure provision of a satisfactory development.

- 3 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year 30% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the scheme shall be maintained and managed, including who will have responsibility for the drainage system after completion.

Reason: To safeguard the amenities of the locality and to ensure that surface water drainage is provided to an appropriate standard to avoid on and off site flood risk having due regard to policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 the National Planning Policy Framework and NPPF Planning Practice Guidance Flood Risk and Coastal Change.

- 4 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A the development hereby permitted shall not commence unless and until plans and a timetable for the scheduling of the works to the River Way Old Copse Road junction shown in principle on drawing No: A048-020/PO have been submitted to and approved in writing by the Local Planning Authority (in consultation with Hampshire County Council Highways). The approved works shall thereafter be carried out in accordance with the approved scheme and schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure safe and adequate access to the development having due regard to policies CS20 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A the development hereby permitted shall not be commenced until such time as a scheme to:

- Dispose of surface water from parking areas;
- Install oil and petrol separators;

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented and maintained as approved.

Reason: To ensure that the proposals provide adequate water quality protection measures having due regard to policies CS11, CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development including site clearance shall commence on the site until all trees / hedges, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority. Such fencing shall conform to the following specification in accordance with BS5837:2012.

Minimum 2.4 metres high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting weldmesh.

Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development hereby permitted shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A prior to the commencement of the development hereby permitted the developer shall submit details of the measures which will be undertaken to protect the public sewers during the development to the Local Planning Authority (in consultation with Southern Water). No development shall commence until the approval of the submitted measures and the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the protection of infrastructure having due regard to policy CS19 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A the development hereby permitted shall not commence unless and until details of the proposed means of foul water sewage disposal have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is adequately drained and to mitigate flood risk having due regard to policies CS15, CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the development has an acceptable impact on the character and appearance of the area having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A the development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended soils from surface water run-off during construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site is adjacent to the River Lavant. As such, there exists the potential for pollutants to enter controlled waters. Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters. Having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 The removal of trees shown on drawing Ref: BTC779-TIP Rev A (Tree Impact Plan in relation to proposal to widen vehicular access) adjacent to the River Way/Old Copse Road junction shall not take place unless and until a scheme for replacement planting including details of the number, species and maintenance of such planting and the timing of its implementation and completion has been submitted to and approved in writing by the Local Planning Authority in consultation with Hampshire County Council. The implementation of all such approved landscaping shall be completed in

full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the entrance to the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 The details of ecological enhancements previously approved under condition No.21 of planning permission APP/15/00303 shall be implemented prior to occupation and thereafter maintained in accordance with the approved scheme.

Reason: In the interests of nature conservation and to mitigate the impacts of the development having due regard to planning policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure including gates at access points, security features at access points and acoustic fencing have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until a specification of the provision to be made for the storage and disposal of refuse following the commencement of the use of the buildings has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until a scheme for protecting the proposed Nursing Home, Extra Care Flats and Supported Living Flats (and their external amenity spaces) from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority. Those buildings shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

Reason: To safeguard the amenities of occupiers in the accommodation and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM18 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework.

- 21 With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 Rev A no above ground construction works shall take place until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 22 If, during development, soil or groundwater that appears to be impacted by contamination is found to be present, no further development shall be undertaken until an appropriate assessment has been undertaken, and a report detailing how that contamination is to be dealt with, has been submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing, all works outlined in the submitted report shall be adhered to.

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, and DM17 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework; there is a low risk of Contamination at the site that could, if present, pose a risk to future site occupiers, resulting from historic uses of land or buildings.

- 23 The development hereby permitted shall not be brought into use until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality, site security and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 The development hereby permitted shall not be occupied unless and until details of specific measures that seek to ensure that the main vehicular route for employees, residents, visitors and deliveries to the site is via Crossland Drive, Old Copse Road and River Way are submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage the use of the most acceptable routes to the site in the interests of amenity and highway safety having due regard to policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 The development shall not be brought into use until space for the loading, unloading, turning and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policies DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 The development hereby permitted shall not be brought into use unless a scheme for the provision of cycle parking has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: To ensure that adequate and suitable cycle parking is provided on site to reduce the reliance on the private car in the interests of sustainable transport options having due regard to policies DM13 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Residential and Cycle Provision SPD 2016 and the National Planning Policy Framework.

- 27 Prior to the occupation of the Nursing Home hereby permitted a Post Construction Assessment shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of 'very good' BREEAM rating, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.

- 28 The development hereby permitted shall not be occupied unless and until secure pedestrian and cycle access points have been provided to Crossland Drive and Lavant Drive as shown in principle on drawing number 598-PL-101 Rev C in accordance with a detailed specification to be submitted to and agreed in writing by the Local Planning Authority in consultation with Hampshire County Council.

Reason: To ensure that the site is permeable to residents in the interests of sustainable development linking to public transport and wider cycle routes having due regard to policies CS1, CS16 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 29 The development hereby permitted shall be carried out in full accordance with the submitted Arboricultural Impact Assessment dated March 2015 Version No: 1 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the health of trees to be retained in the interests of the character and visual amenities of the area having due regard to policies CS11, CS16 and DM9 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 30 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises unless and until details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 31 No additional access to the site shall be provided to Leigh Road other than as shown on the plans hereby approved.

Reason: In the interests of highway safety, to prevent additional traffic on surrounding roads and in the interests of residential amenities having due regard to policies CS16, CS20 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 the National Planning Policy Framework.

- 32 With the exception of the construction works for the minor access works and service yard shown on drawing no. 598-PL-103 Rev A the Leigh Road access hereby approved shall be used solely for pedestrian, cycle, delivery and emergency vehicular movements.

Reason: In the interests of highway safety, to prevent additional traffic on surrounding roads and in the interests of residential amenities having due regard to policies CS16, CS20 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 the National Planning Policy Framework.

- 33 The nursing home hereby permitted shall be used only for a Nursing Home only, and for no other purpose whatsoever including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To accord with planning policy and the site allocation, to meet health care requirements, to complement other uses on the site and to ensure adequate car parking provision having due regard to policies DM7 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, policies HB3 and H69 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 34 The extra care flats hereby permitted shall be occupied solely by persons satisfying the following residency requirements:

A person who is in need of care such as to provide assistance with day to day living and personal care and who has entered into binding arrangements to access such care and other support services to a minimum of two hours of such care per week and who is either;

1. A minimum of 55 years of age on the date of taking up residence; or
2. Disabled within the meaning of the Equality Act 2010; or
3. Persons who are the spouse, co-habitee or dependent of such a person within 1-3 above.

Reason: To secure extra care accommodation in the interests of meeting housing needs for specialist housing provision, to ensure that sufficient on site parking is provided to serve the use, in accordance with the levels of developer contributions secured and having due regard to policies CS9, CS21 and DM13 of Havant Borough Local Plan (Core Strategy) 2011, policies HB3, H69 and DM24 of Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 35 The supported living flats hereby permitted shall be occupied solely by persons satisfying the following residency requirements:

1. A minimum of 55 years of age on the date of taking up residence; or
2. Disabled within the meaning of the Equality Act 2010; or
3. Persons who are the spouse, co-habitee or dependent of such a person within 1-2 above.

Reason: To secure supported living accommodation in the interests of meeting housing needs for specialist housing provision, to ensure that sufficient on site parking is provided to serve the use and having due regard to policies CS9, and DM13 of Havant Borough Local Plan (Core Strategy) 2011, policies HB3, H69 and DM24 of Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 36 Prior to the occupation of any specific residential part of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a verification report that demonstrates the completion and effectiveness of all remedial and risk mitigation measures set out in the previously approved remediation strategy and verification plan, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any additional sampling and monitoring carried out in accordance with the approved plan, to demonstrate that remediation criteria have been met.

Reason: To ensure the satisfactory remediation of the site, if deemed necessary and having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 together with the National Planning Policy framework.