
Site Address:	Land rear 70-76 West Street, Havant, PO9 1LN		
Proposal:	Outline Application for erection of 2No. two bed dwellings.		
Application No:	APP/18/00713	Expiry Date:	11/09/2018
Applicant:	Mr Harris Harris & Kane Ltd.		
Agent:	Mr Critchley Critchley Architecture and Design	Case Officer:	David Eaves
Ward:	St Faiths		

Recommendation: **GRANT OUTLINE CONSENT**

1 Site Description

The application site is sited to the rear of 70-76 West Street within Havant Town Centre and the Black Dog Conservation Area.

The frontage buildings have been converted to residential use (formerly Retail and Public House). To the north of the site are retail units and to the south - east a tea room and beauty centre. To the south - west are residential properties. Access is taken via an access through the frontage building with parking proposed on site. The site is currently covered with rubble and other items partly from buildings previously demolished and there is a Eucalyptus Tree close to the eastern boundary.

2 Planning History

APP/16/01278 - Replacement single storey rear extension, alterations to fenestration and replacement front wall.
, PERM,06/02/2017

APP/17/00326 - Change of use of ground floor of No. 72 from A1 to C3 and replacement single storey rear extension. Removal of chimney from rear of No.70. Alterations to fenestration on both properties. (Approved 10.07.2017) Request to Discharge Condition No's 2 & 3 (16.05.2018)., PERM,10/07/2017

3 Proposal

Outline Application for erection of 2No. two bed dwellings. The Outline Application has all matters reserved although it is noted that drawings and information have been submitted to demonstrate how two number two bed bungalows could be provided on the site with access and parking.

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

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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS4	()
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Black Dog

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

Final Comments

I was unable to gain access to the site but my comments remain the same as previous applications. An accurate Tree Survey and Arboricultural Implications Assessment / Arboricultural Method Statement needs to be submitted indicating the impact of the proposed development on the Eucalyptus and detailing the measures needed to protect and retain this tree on the site. The current Tree Protection Plan is not sufficient and there are no details as to what surfacing will be used around the Eucalyptus.

Officer Comments: *The application is in outline form and the layout of development is not fixed. It is considered that a layout can be provided to ensure an appropriate design to mitigate potential impacts on the tree. The Councils Arboriculturalist has confirmed that the issue can be addressed by condition. The recommendation is subject to a Tree protection condition.*

Original Comments

A Eucalyptus is shown to be retained and as per previous comments an AIA, Method Statement and Tree Protection Plan should be submitted to demonstrate how this tree will be protected and retained.

Community Infrastructure, Planning Policy & Urban Design

As this is an outline app it is not CIL Liable. However, the applicant should be made aware that any reserved matters or subsequent full application will be CIL Liable and the appropriate CIL Forms will be required at the time of application.

Additionally, instructions should be passed by the Case Officer to the CIL Team in the usual manner to issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, now based on the number of dwellings and their respective number of bedrooms. See

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

Conservation Officer

Final Comments:

Policy

The revised National Planning Policy Framework (NPPF) which was published in July 2018 sets down the policies that the Council must take into account when determining planning applications.

Paragraph 127 seeks to achieve well designed places that are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Paragraph 193 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 195 provides guidance in relation to development proposals that cause 'substantial harm'. While, paragraph 196 of the National Planning Policy states that where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CP16 (1a) of the Core Strategy states Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant

Assessment

The north side of West Street still retains the character of the almost continuous street frontage which once lined West Street. The buildings are essentially two storey and the individual building plots identified on early maps are reflected in property boundaries today.

Despite a mixture of residential and commercial uses on the north side of West Street many of the gardens behind these properties still survive. They can be seen from the public car park to the north where they provide a natural and pleasant contrast to the

surrounding urban fabric. Where garden have been lost to other uses such as storage and car parking there has been an obvious deterioration to the general character of this back-land area. It is also clear from historic mapping that, a range of outbuildings existed on the site previously and as I understand it two outbuildings were only recently knocked down as part of works undertaken in 2015.

The design of the proposed dwellings takes cues from these Public House outbuildings that previously existed. This is also a greatly reduced scheme in terms of bulk and massing compared with previous submissions. I understand that this is an outline application only, however, in terms of design I am generally satisfied with the scheme. Their construction will now not over develop the plot or have an adverse relationship with the existing building. Landscaping that greens the plot and the quality material details will be crucial for the scheme moving forward.

I am therefore of the view that two single storey dwellings as designed would preserve the character of the conservation area.

If the development is deemed acceptable then the following points should be either met by reserved matters or conditions.

- Sample materials.
- Details of the siting and design of any proposed external meter boxes/metal ducting/flues, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure, where provided, a location is chosen which minimises the visual impact, so as not to detract from the character and appearance of the conservation area.

- Landscaping details of plots
- Removal of permitted development rights for extensions and outbuildings

Original Comments:

The revised National Planning Policy Framework (NPPF) which was published in July 2018 sets down the policies that the Council must take into account when determining planning applications.

Paragraph 127 seeks to achieve well designed places that are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Paragraph 193 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

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Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

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Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant

Assessment

The north side of West Street still retains the character of the almost continuous street frontage which once lined West Street. The buildings are essentially two storey and the individual building plots identified on early maps are reflected in property boundaries today.

Despite a mixture of residential and commercial uses on the north side of West Street many of the gardens behind these properties still survive. They can be seen from the public car park to the north where they provide a natural and pleasant contrast to the surrounding urban fabric. Where garden have been lost to other uses such as storage and car parking there has been an obvious deterioration to the general character of this back-land area.

I therefore consider that the erection of 3 dwellings on this site would result in a development that would appear unduly cramped and out of keeping with the prevailing character and spatial quality of the area to the material detriment of the Conservation Area. It is considered the development would not satisfactorily relate to its setting to strengthen, enhance, protect or create local character and would have an unacceptable adverse effect on the character and appearance of the locality and the adjacent Conservation Area.

In particular, the cramped form of housing would be odds to the natural and pleasant contrast that currently exists which would harm the significance of the Conservation Area. As per previous applications on this site I should state that I am not convinced any development in this area would be appropriate for the Conservation Area. It is my firm belief that this area should remain as garden space that provides the contrast to the surrounding urban fabric.

In this instance the harm would be less than substantial. In this context, the NPPF requires such harm to be weighed against the public benefits of the proposal. I cannot

see that these proposals provide enough public benefit which would outweigh this harm.

**County Archaeologist
Final Comments:**

Thank you for your email and for sending me the revised plans of the proposed development at Land Rear of 70-76 West Street, Havant. Having reviewed these documents it appears that nearly all of the proposed new development will be located within the footprints of existing modern buildings; the construction of which will have had a severe impact upon any sub-surface deposits and features. Only a very small part of the development is located within currently open ground and this is in an area well to the rear of the former Roman street frontage.

In my opinion it would be highly unlikely for ground works associated with the construction of the new buildings to expose any interpretable archaeological features that would add to our understanding of the Roman settlement. I would therefore (based on this new information) wish to withdraw my request for archaeological conditions to be attached to the above application and would not wish to raise any further archaeological issues in this instance.

Officer Comment:

Given these comments it is not considered that archaeological conditions are now required. It is noted however that the comments above are based on the existing site layout and a condition is therefore required to ensure that this does not change significantly at the Reserved Matters stage.

Original Comments:

The site is located within the historic core of Havant in an Area of High Archaeological Potential (AHAP). It is also located immediately to the north of the projected line of the Bitterne to Chichester Roman road, while traces of Roman activity were recorded around 90 metres to the east of the site during an archaeological evaluation on land to the rear of 44-54 West Street in 2008. Fragments of Roman material have also been recorded at 31-33 West Street around 65 metres to the south east of the site. Considering the location of the site it is likely that further, as yet unrecorded, archaeological features relating to Roman roadside activity may exist here. The site is also located within the medieval core of Havant and there is potential for the remains of street frontage buildings from this phase of the settlement, together with the potential for light industrial activity in the rear of these former burgage plots. While those parts of the site formerly occupied by modern buildings will have been heavily impacted by this, the remaining areas of yard and garden have avoided most of the 19th and 20th century development in this part of the town and if any archaeological features do survive in these areas, then they will be relatively well preserved.

Therefore while there is no indication that archaeology presents an overriding concern I would advise that the assessment, recording and reporting of any archaeological features affected by construction be secured through the attachment of suitable conditions to any planning consent that might be granted. For instance:

- 1) That no development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the

Planning Authority. The assessment should take the form of trial trenches located within the footprint of the proposed area of housing and access road not currently occupied by modern buildings, to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage asset

2) That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

3) Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Southern Water

Final Comments:

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

All other comments in our response dated on 09/08/2018 remain unchanged and valid for the amended details.

Original Comments

The applicant has not stated details of means of disposal of foul sewerage and surface water disposal from the site. Southern Water requires a formal application for connections to the foul and surface water sewers to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

- a Adequate soakaway or infiltration system
- b Water course

c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Due to changes in legislation that came in to force on 1 st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 3030119) or www.southernwater.co.uk.

The proposed development would lie within a Source Protection Zone around one of the public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

Engineering Services/Drainage

Consent for work within 8m of top of watercourse bank

Environment Agency

We have reviewed the information as submitted and have the following comments.

Environment Agency Position

We have no objection to the proposed development as submitted.

Advice to Applicant

In addition to any other permission(s) that the applicant may have already obtained, e.g. planning permission, the applicant will require an Environmental Permit for Flood Risk Activities as the proposed development lies within the 8 metre byelaw width of the Lavant Stream "main river" to the northern boundary of the development site.

For further information please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

For any further advice, please contact your local Environment Agency Flood Risk Activity Permitting Office at psohiow@environment-agency.gov.uk

Please do not hesitate to contact me on the number below should you have any queries on the above information.

Environmental Health

Observations / Comments:

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have perused the documentation provided by the applicant. I have no objection to this application in principle. I would however ask that the following Conditions and informatives are added to any potential approval of this application:

Condition 1:

No bonfires to take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

Reason: This is in order to protect the occupants of nearby residential properties from smoke pollution.

Condition 2:

The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

Condition 3:

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance / pollution.

Informative regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Informative regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site.

This is in order to protect the occupants of nearby residential properties from dust pollution.

The above does not in any way prejudice any comments that may still be made by Jonathan Driver, Environmental Control Officer

Environmental Health - Environmental Control Officer Further Comments

Observations / Comments:

I have reviewed the amended application documents, and I note that the changes are principally aimed at addressing planning and conservation concerns.

The scheme alterations do not materially alter the environmental risks or mitigation requirements, and as a result, comments provided previously under GEN/18/00273 & the prior consultation (APP/18/00713) remain largely valid. I would refer you to the content of the prior consultation for suggested conditions, and the rationale for proposing them.

The reduced quantum is however not without significance - providing further support to feasibility of sustainable features (such as pollution control features of SuDS), but also increasing uncertainty with regards to the deliverability of other measures, such as assessment of soil Contamination and mitigation of unacceptable risks. It would also appear that the applicant has not acknowledged comments made previously by Environmental Health when putting together the revised method statement.

As a result, I feel it would be worth covering a couple of points in more detail.

Construction phase

Several smoky bonfires were witnessed during the construction phase of developments on land under the same ownership as is the subject of these development proposals. I have previously raised concerns about construction practice in relation to this site, suggesting that a CEMP be secured by condition in order to clearly establish the need for more disciplined site practice, regarding bonfires and other aspects such as preventing site runoff affecting the river. Mark Moss has recommended a condition which specifically prohibits bonfires at the site.

I note that 2.9 of the landscape method statement makes provision for the position of bonfires. I would like to make clear that bonfires are not considered to be an appropriate means of disposal of either green waste or construction and demolition wastes at this location (the latter would in large part not be able to be undertaken without breaching the duty of care under s33 of the Environmental Protection Act in any event). Whilst it is not necessary to impose conditions requiring both the specific prohibition of bonfires and that a CEMP be approved prior to commencement and implemented throughout the construction phase; it is considered prudent to seek to control bonfires at this site. Given the wider issues of materials transport, positioning of skips at this access-restricted site (associated potential for interfering with traffic flow), and the control of pollution to the controlled water - My preference would be to deal with these issues by means of a suitable CEMP.

Contamination

I agree with the applicant's assertion that the site is brownfield. In line with previous recommendations, the principle of development is only acceptable on the securing of a suitable suite of conditions relating to the appropriate assessment and mitigation of contamination risks. The site is extremely sensitive, being main river adjacent, within

an SPZ 1 for the regional potable water supply, and being a residential development with private garden areas. The risk profile is unchanged under this revised scheme than under previous design iterations.

The reduced quantum could however be material in a planning sense. A reduced quantum potentially reduces the monetary yield from the site, and as is noted above, under an unchanged risk profile, investigation and mitigation costs are expected to be broadly equivalent for either a low density or high-density scheme.

In principle therefore, site investigation and mitigation costs for a reduced quantum could consume the available 'slack' in the economics of the scheme. Considering the scheme currently proposed, we may be approaching a stage where the quantum of development is insufficient for it to be reasonable for the Council to continue to simply assume that viability would not be critically harmed by the costs of meeting the requirements of a condition to deal with contamination.

As you will be aware, conditions need to be proportionate having regard among other things, to costs. Where a condition is required to make an otherwise unacceptable development acceptable, and where the costs of meeting the condition requirements are contrary to the general rule that conditions should be reasonable and proportionate - the only reasonable conclusion is that consent should not be granted.

The NPPF is clear that the LPA should be furnished with sufficient information to support an informed decision, and there are examples from case law which are clear that the LPA would be making an irrational determination by seeking condition requirements which may not be reasonable to meet.

It may be necessary to secure sufficient site investigation information to enable the Council to take a rational decision with full cognisance of the deliverability of development which is a safe & suitable for use.

I would also note that the text of the suggested condition 1 under APP/18/00713 (CONS/18/01637, 21/08/2018) was incorrect, and if (the above notwithstanding-) Development Management are minded to grant consent, should be substituted with the condition wording below.

Contamination (Standard) [1]

Prior to the commencement of any specific phase 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 and notwithstanding any assessment provided with the planning application), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A site walk-over survey & / or sufficient desk-based research to identify;
 - . All relevant previous uses of the site
 - . Potentially significant contaminants associated with those uses
 - . Uncertainties relating to previous use or associated potential contaminants
 - . A conceptual site model identifying all relevant sources, exposure pathways

and receptors, and;

. A summary of potentially unacceptable risks arising from contamination at the site.

2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;

- . appropriately considered remedial objectives,
- . an appraisal of remedial & / or risk mitigation options, having due regard to sustainability, and;
- . clearly defined proposals for mitigation of the identified risks.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

Original Comments:

I have reviewed the application documents submitted. Mark Moss has been allocated this application to review from the perspective of noise exposure, nuisance potential etc.; comments may follow in this respect under separate cover in due course.

Reflecting the outline status of the application, I note that the applicant has elected to defer addressing a number of recommendations from Environmental Health until the principle of consent is secured.

In line with previous comments 1 conclusions (notably, under GEN/18/00273, CONS/18/00507, 1110412018), I have no 'in principle' objections to the scheme, especially in the lower density form proposed, where greater opportunities exist for planting, and access constraints associated with terrace-format properties are overcome (particularly relevant to convenient access to secure cycle storage, necessary to facilitate active travel choices)

I will summarise the previous comments below for completeness, please refer to the above referenced consultation response for rationale.

In terms of additional comments - it might be helpful to flag a couple of issues which follow

from the Environment Agency (EA) and Southern Water Services (SWS) consultation responses. The initial EA response was to object pending submission of a suitable flood risk assessment - demonstrating the sensitivity to flooding as a constraint in this area.

SWS note that no drainage strategy has been put forward, and that no specific comment can therefore be made at this point. It is however made clear in SWS's comments that the building regulations surface water disposal hierarchy is supported, and that discharge to public sewer is a 'de-facto' option of last resort. The site has direct access to a surface water, to which a discharge should be made if soils are not suitable for an infiltration solution. Alluvial soils are extremely variable, and the site is tight for space - it is not clear that recommended soakaway separation distances could be achieved even if soils are suitable.

The alternative direct discharge (to the Brockhampton Stream) would require consent for works, and without flow mitigation risks increasing the risk of downstream flooding (contrary to policy).

It may be necessary as a material matter to the principle of the development (quantum / density proposed) to demonstrate that a sustainable drainage solution is feasible - I am not sure that discharge to public sewer can be justified purely on the basis that the applicant would like to develop the site to a higher density than can be sustainably supported by SuDS.

The LLFA would be best placed to comment on the limitation of run-off from the site to the pre-development rate - however the development may be of insufficient scale to have triggered consultation. In any event, I would expect the surface water drainage proposals to address water quality issues through the simple index approach (SuDS Manual Ch.26), and to achieve a runoff rate equivalent to it's 'prior to development' condition.

The physical constraints at the site may mean that meeting SuDS requirements is more challenging than it would be at more open sites, but I envisage feasible solutions being available, subject to good design.

Summary of previous comments;

- . An appropriate CEMP be secured by means of a pre-commencement condition
- . An appropriate level of site investigation be secured to confirm the long-term suitability of soils for the protection of Human Health (future occupants) and the environment (Controlled Waters, represented by the Lavant and the Brockhampton Stream. Initial site characterisation to be a pre-commencement condition.
- . Wastewater & Surfacewater drainage strategy be approved under a suitable pre-commencement condition, to include information appropriate to demonstrate that the risks of contributing to downstream flooding & pollution have been addressed.
- . That reserved matters (access arrangements) be invoked to ensure that conflict between vehicles too large to utilise site access and traffic on West Street close to the busy Park Road junction, is considered appropriately (and shown to be likely to be acceptable).

Suggested Conditions;

Contamination (Standard - omitting EDS, based upon submitted EDS proposals) [1]
Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by

the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) An intrusive site investigation based on the proposals outlined within the [Report title / ref]; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - . appropriately considered remedial objectives,
 - . an appraisal of remedial &lor risk mitigation options, having due regard to sustainability, and;
 - . clearly defined proposals for mitigation of the identified risks.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

Verification (Standard) [2]

Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [1] shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

Approval of SUDS Details - Pollution [3]

Construction of the development shall not commence until details of the proposed

means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority. Proposals shall be in general accordance with the principles of CIRIA C753 (SUDS Manual 2015) inclusive of section 26.7 (Managing pollution risks). Where appropriate, the scheme shall include a schedule of operational and preventative maintenance for surface water drainage structures, flow control devices, pumps or separators required either for the proper operation of the system to its design flow rates or for the effective retention of pollutants to prevent downstream release. Parties responsible for observing the maintenance schedule shall be clearly identified. All details submitted in accordance with this condition shall be implemented as approved.

Reason: Observing the drainage hierarchy disfavours disposal of surface water to public sewer, and favours a sustainable drainage solution. Appropriate system design is required to prevent surface water drainage functioning as a pathway for pollutants to affect downstream receptors, or increasing downstream flooding risk. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework 2018.

Construction/Environmental Management Plan [4]

No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

- (a) Procedures & logistics for managing deliveries at the site, including parking, loading, materials handover and transport to secure storage areas, and the means of minimising the risk of release of fuel and other materials capable of causing harm to health or the environment
- (b) Provisions for the segregation & storage of wastes destined for both disposal & for recycling, and details on the procedures and logistics for collection and transport from the site.
- (c) Measures to ensure safe pedestrian movement on the public highway & footpaths
- (d) The means of minimising dust, smoke and fume emissions from the site during construction works, including minimising dust emissions from vehicles transporting materials or waste from the site.
- (e) The means of preventing track-out of mud & spoil on to the highway, and preventing runoff from the site adversely impacting adjacent surface waters.
- (f) The means of minimising noise and vibration arising from construction processes
- (g) Details of the training of site operatives to follow the Construction Management Plan requirements.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties and the public realm more generally, and prevent pollution of nearby surface waters. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use- or safety- of the public highway. This condition is imposed having due regard to policies DM10 (Havant Borough Local Plan (Core Strategy) 2011), and the general environmental principles embodied within the National Planning Policy Framework 2018.

Highways Engineer, Development Engineer

Final Comments:

The Highway Authority have no adverse comment to the principle of this application. However the access to this development is by means of an existing narrow access tunnel which does not allow two vehicles to pass. The submitted plan shows a traffic light control to ensure a car turning right from West Street will not encounter a vehicle within the tunnel and then try to reverse out.

Details of this technical solution will need to be submitted for approval either within the application or as a condition on any future planning approval.

Original Comments

The Highway Authority have no adverse comment to the principle of this application. However the access to this development is by means of an existing narrow access tunnel which does not allow two vehicles to pass. The submitted plan shows a traffic light control to ensure a car turning right from West Street will not encounter a vehicle within the tunnel and then try to reverse out. Details of this technical solution will need to be submitted for approval.

Portsmouth Water Final Comments

Portsmouth Water's Position

Portsmouth Water have no objections in principle to the proposed development, however due to the sensitivity of the groundwater environment of the proposed site we would wish to see more detail provided regarding the planned drainage and foundation designs for the site.

Site Setting

The site lies on Bedrock consisting of Lewes Nodular Chalk Formation, the geology beneath the site is classified as a Principal Aquifer. The site is situated within Source Protection Zone One (SPZ1) for the Havant and Bedhampton Springs; a critical source used for public water supply. The Havant Springs are located within 400 metres of the site.

Drainage

Based on the information provided in the application form we understand that surface water from the site will discharge via sewers, this is acceptable to Portsmouth Water in relation to groundwater protection. Southern Water should be consulted on the suitability of this proposal for surface water disposal.

The foul water drainage strategy for the site is currently unknown, Portsmouth Water require the use of the highest specification pipework and designs for schemes involving new sewerage systems in SPZ1 to minimise leakage. Please provide details of the proposed foul drainage strategy for the site.

Portsmouth Water has a presumption against the discharge of foul and surface water into ground where adequate pollution prevention measures are not in place. Furthermore, we would have a presumption against deep bore soakaways in this area.

A Construction Environmental Management Plan (CEMP) should specifically outline the proposed means of surface water management during development. Fugitive emissions from the site during construction could pose a significant threat to groundwater and therefore the Havant & Bedhampton Springs.

Piling & Foundations

The proposed site is situated in a sensitive groundwater catchment and there are potential significant risks associated with groundworks in this area.

Portsmouth Water would have an presumption against piling at this location and therefore, if piling is the proposed foundation solution, no piling shall take place until a

piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

Any piling, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Portsmouth Water require further information on foundation design be submitted for detailed consideration. This should include as a minimum:

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling, if any; and
- d) details of materials to be removed or imported to site.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, penetrative foundation methods have the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply.

Original comments

Portsmouth Water's Position

On the basis of information provided Portsmouth Water in principal do not have any objections to the outline application, however would like to draw the applicant's attention to the sensitivity of the proposed site and considerations for drainage and foundation design.

Site Setting

The site lies on Bedrock consisting of Lewes Nodular Chalk Formation, the geology beneath the site is classified as a Principal Aquifer. The site is situated within Source Protection Zone One (SPZ1) for the Havant and Bedhampton Springs; a critical source used for public water supply. The Havant Springs are located within 400 metres of the site.

Drainage

Based on the information provided in the application form we understand that surface water from the site will discharge via sewers, this is acceptable to Portsmouth Water in relation to groundwater protection. Southern Water should be consulted on the suitability of this proposal for surface water disposal.

We would advise the applicant to contact Southern Water to seek advice and approval regarding foul sewer pipework to minimise leakage and if any consensual agreement is required for disposal. Portsmouth Water require the use of the highest specification pipework and designs for schemes involving new sewerage systems in SPZ1 to minimise leakage.

Portsmouth Water has a presumption against the discharge of foul and surface water into ground where adequate pollution prevention measures are not in place. We would have a presumption against deep bore soakaways in this area.

Portsmouth Water require further information on foul and surface water drainage design to be submitted for further consideration prior to approval. This should include as a minimum:

- a) the methods / materials to be used for construction;
- b) details of the connections to foul sewers;
- c) details of any discharges to surface water courses; and
- d) any proposals for the use of SUDS (Sustainable Drainage Systems)

A Construction Environmental Management Plan (CEMP) should specifically outline the proposed means of surface water management during development. Fugitive emissions from the site during construction could pose a significant threat to groundwater and therefore the Havant & Bedhampton Springs.

Piling & Foundations

The proposed site is situated in a sensitive groundwater catchment and there are potential significant risks associated with groundworks in this area.

Portsmouth Water would have an assumption against piling at this location and therefore, if piling is the proposed foundation solution, no piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

Any piling, if proposed, must be undertaken in accordance with the terms of the approved piling method statement.

Portsmouth Water require further information on foundation design be submitted for detailed consideration. This should include as a minimum:

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling, if any; and
- d) details of materials to be removed or imported to site.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, penetrative foundation methods have the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply.

Natural England Government Team

Appropriate Assessment – No objection subject to securing mitigation

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on European Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the European Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation. However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances.

Biodiversity Mitigation and Enhancement Plan (BMEP)

Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been agreed by a Hampshire County Council (HCC) Ecologist. This will ensure the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8, 170, 174 and 175d. The scope of the BMEP should be agreed with the HCC Ecologist and will need to consider great crested newts, reptiles, bats, hazel dormice, and nesting birds.

The application should include a consideration of what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

We recommend the applicants make use of the Defra [biodiversity metric](#), which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals.

Water Environment

Natural England recommends that the planning application includes a comprehensive drainage strategy during the construction work and post-construction in line with best

practice.

Natural England recommends that all new development adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

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: 17

Number of site notices: One

Statutory advertisement: 27/07/2018

Number of representations received: 6 Representations supporting the application (2 anonymous) and 1 neutral comment

Comment	Officer Comment
I am a tenant at NO.41A West Street and I fully support the proposed houses to the rear of 70-76 West Street. I have recently been looking to purchase a property within Havant and I have struggled to find high quality homes in the town centre. The proposed houses are a great improvement of the currently wasted land. I am sure they will be highly sought after and an asset to the much needed housing within the Borough. I believe the owner has also previously developed NO.70-76 and the work has made a great improvement to the street scene and my view of the Conservation Area. The buildings are now an asset to the area rather than the eyesore that they were. If the proposed houses are built to the same quality they will be a great contribution to the town.	Noted
Much needed development fully support planning application on the wasteland that is some what of an eyesore at present	Noted
The first point that I would like to raise is lack of parking being provided in this proposed new development for	See Part 7

residents of Cobden Homes. The second point I have noticed is that on the original plan for Cobden Homes it provided a bike store. Which is as to date unbuilt. One of the proposed new dwellings appears to be being built over this. As shown on the original floor plan 1044-431B	
I fully support the proposed development at West Street. I have lived in Havant for 44 years and worked in Havant town centre for 30 years. For 5 years I was a fireman stationed behind the site and always thought the site was an eyesore. I went to several call outs for fires on the site because the site was/is a security risk and generally used as a dumping ground. The site attracts all sorts of vermin and it is great that the owner wants to invest in improving the condition of the site and West Street. The proposed will be a great improvement visually and also a great contribution to the housing market. I have two kids in their 20's still living at home because they are struggling to find housing locally, there is an urgent need for housing and an urgent need for the site to be redeveloped.	Noted
This can only help the area & also small businesses It will encourage more families to live in Havant which has a good community spirit.	Noted

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) Impact upon the character and appearance of the Conservation Area and Town Centre
- (iii) Impact upon residential amenity
- (iv) Flood Risk
- (v) Ecological impacts

- (vi) Highway impacts
- (vii) Contamination issues
- (viii) Impact on Trees
- (ix) Developer Contributions

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

The site is also located in Havant Town Centre and within the Black Dog Conservation Area which raises other issues considered below.

(ii) Impact upon the character and appearance of the Conservation Area and Town Centre

The site is to the rear of converted buildings fronting West Street now in residential use. The site is located in the town centre and is therefore within a sustainable location. The provision of additional residential properties to the rear of the site and outside of any primary frontage is considered acceptable in principle and would make a modest contribution to the Councils Housing needs.

The developments impact on the Conservation Area has been carefully assessed and the design, layout and quantum of development has changed during the course of the consideration of the planning application. The previous layout of outbuildings on the site has influenced the design of the proposed two houses shown on the submitted plans.

The Conservation Officer has provided comments on the proposed development and has confirmed that:

The design of the proposed dwellings takes cues from these Public House outbuildings that previously existed. This is also a greatly reduced scheme in terms of bulk and massing compared with previous submissions. I understand that this is an outline application only, however, in terms of design I am generally satisfied with the scheme. Their construction will now not over develop the plot or have an adverse relationship with the existing building. Landscaping that greens the plot and the quality material details will be crucial for the scheme moving forward.

The development has been considered against the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires *that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

In that regard the Conservation Officer concludes:

I am therefore of the view that two single storey dwellings as designed would preserve the character of the conservation area.

(iii) Impact upon residential amenity

The proposed dwellings are sited to the rear of buildings on the West Street frontage which back onto the application site. Whilst the application is in outline with all matters reserved, it is considered appropriate to ensure that the proposed dwellings are single storey and no more than two bedroom. The proposed dwellings shown on the

submitted drawings would be single storey and are designed to have their main windows facing east west rather than back towards the frontage properties. There are only two bedroom windows facing back towards the existing residential units shown on the current drawings. The drawings show a separation of approximately 14m could be provided. It is considered that this would prove appropriate amenity in terms of the impact on the existing properties.

The proposals would result in a reduction to the amenity area available to the rear of 72-76 West Street. However, access to the rear of these properties would remain as would bin and cycle storage areas originally approved. These properties are in the same ownership as the application site. On balance, it is not considered that the reduction of external amenity areas would warrant a refusal of the current planning application.

The layout to the rear of No.72 provides an amended external area, however this is increased to 72A and relatively unaltered to 72. The rear amenity area to No.70 is shown as being slightly increased.

The proposal would result in an increase in the use of the access between the buildings (70/72) although it was noted at the site visit that parking is currently taking place to the rear of the frontage buildings. The proposals have been amended during the course of the application to reduce the level of development from 3 to 2 dwellings which reduces the amount of additional vehicular movements. On balance and given the town centre location it is considered that the additional use of the access would not result in an impact on residential amenity sufficient to warrant a reason for refusal.

With regard to the proposed dwellings and their own amenities, as shown on the outline plans, two dwellings can be provided with private amenity space to the front and side of the properties. This would be overlooked to some extent by the frontage development but would not be overlooked from the north or east. The view from the south west would be oblique. Overall and taking account of the town centre location, it is considered that suitable amenity areas can be provided for the properties. The internal floorspace is shown as 63sqm which would exceed the minimum space standard indicated for a single storey 2 bed 3 person dwelling. Internal space is therefore considered to be acceptable.

Cycle storage, car parking, turning and bin storage is shown on the submitted plans.

(iv) Flood Risk

The site is located adjacent to a main river which runs to the rear (north) of the site. A small area to the rear of the site is also shown in Flood Zones 2 / 3. However the indicative layout of the dwellings, the accesses and parking thereto and the majority of the garden areas all fall within Flood Zone 1 (the zone of least risk where development is preferred in sequential terms). A flood risk assessment has been submitted with the application. The Environment Agency now raise no objection to the proposed development. It is noted that the applicant will require an Environmental Permit for Flood Risk activities as the proposed development lies within the 8 metre byelaw width of the Lavant Stream "main river".

(v) Ecological impacts

With regard to the impacts of the development on the European sites, the Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development

under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. This is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area due to the increase in recreation as a result of the development. The planning application was then subject to an Appropriate Assessment under Regulation 63. This assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy, as follows:

From 1 April 2018, the ('Definitive') Solent Recreation Mitigation Strategy SRMS applies to new residential development as approved by Havant Borough Councils Cabinet on the 7th February 2018. The Strategy uses a sliding scale to calculate the SRMS contribution for new residential development built within 5.6km of the coastline. As such, the contribution is now calculated based on the number of bedrooms per individual dwelling. In this case, the proposal is for 3 No. four bedroom dwellings. This would require a financial contribution of:

Total £487 x 2 plus 5% monitoring fee of £48.70 + Admin fee of £20 such that the total contribution required is £1,042.70

The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant indicated a willingness to enter into a legal agreement to secure the mitigation package, and this contribution has been paid with the appropriate unilateral undertaking.

Natural England have confirmed that they have no objection to the proposals subject to appropriate mitigation in relation to potential recreational impacts on the SPA (now secured).

The outline proposals have not included an ecological assessment or mitigation. It is noted that the site is adjacent to a stream (partly culverted) and has been covered with rubble in recent times. A condition is recommended in relation to securing biodiversity enhancements at the Reserved Matters stage.

(vi) Highway impacts _

With regard to highway matters, the Councils Development Engineer has considered the proposals and confirmed that there are no objections subject to a condition to secure that the use of the narrow tunnel is controlled by signalling. A condition is recommended.

Whilst the proposed development is within Havant Town Centre, car parking is shown on the proposed layout for two cars per two bed dwelling. This would accord with the Councils Parking Standards SPD. Cycle parking is also indicated within proposed sheds which would meet the requirements of the parking SPD.

(vii) Contamination issues

Given the historic town centre location and potential contamination issues at the site, the Councils Environmental Control Officer has recommended a condition to ensure that the development would not negatively impact on the residents or water

environment. The consultation response raises viability issues given the quantum of development, however the condition is considered necessary to prevent pollution issues. The pre-commencement condition has been forwarded to the agent (and the issue of viability raised). The agent has confirmed that *".....In regards to condition No.8, we understand the LPA's concern and we can confirm that the requirements of the condition can be met."*

(viii) Impact on Trees

In relation to trees, the main issue relates to a Eucalyptus tree on the eastern side of the site. The Arboricultural information submitted with the planning application and the layout drawings are not considered to demonstrate sufficiently the impact on the tree. A condition is required in order to ensure that the development would have an acceptable relationship to the tree. The development offers the mechanism for removing rubble and other items from the site that have been accumulating. The final layout will need to provide suitable landscaping to improve the character and appearance of the site and the new development. Overall the development holds the potential to deliver an improvement to the amount and quality of tree cover on the site.

(ix) Developer Contributions

The proposed development will be liable to CIL contributions at the Reserved Matters Stage and an informative is recommended.

As mentioned above a contribution to SRMS has been secured.

8 **Conclusion**

In conclusion, the development of the site for two units based on the outline submission is considered acceptable in principle and would preserve the character and appearance of the Black Dog Conservation Area. The proposal would have an acceptable impact on residential amenities of both existing and proposed residents.

Flood risk issues are considered to have been appropriately addressed and conditions are proposed to ensure appropriate drainage and to prevent impacts on the water environment. Ecological impacts are addressed by the SRMS contribution and by condition.

Highway impacts are acceptable subject to details of signalling being approved.

Contamination issues are to be addressed by the imposition of an appropriate condition as can the impact on trees.

Planning permission can therefore be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT OUTLINE CONSENT** for application APP/18/00713 subject to the following conditions:

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the

following dates: (a)The expiration of three years from the date of this permission; or (b)The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - the access; appearance; landscaping; layout; and scale.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

- 3 The development shall be for two No. two bedroom, single storey dwellings with no accommodation provided at first floor level.

Reason: To ensure that the development has an acceptable impact on the Conservation Area and on neighbouring residents' amenities and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The dwellings hereby permitted shall be sited broadly in the position shown on drawing No. 17023-143 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the Conservation Area and heritage assets (including archaeology), to ensure that appropriate external amenity space can be provided for future residents, and having due regard to policies CS11 and CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No bonfires shall take place on the site during any phase of the development i.e. demolition,excavation, clearance and construction works.

Reason: In order to protect the occupants of nearby residential properties from smoke pollution and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No piling shall be undertaken on the site unless a detailed piling method statement has first been submitted to and approved in writing by the Local Planning Authority. Such method statement shall include as a minimum:

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling; and
- d) details of materials to be removed or imported to site.

The development shall thereafter be undertaken strictly in accordance with the terms of the approved piling method statement.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of

preferential pathways. Therefore, penetrative foundation methods have the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply, having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall cover:-

- (a) Procedures & logistics for managing deliveries at the site, including parking, loading, materials handover and transport to secure storage areas, and the means of minimising the risk of release of fuel and other materials capable of causing harm to health or the environment;
- (b) Provisions for the segregation & storage of wastes destined for both disposal & for recycling, and details on the procedures and logistics for collection and transport from the site;
- (c) Measures to ensure safe pedestrian movement on the public highway & footpaths;
- (d) The means of minimising dust, smoke and fume emissions from the site during construction works, including minimising dust emissions from vehicles transporting materials or waste from the site;
- (e) The means of preventing track-out of mud & spoil on to the highway, and preventing runoff from the site adversely impacting adjacent surface waters;
- (f) The means of minimising noise and vibration arising from construction processes;
- (g) Details of the training of site operatives to follow the Construction Management Plan requirements; and
- (h) Details in relation to measures for surface water management during development.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties and the public realm more generally, and prevent pollution of nearby surface waters. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use - or safety - of the public highway. This condition is imposed having due regard to policies DM10 (Havant Borough Local Plan (Core Strategy) 2011), and the general environmental principles embodied within the National Planning Policy Framework 2018.

- 8 Prior to the commencement of any specific phase 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 and notwithstanding any assessment provided with the planning application), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A site walk-over survey & / or sufficient desk-based research to identify;
 - All relevant previous uses of the site
 - Potentially significant contaminants associated with those uses
 - Uncertainties relating to previous use or associated potential contaminants
 - A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
 - A summary of potentially unacceptable risks arising from contamination at the site.
- 2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.
- 3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - appropriately considered remedial objectives,
 - an appraisal of remedial & / or risk mitigation options, having due regard to sustainability, and;
 - clearly defined proposals for mitigation of the identified risks.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

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, Contamination may be present at the site as a result of both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

- 9 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 8 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

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, Contamination may be present at the site as a result of

both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

- 10 Notwithstanding the submitted details the development hereby permitted shall not commence unless and until an amended arboricultural impact assessment and arboricultural method statement together with a tree protection plan in relation to the final layout have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development has a limited and acceptable impact on trees in the interests of the character and amenities of the area having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority. Proposals shall be in general accordance with the principles of CIRIA C753 (SUDS Manual 2015) inclusive of section 26.7 (Managing pollution risks). Where appropriate, the scheme shall include a schedule of operational and preventative maintenance for surface water drainage structures, flow control devices, pumps or separators required either for the proper operation of the system to its design flow rates or for the effective retention of pollutants to prevent downstream release. Parties responsible for observing the maintenance schedule shall be clearly identified.

All details submitted in accordance with this condition shall be implemented as approved.

Reason: Observing the drainage hierarchy disfavours disposal of surface water to public sewer, and favours a sustainable drainage solution. Appropriate system design is required to prevent surface water drainage functioning as a pathway for pollutants to affect downstream receptors, or increasing downstream flooding risk. This condition is imposed having due regard to policies DM10 & CS15 of Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

- 12 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and residential amenities of adjoining residents having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the specification of pipework which should be of high specification to minimise leakage. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full

accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality, the Source Protection Zone 1, and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 15 Prior to the commencement of any above ground development details of the siting and design of any proposed external meter boxes / metal ducting / flues, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure, where provided, a location is chosen which minimises the visual impact so as not to detract from the character and appearance of the Conservation Area having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 16 No above ground development shall commence unless and until details of ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwelling and maintained in accordance with the approved details.

Reason: In the interests of biodiversity and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 17 The development hereby permitted shall not be occupied unless and until details have been submitted to and approved in writing by the Local Planning Authority to confirm that the acoustic mitigation measures employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels in the interests of the amenities of residents having due regard to policy DM18 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 The development hereby permitted shall not be occupied prior to the

submission of details to and their approval in writing by the Local Planning Authority in relation to traffic control measures with regard to the 'tunnel' through the existing building. The traffic control system shall thereafter be carried out prior to occupation and maintained in accordance with the approved details thereafter.

Reason: To ensure safe access to the site having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD July 2016 and the National Planning Policy Framework.

- 19 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

- 20 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include the location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance / pollution having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 21 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, outbuildings or roof alterations including provision of windows or other openings shall be constructed within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and appearance of the Conservation Area and the residential amenities of nearby residents and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Local Plan Drawing Number 17023-141

As supported by the following information:

Block Plan Drawing Number 17023-141

Proposed Site Plan Drawing Number 17023-143

Tree Protection Plan Drawing Number 17023-144

Proposed Plans and Elevations Drawing Number 17023-241

Context Elevations Drawing Number 17023-341

Flood Risk Assessment

Landscape Assessment and Method Statement 26th November 2018
Design and Access Statement

Reason: - To ensure provision of a satisfactory development.