

Planning Supporting Statement

Proposed variation to conditions to allow for early construction of minor access works and service yard at Former Oak Park School, Leigh Road, Havant (APP/15/00303)

August 2018

1. Introduction

- 1.1 This statement prepared by Hampshire County Council accompanies an application to vary conditions 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24 and 25 and remove duplicated condition 16, in relation to approved permission APP/15/00303 to allow for early construction of minor access works and service yard at Former Oak Park School, Leigh Road, Havant.
- 1.2 Oak Park Health and Wellbeing Campus is an initiative by Hampshire County Council to deliver health and social care services on the proposed site. The County Council is committed to ensuring that the approved scheme for an 80 bed nursing home, 51 affordable extra care flats and 48 affordable and market supported living flats, as well as community facilities are brought forward on the site as soon as possible.
- 1.3 Changes in government funding in relation to extra care affordable housing has resulted in significant delays in bringing this scheme forward. Nevertheless the funding is now available and the County Council is keen to progress the scheme.
- 1.4 The conditions referred to above seek significant levels of information and Hampshire County Council would like to vary these slightly to allow for some minor access works and construction of a service yard to take place.
- 1.5 This application is supported by the following:

Plan 598-PL-101 Site Plan
Plan 598-PL-103 Proposed Service Yard Area
Plan 598-PL-104 Location Plan
Plan 598-PL-105 Contractor's Compound and Material Storage Compound
Drainage Technical Report, Abley Letchford Partnership
- 1.6 If further information is required in addition to that contained within this application prior to commencement of development, it would be useful if Hampshire County Council could be informed as soon as possible to avoid the need for any further pre commencement conditions being applied.
- 1.7 Section 2 sets out the proposed amendments to the conditions in full. Section 3 briefly sets out the policy framework then considers each condition in detail and the planning justification for the proposed changes. Section 4 considers the requirements in the S106 and Section 5 draws some conclusions.

2. The Proposal

- 2.1 As set out above the proposal seeks to vary conditions 3,7,8,9,10,11,12,13,14,15, 17, 18, 19, 22, 23, 24 and 25 and remove duplicated condition 16, in relation to planning permission APP/15/00303. The remaining pre commencement conditions 4, 5, 6 and 21 have already been discharged.
- 2.2 The County Council are seeking to undertake minor access works and construct a service yard by the approved site access from Leigh Road as shown on plan 598-PL-103. This access is intended for service and emergency vehicles and is not the main vehicular entrance into the site. The works proposed are only very minor; however to discharge the conditions fully would require much more detail about the rest of the site which is not known at present and may change with the final detailed drawings. The minor access works and service yard proposed are in conformity with the permission granted and the proposed changes will not prejudice the full information required by the conditions being provided at a later date.
- 2.3 The principle of varying the remaining pre commencement conditions to allow for an early implementation of the permission was agreed at a meeting in February 2018 between officers of Havant Borough Council and Hampshire County Council. Below details how the County Council propose to vary the remaining conditions listed in 2.1 above.

Condition 3

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, 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 7

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 8

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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 9

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 10

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 11

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, ~~Prior to the no development hereby permitted shall commencement of the development hereby permitted until~~ 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.

Condition 12

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, 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.

Condition 13

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 14

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 15

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 16

This is a duplication of condition 8 and it is proposed that this is removed.

~~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.~~

Condition 17

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 18

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 19

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 22

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 23

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 24

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

Condition 25

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

3. Planning Justification

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the site is the Havant Borough Local Plan 2011. Other material considerations include the recently published National Planning Policy Framework and wider factors set out in the original planning application, including the need for such a facility.

3.2 This section briefly sets out the planning policy framework before considering each condition in detail and how the proposal will not negatively impact on the site and the protection afforded by the condition.

National Planning Policy Framework 2018

3.3 The revised National Planning Policy Framework (NPPF) was issued on 24th July 2018 and forms a material consideration in all planning decisions.

3.4 It clearly sets out the Governments intentions to significantly boost the supply of homes. Paragraph 59 clearly acknowledges that a sufficient amount and variety of land can come forward where it is needed and that ***“the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”***.

3.5 In comparison to the previous NPPF, under which this application was determined, the new NPPF sets out at paragraph 55 that planning conditions should be kept to a minimum. It goes on to state that:

“Conditions that are required to be discharged before development commences should be avoided, unless there is clear justification²³”.

3.6 Footnote 23 expands that when in force, Sections 100ZA(4-6) of the TCPA 1990 will require the applicants written agreement to the terms of a pre commencement condition, unless prescribed circumstances apply.

3.7 This emphasis on meeting the housing needs of specific groups, keeping conditions to a minimum and avoiding pre commencement conditions shows a clear emphasis on the need to prevent delays to delivering development.

Havant Borough Local Plan (Core Strategy) 2011

3.8 The policies relevant to the conditions to be varied are set out below:

3.9 Policy CS11 deals with protecting and enhancing the special environment and heritage of Havant Borough Council.

- 3.10 Policy CS15 focuses on flood erosion risk. It requires all development to ensure there is no net increase in surface water run off and that proposed developments incorporate flood protection measures.
- 3.11 Policy CS16 requires high quality design, including that the proposal should respond to local character and not causing unacceptable harm to the amenity of neighbours. Proposals should maximise the opportunity for being inclusive and ensure mitigation of any negative environmental impacts.
- 3.12 Policy CS19 requires an effective provision of infrastructure and in particular criteria 8 refers to health facilities at Oak Park.
- 3.13 Policy CS20 sets out the transport and access strategy.
- 3.14 Policy DM8 addresses conservation and ensures protection of existing natural features.
- 3.15 Policy DM10 deals with pollution, ensuring that amongst other things the water environment would not be detrimentally affected by development.
- 3.16 Policy DM11 seeks to ensure that every measure is taken to increase sustainable modes of travel.

Housing and Care Needs

- 3.17 The delivery of older persons' care and housing to meet identified needs is a material planning consideration. It is well documented that the UK faces a rapidly ageing population. The report *Housing our Ageing Population* (2017) by the Local Government Association states that by 2035 there will be a shortfall of nearly 400,000 units of purpose built housing for older people.
- 3.18 Accessible and specialist homes provide significant health and social benefits. These are recognised by the Second Report of Session 2017-2019 of the House of Commons Communities and Local Government Committee on Housing For Older People (February 2018).
- 3.19 In Hampshire, just over 1 in 5 people are 65 years and over compared to 1 in 6 nationally. This equates to more than 286,000 people who are over 65 years old and is projected to increase to over 330,000 by 2023. This varies across the County with New Forest, East Hampshire, Winchester and Havant having the greatest proportion over 65 and over 85 year olds.
- 3.20 In Hampshire healthy life expectancy has not increased in line with increases in life expectancy, meaning people are living longer in poorer health. It is important that the links between housing and health are understood and that as much as possible is done to address this. This site is part of the strategic infrastructure identified in the Local Plan and it is important to be delivered during its lifetime.

Assessment of the Proposed Variations to the Conditions

3.21 Condition 3

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, 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.*

3.22 The area of proposed service yard will include a soakaway and gullies. This will ensure that the hardstanding developed will not lead to an increase in flooding anywhere on or off the site.

3.23 This approach differs slightly from the infiltration trench shown on the original site wide drainage strategy. The accompanying Technical Note from Abley Letchford Partnership demonstrates that this change will not affect the wider drainage of the site. Options of a second soakaway or crates will still provide the same water storage capacity as the whole infiltration trench on the western side shown in the original drainage strategy. It is not proposed that the storm water sewers are constructed at this stage. They are not necessary for this small area of service yard but will be constructed as part of the overall site.

3.24 The majority of the site drains to the south east and so the proposed works are not in an area at high risk from flooding.

3.25 The reason for this condition is to prevent the increased risk of flooding both on and off the site and it is not considered that the proposed variation to this condition will affect this. The condition will still require a detailed and viable drainage strategy being submitted following further development of the design and prior to commencement of the wider site. The proposal remains in accordance with policies CS15, CS16 and DM10 of the Havant Borough Local Plan and the NPPF.

3.26 Condition 7

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.27 The proposed works will involve around 8-10 vehicles at most and take a few weeks to complete. The biggest of these vehicles will be low loader lorries to carry the soakaway tube, the large stones, and the tarmac and kerb stones for the road construction. No articulated lorries will be required. This is not considered to result in a significant increase in traffic. The proposed route for construction vehicles is shown on the plan in Appendix A. They will exit the B2149 at the roundabout and travel down Emleigh Road. They will then take a left and travel straight up Leigh Road to the site entrance. These roads are wide large roads with footpaths and considered appropriate for low loader lorries and small vans. This approach will avoid vehicles using the Old Copse Road and River Way junction.
- 3.28 The proposed amendment to will not prevent the plans and timetable for the work coming forward prior to construction across the majority of the site.
- 3.29 The proposed amendments will continue to ensure safe and adequate access to the development in accordance with policies CS20 and DM11 of the Havant Borough Local Plan 2011 and the NPPF.

3.30 **Condition 8**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.31 The proposed minor access works and service yard will not form parking areas for the site. As set out above the proposed works will contain a soakaway and so will enable sufficient surface water drainage. Further information is contained in the accompanying technical note from Abley Letchford Partnership.
- 3.32 The aim of the condition can still be met, with the information provided prior to development of the majority of the site. The proposals will still ensure adequate water protection measures in accordance with the Havant Borough Local Plan policies CS11, CS15, CS16 and DM10 and the NPPF.

3.33 **Condition 9**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.34 The important trees and hedges are located around the boundaries so will not be affected by the minor proposed works shown on plan 598-PL-103. The original tree constraints plan is included at Appendix B, showing the approved layout in relation to the protected trees and root protection areas. It can be seen that the proposed service yard area works will not impact upon any of the protected trees to remain.
- 3.35 The plan showing the location of the contractor's compound and material storage area show that no materials, fuels, chemicals or soil will be placed near the existing trees or hedges. The closest trees are referred to as T9 and T10, and the proposed contractors compound is away from their identified root protection areas. In addition the roots of T9 and T10 are already covered by existing hard standing and this will not be affected by the construction of this initial service yard area.
- 3.36 Any excavated soil will be place strategically around the site, with the quantity being so small it can easily be located away from the trees and hedges. The requirements of the condition will still remain in full prior to development on the majority of the site, ensuring that the existing trees and hedgerows will not be negatively affected by any development.
- 3.37 Overall the proposal still includes extensive new tree planting, including existing native Oaks around the boundary, which will improve the overall quality of the sites tree cover and so deliver substantial long term improvements to visual amenity. This will not be affected by the proposed variation to the condition. The proposal will remain in accordance with policies CS11, CS16 and DM8 of the Havant Borough Local Plan and the NPPF.
- 3.38 **Condition 10**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.39 The condition is specifically concerned with the impact of drainage and underground services in relation to existing trees and vegetation and as shown on the plan, the

proposed works are well away from these and so will not lead to any negative impact. As set out above the proposed works require a soakaway and will not require any surface water sewers. The foul water sewer shown on the drainage strategy under this part of the site will not be delivered at this stage.

3.40 The proposed changes in wording will ensure that the plans showing the detail required by the condition will still be submitted prior to the development of the wider site.

3.41 These changes will continue to safeguard against damage to existing trees and vegetation in line with policies CS16 and CS11 of the Havant Local Plan 2011.

3.42 **Condition 11**

~~With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, Prior to the no development hereby permitted shall commencement of the development hereby permitted until 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.~~

3.43 The proposed minor access works will not affect any public sewers. The sewer running west to east across the top of the site is far enough away from the proposed works and it is not proposed to connect to any public sewers at this stage. The measures to protect the public sewers will still be required prior to development on the wider part of the site. The minor changes to the condition will continue to ensure the necessary protection of infrastructure in accordance with Policy CS19 of the Havant Borough Local Plan 2011.

3.44 **Condition 12**

~~With the exception of the minor access works and service yard shown on drawing no. 598-PL-103, 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.~~

3.45 The minor access works and service yard will not create any foul water sewage disposal and nor will they affect the design or delivery of these in the future. The proposed foul water sewer as part of the site wide drainage strategy can still be provided under the proposed service yard when or if it is required based on the final designs. The condition will still require the necessary details to be submitted and approved prior to development across the wider site. The condition will continue to ensure that the development is adequately drained in accordance with policies CS15, CS16 and DM10 of the Havant Borough Local Plan 2011.

3.46 Condition 13

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

3.47 The works proposed will only involve between 8 and 10 construction vehicles and very limited materials, so perhaps 2 – 3 per week. Leigh Road is not a through road; it only provides access to a few dwellings and The Parkway Medical Centre (which has sufficient parking to accommodate its visitors). It is anticipated that the small amount of material excavated for the soakaway will be strategically retained on site, reducing the vehicular requirement.

3.48 Plan 598-PL-105 enclosed with this application sets out the proposed construction compound and material storage compound. Construction parking will take place within here. This is an existing area of hardstanding from the former medical centre and has a hardstanding roadway leading to it. The area proposed is also away from existing trees and their root protection areas. It is not considered that any vehicles involved with this will have a detrimental impact on the local highway network or affect the amenity of the locality.

3.49 The condition still requires such details to be submitted and approved prior to development of the wider site in accordance with policies CS16 and DM10 of the Havant Borough local Plan 2011.

3.50 Condition 14

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

3.51 As set out above plan 598-PL-105 shows the construction compound and material storage compound. This is proposed on an area of existing hardstanding but away from existing trees and their root protection areas.

3.52 The condition still requires full specification and approval prior to development of the wider site. The condition remains in accordance with policies CS16 and DM10 of the Havant Borough Local Plan 2011.

3.53 Condition 15

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.54 Plan 598-PL-103 showing the minor access works and service yard, specifies the finished floor levels of the proposed service yard. The levels for the remainder of the site will be submitted and approved in accordance with the condition, prior to the development of the rest of the site. The condition will continue to ensure an acceptable impact on the character and appearance of the area in accordance with policy CS16 of the Havant Borough Local Plan 2011.

3.55 **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.*~~

- 3.56 This condition is a repeat of Condition 8, therefore in the interests of clarity it is requested to be deleted.

3.57 **Condition 17**

~~*With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.*~~

- 3.58 Given the scale of the works it is unlikely that the minor access works and service yard proposed will lead to an increase in suspended soils in surface water run off. The position of the works is away from the Lavant River. It is most likely that any suspended soils will get caught in the stones within the soakaway. These will then be removed during the cleaning of the soakaway. Further information is contained in the technical note from Abley Letchford Partnership.

- 3.59 The full details set out in the condition will still be required prior to construction works on the majority of the site and so will still ensure protection of the River Lavant in accordance with policies CS11 and DM10 of the Havant Borough Local Plan 2011.

3.60 **Condition 18**

~~*With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.61 The proposed minor access works and service yard will be hardsurfaced and not affect the soft landscaping scheme for the open parts site. These details will be provided at a later date to ensure the appearance of the development is in accordance with policies CS11, CS16 and DM8 of the Havant Borough Local Plan 2011.

3.62 **Condition 19**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.63 Details of the materials for the proposed access works and service yard are shown on the submitted plan and accompanying technical note. Full details of the hardstanding will be submitted prior to construction of the rest of the site. The amenities of the surrounding area shall be ensured throughout in accordance with policy CS16 of the Havant Borough Council Local Plan 2011.

3.64 **Condition 22**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.65 These details will be provided in full prior to above ground construction works across the rest of the site. The proposed minor access works and service yard do not require or affect any of the proposed means of enclosure. The amenities of the locality and occupiers of neighbouring property will be retained in accordance with policies CS16 and DM10 of the Havant Borough Council Local Plan 2011.

3.66 **Condition 23**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.67 The minor access works and service yard proposed will not affect the storage and disposal of refuse following the commencement of use of the buildings. This detail will be provided at a later date in line with the proposed amended condition. The proposal will remain in accordance with policies CS16 and DM10 of the Havant Borough Council Local Plan 2011.

3.68 **Condition 24**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.69 The minor access works and service yard will not affect the amenity spaces for the proposed units. The details required will be provided at a later date in line with the proposed amended condition. The proposal will remain in accordance with policies CS16 and DM10 of the Havant Borough Council Local Plan 2011.

3.70 **Condition 25**

With the exception of the minor access works and service yard shown on drawing no. 598-PL-103 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.

- 3.71 The proposed minor access works and service yard will not impact upon the external facing and roofing materials. The details required will be provided at a later date in line with the proposed amended condition. The proposal will remain in accordance with policies CS16 of the Havant Borough Council Local Plan 2011.

4. S106 Requirements

- 4.1 This section summarises the pre-commencement requirements contained in the S106 and provides further comment in relation to this application. The clause within the existing S106 makes it clear that the Agreement applies to the original permission and any subsequent S73 variation. It is not, therefore, intended that a new S106 is provided.

Schedule 1:

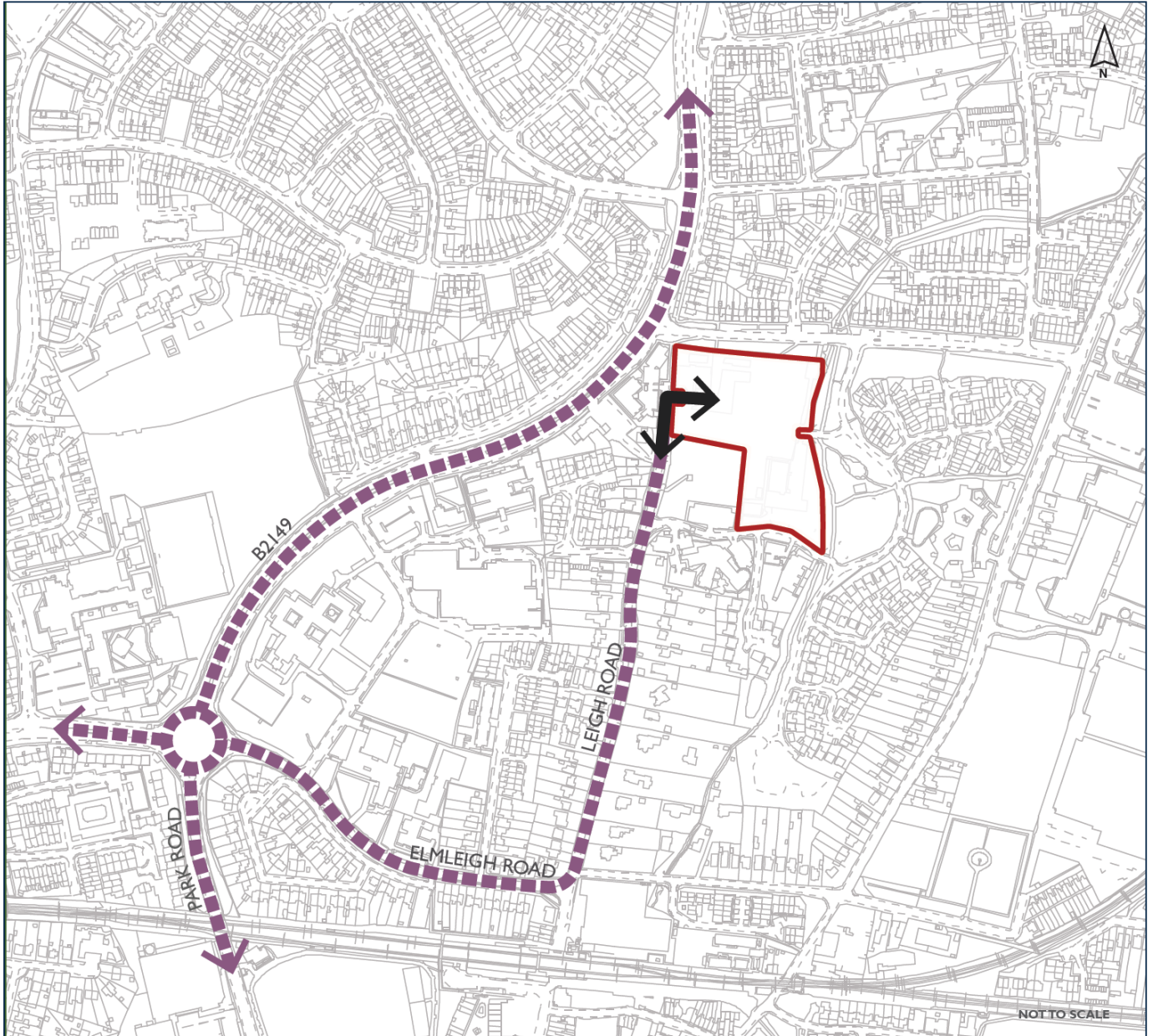
1. The Owner and Developer covenant to advise the Council not less than 14 days before commencement of development.
- 4.2 Hampshire County Council will advise Havant Borough Council 14 days prior to the commencement of development.
- 3.1 The Owner and Developer covenant not to commence development until the Council has approved the management company responsible for management and maintenance of the common parts.
- 4.3 In the longer term, beyond any areas of the site that may transfer by way of adoption (highways/open space etc.), it is expected that an appropriate management arrangement will be put in place to effect 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. At this stage no decision has been made over the choice of which company is to be appointed but it is 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. In relation to the works proposed under the S.73 application the County Council as applicant and current landowner will be responsible for the management of the completed service yard area and the wider undeveloped site.
- 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.
- 4.4 In line with condition 3 referred to above, a SuDs scheme will be provided for the site to ensure effective surface water drainage. The service yard and minor access works proposed will contain a soakaway. More details about the scheme are contained in the attached technical note from Abley Letchford Partnership.
- 4.5 Prior to commencement of the wider scheme a detailed SuDs strategy will be provided.

- 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.
- 4.6 This requirement has 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.
- 4.7 This payment will be made prior to commencement of development.
- 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.
- 4.8 The County Council appreciate this aspect not being enforced until commencement of the main part of the site is imminent. At this stage it is unknown whether the final developer will put in place employment and skills opportunities or will seek to make a financial contribution in lieu of this. Further investigation will take place and be reported to Havant Borough Council as soon as anything is known.
- 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.
- 4.9 This payment will be made prior to commencement of development.
- 12.1 The Owner and Developer covenant to pay the Council before commencement of development the monitoring and administration fee (£5,000).
- 4.10 This payment will be made prior to the commencement of development.
- 12.2 The Owner and Developer covenant not to commence development until it has paid or caused to be paid the monitoring and administration fee.
- 4.11 This requirement appears to be the same as clause 12.1.

5. Conclusion

- 5.1 Hampshire and Havant in particular is facing a rapidly ageing population. Hampshire County Council, working with Havant Borough Council, is committed to ensure that this important Health and Well-Being Campus is delivered as soon as possible. The minor access works and service yard proposed and the variations to the necessary conditions are the first steps in facilitating this.
- 5.2 The proposed changes to the conditions seek to ensure that the initial access and service yard works can be completed, whilst retaining the requirement to submit the necessary information prior to development across the wider site. The reasons for, and protection afforded by, the conditions will not be altered. The changes proposed will not compromise any of the adopted Local Plan policies.
- 5.3 The site remains an important part of the strategic infrastructure in the Local Plan and the rapidly ageing population is an important material consideration. The revised NPPF encourages planners to meet the needs of groups with specific housing requirements and that sites with planning permission are developed without unnecessary delay.
- 5.4 Hampshire County Council would like to work with Havant Borough Council to address the requirements in the S106 and ensure they can be met to everyone's satisfaction.

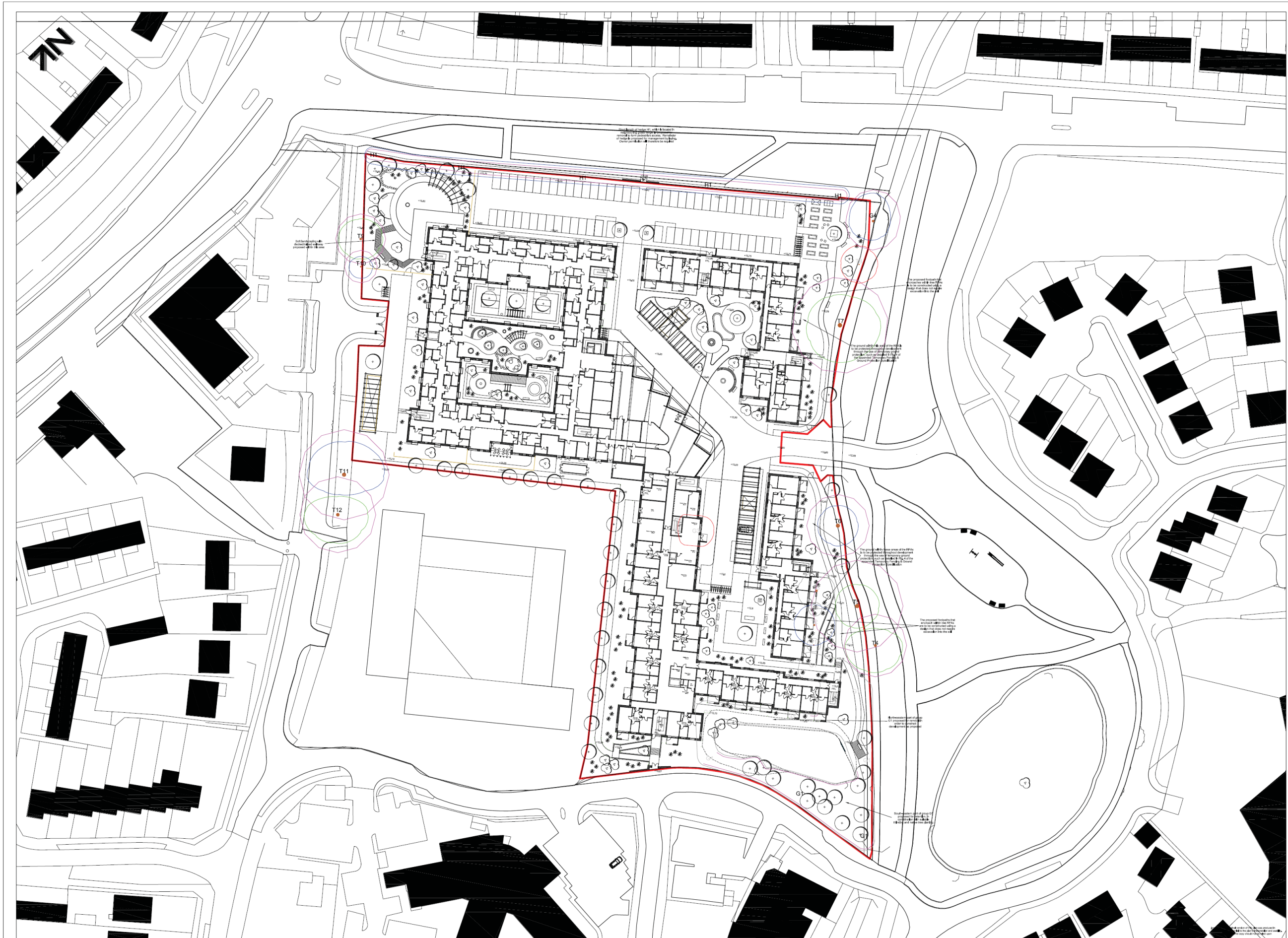
Appendix A: Proposed Route for Construction Vehicles



KEY

- Site boundary
- Existing access
- Proposed route for construction vehicles

APPENDIX B: Tree Impact Plan in relation to the approved development, taken from the previously submitted Aboricultural Impact Assessment



KEY

- Individual Tree
- Group of Trees
- Hedge

Please refer to Appendix A for the Tree Assessment for each tree in the project area.

Tree Categories

Those to be Considered for Retention

- Category 'A' Tree/Group of Trees: Those of a High Quality with an Estimated Remaining Life Expectancy of at Least 40 Years
- Category 'B' Tree/Group of Trees: Those of a Moderate Quality with an Estimated Remaining Life Expectancy of at Least 20 Years
- Category 'C' Tree/Group of Trees: Those of a Low Quality with an Estimated Remaining Life Expectancy of at Least 10 Years, or Young Trees

Those Considered Unsuitable for Retention

- Category 'D' Tree/Group of Trees: Those in a State of Decline and/or Damaged by Pests or Diseases and/or Those Considered for Retention as Living Trees in the Context of the Current Land Use for Longer Than 10 Years

Root Protection Areas (RPAs)

- RPA: Circles of Ground Around Trees that Should be Protected Through Development Works and Through Planting in a Contiguous Circle Zone

Please Note: The boundaries of trees T1 to T12, T15 and T16, and the groups were established by the Arboricultural Officer (AO) on site, and are not necessarily related to the individual trees. The AO has also noted that the location of these trees and the boundaries and extents of the groups cannot be confirmed to the AO.

Project:
LAND OFF RIVER WAY
HAYVANT
HAMPSHIRE
PO1 2EL

Client:
HAMPSHIRE LIVINGSPACE

Title:
TREE IMPACT PLAN
In Relation to Proposed Care Home Development

Date:
12/03/2024
March 2024

Drawn by:
HH

Checked by:
PH