

Recommendation: **GRANT PERMISSION**

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

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The site contains four Lime trees (numbered T1-T4) which are scheduled for removal. Because of the damage caused by metal tree guards not being removed as the trees have grown in size, I agree with the Arboricultural Consultant that it is too late to try and remove the guards and it is likely to have an impact on their safe useful life expectancy. They are not suitable specimens to be protected by a Tree Preservation Order. Mitigation planting is important to replace the loss of amenity, and it is noted that replacement planting is highlighted on the Tree Protection Plan and report. I have no objection to the removal of the Elder and it is noted that G6 and G7 are to be retained, although not suitable to be protected by a Tree Preservation Order, it will provide some boundary screening.

I therefore have no objection to the proposal in arboricultural terms and if permission is granted a condition should be applied that work is carried out in accordance with the Arboricultural Method Statement and Tree Protection plan dated 3rd November 2017. A landscape condition should also be applied to ensure that replacement planting can be enforced.

Building Control, Havant Borough Council

The solid waste storage for the middle plot appears to be located so that the waste would have to be carried through the house, which would be unacceptable under the Building Regulations.

Crime Prevention -Minor Apps

No comments received

Environmental Health

Final Comments:

I have now looked at the amended plans and all appears to be fine. Just a quick comment. on the North East elevation (where new acoustic glazing is to be installed) retaining the door, may render the acoustic work of little use should the doors be left opened (particularly in warmer weather).

Apart from that, no further comments to make.

Further Comments:

I had a look at the amended details but I have not seen anything that would mitigate adequately the sounds from the public house and affecting the proposed dwellings. Further, we are receiving more complaints about the current noise of the PH from residents further away than the proposed dwellings. In terms of conditions, I am not sure that any would mitigate sufficiently the noise.

Original Comments:

I have been asked to comment on this application. I have read the information provided by the developer but I do not think that this site is suitable for the proposed dwellings, particularly due to the closeness to the public house and beer garden.

In the Planning, design and access statement, in paragraph 6.13 the applicant states; The proposed dwellings are located within an existing residential area with residential housing surrounding The Swan PH. There have been no known conflicts between the PH and the existing residential properties which suggests the PH operates in a considerate manner to its residential neighbours. Although the proposals include alterations to the position of parking and garden areas, the relationships between these and neighbouring properties remain very similar to existing arrangements and as such there are no concerns for the amenity of residents of the proposed or neighbouring dwellings.

I have looked at our records of complaints and find information to contradict this statement.

Since at least 2000 (Apart from 2013 and 2014). We have received complaints relating to noise from amplified music, shouting screaming, foul language from guests, Anti-Social incidents etc. every year and all coming from residents/local Councillors residing further away from the proposed development.

Although individuals that may occupy those dwellings, will without a doubt realise that they are either purchasing or renting a property close to a Public and therefore to expect some noise, their right to complaint about noise (under the Environmental Protection Act 1990) coming from a dwelling or business (including the Public house) can not be withdrawn and therefore, allowing individuals and their family to move this close to a public house, will ensure complaints being received and this will be detrimental to their life and family life.

Although I understand the need to build new dwellings within the Borough, I do not think that this location is appropriate. I would like therefore for this application to be refused.

As per other applications, the noise can, to some extent be addressed through the application of conditions and thereafter mitigation measures imposed. However, in this particular case, no noise mitigation will or could prevent noises escaping from the

public house itself or the beer garden when guests, particularly in the summer months, use the facility provided.

I hope this help, but please do not hesitate to contact me if you have any queries or would like to discuss the matter further.

Environmental Health (Contamination & Pollution):

Land Contamination

It appears that the Swan Public House was built on greenfield land near Newbarn (Agricultural Premises) between 1952 & 1957. There were no specific prior contaminative uses of the land, and it stands some distance away from the former agricultural use (around 20m). Given the construction date, asbestos containing materials are likely to have been used in the construction of the Swan & the surrounding houses.

Any construction & demolition related waste (e.g. hardcore under paths or vehicle parking areas etc.) could be contaminated with asbestos containing materials or free fibres, if contemporaneous. Similarly, made ground associated with nearby agricultural use could represent a contamination risk. The risks to the development are considered relatively low, such that it would probably be disproportionate to require a full site investigation. I do however recommend that works proceed under a formalised watching brief for materials that may be deleterious to health (e.g. materials suspected of containing asbestos - fragments of cement sheeting or insulation board). Suggested wording overleaf.

Condition 1 - Contamination Watching Brief

"In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

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

- 1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,*
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;*
- 3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.*

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report

(where appropriate) demonstrating that remediation objectives have been met.

Reason: *Having due regard to the National Planning Policy Framework, and to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], there is a potential for asbestos containing materials to be present within shallow made ground which could pose a risk to both groundworks staff, and to future occupants”*

Noise Exposure

I also note from Dwg: No. 17.2292.100 rev P3 (proposed site layout) that there appears to be shown a 1.8m high close board fence segregating a parcel of land to the rear of the Swan PH from both the pub garden (West) and the proposed residential gardens (East). The feature is positioned approximately central to the Eastern 'wing' of the Swan.

This parcel of land doesn't appear to be associated with the development, and may be intended to serve a residential unit associated with the Swan (e.g. a garden to the proprietor's accommodation), or another purpose for which planning consent is not required (e.g. storage). The intended use of this segregated land parcel is likely to be material to the application with respect to assessing likely noise disturbance to residents of the proposed dwellings (from the pub garden), which I am aware is an issue that Laurent has already expressed concern about.

The status & nature of this feature should be confirmed with applicant prior to determining the application. It is relevant if the land is not to be used as pub garden, but also if intended as a storage / yard / utility area, the activities the land is to serve are relevant as these may be material to acceptability of adjacent residential units with respect to noise (e.g. glass bin area, empty barrels etc.).

Air Quality / Drainage

No concerns

Development Engineer (Highways)

Final Comments:

If the deliveries can be conditioned to be outside opening hours (subject to planning amenity conditions which I suggest should be not before 0700 or after 24.00), then these spaces can be counted by the planning authority in applying their parking standards.

Further Comments:

The swept part analysis shows that two of the proposed car parking spaces can not be used as they are required for turning of service vehicles and therefore the Planning Authority should not consider them when they apply the HBC Planning Parking standards. I note on the new layout one of these spaces is labelled as disabled.

Original Comments:

The Highway Authority have no adverse comment on this application subject to the provision and modification of the dropped kerb as shown on the submitted drawings. An informative should be placed on any subsequent permission stating that any works on the highway require the permission of the Highway Authority which is HCC.

Highways Engineer, Development Engineer

The swept part analysis shows that two of the proposed car parking spaces can not be

used as they are required for turning of service vehicles and therefore the Planning Authority should not consider them when they apply the HBC Planning Parking standards. I note on the new layout one of these spaces is labelled as disabled.

Landscape Team HBC

From a landscape perspective we do not object to the principal of this development, however we have the following comments:

A detailed soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant tree pit details, specification schedules, comprising plant size, number and density, as well as, the proposed planting implementation programme.

Boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new walling / fencing or other type of enclosure and associated gates.

Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:

- finished levels
- hard surfacing material type / product reference and colour
- laying bond
- edging or threshold detail / type

Further details on material specification for the development requiring submission including material type, product reference and colour to understand how the proposed development will affect the existing streetscape.

Due to the development being constructed within the existing pub garden we require details on any proposals within the new pub garden. We require clarification on any proposed works as the construction process could have an effect on the existing trees. Furthermore what mitigation strategy is being implemented to reduce the impact of noise, light pollution and provisions for smokers?

Public Spaces

No comments received

Traffic Management, HBC

traffic team has no adverse comments to make on this application

Waste Services Manager

No concerns over waste collection with regard to this planning application.

Hampshire Biodiversity Information Centre

Within 50m- Protected and Notable Feature - Pilistrelle Bat Species Roost

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: 16

Number of site notices: 3

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
After reading Punch Taverns proposal not to let people out in back garden after 10.30pm - how will pub police this?	This is a matter for the management of the Pub
Will doors be locked at this time and where do smokers go from 10.30pm to 1am when they leave the pub? As this means they will stand out the front and smoke which defeats the object.	As above, however the area to the front of the pub not part of the car park is reduced as a result of this application
The public bar at the rear entrance and has been taken away for deliveries entrance. Means smokers must enter rear garden by lounge back doors.	The access to the repositioned pub garden is via the public bar in the amended scheme. It is for the pub to ensure that this can take place without conflict with deliveries which are to take place outside pub opening hours.
Now if there is a function/party in lounge bar this means public will have to walk through the party which the lounge bar is closed to them on function nights.	This has been changed by amended plans
Means they will stand outside the pub in front of our houses which is not on.	This is a matter for the pub to manage and complaints can be considered under other legislation.
Do you think you or owners of Punch Taverns would like this outside your homes late at night especially in summer when windows are open.	Concerns noted, however a matter for pub management
Smoking rule changes mean people outside. Can end up with 20/30 people at a time stood out there especially on function nights as pub can have upto 300/400 people in there.	This is an existing issue and the application cannot be expected to address this issue, however, pub garden and smoking shelter remains in place.
If the new pub car park entrance go ahead as the current drawings, it is too near to the entrance of the pub for cars to be entering and leaving safely. Hence why concrete safety bollards are in the car park already. I feel this is a major health and safety issue	The entrance to the pub would continue to be protected by bollards with a smaller outside space than at present. Traffic speeds are likely to be slow in the car park and the proposals are considered acceptable.

for the pub to look at and possibly leave existing entrance in.	
As three quarters of lounge bar garden will be gone and the public bar smoking garden is going as not on drawings no more WHY ?	Plans have been amended and clearly annotated as pub garden and smoking shelter.
I feel the public bar smoking area should be made bigger with a shelter to stop them hanging about outside possibly upsetting the neighbours. They stand out the front and smoke which is a lot of people and vehicles crossing paths. Especially late on a Friday or Saturday night with people intoxicated.	Smoking shelter provided in pub garden.
When we brought these houses people smoked inside the pub but now all outside. I just feel if pub is to make thousands of pounds on these properties they should spend some back on the pub for the customers and local residents. So if we the neighbours could be taken into consideration it would be appreciated. As a user of this pub for 30 years I can see an accident waiting to happen.	Concerns noted and addressed above and in part 7 below.
I feel entrance should stay at the corner to St Michaels road and Jessie road. As you have a good view in all directions. Jessie road is a very busy cut through road for people on other side of Hulbert road. I have never seen an accident of cars coming out these existing entrances since I have lived here. But if Jessie rd fills up on pub side of road views will be obscured to people leaving new entrances, Ernest rd and St Michaels rd. Plus I know that they will park in turning bays especially on function days ie: weddings/funerals and people will have to reverse all the way out of car park and into Jessie rd with traffic blocking views.	The proposals have been assessed by the Development Engineer (Highways) see part 7 below.
If new entrance stays then double yellow lines should definitely be placed round corner of Ernest rd and Jessie rd to houses new entrance and double yellows should then go from new house entrance to pub new entrance and a safe distance beyond new entrance so views are clear for people pulling out. As people park both sides of road. I do really hope that after paying the	As above. Double yellow lines are a matter for the Highway Authority.

council for a double drop curb (£1,500) that these new entrances don't hinder my coming or going from my residence.	
I feel the new properties facing Jessie rd should have 3 spaces each as they have the space there. We all no mum and dad have got cars for work without visitors and siblings having vehicles. Ernest rd has parking outside on rd for them.	The parking for the dwellings meets the Councils parking standards.
Plus i feel the houses opposite will be lit up all night with cars and taxis pulling out of car parks new entrance which is not fair to them. Existing entrances don't do this.	See part 7
I feel the grass verge areas on both corners shouldn't be cut off like that as cars will park there and obscure traffics view with possible accidents.	the existing access points will be closed and planting provided.
Shame these 5 lovely big established trees will be cut down. Hope that new ones that are on drawings are going to be planted in their place for the local wild life. And so we don't over look each other. As when purchasing this property it was a factor took into account when buying.	Landscaping will be secured via condition.
Is there any reason why the left hand wall in lounge garden cant be moved more left and made bigger for functions especially. The room is there to do it.	Garden areas have been amended and are considered acceptable
Is there any reason an entrance from new side car park in to public back garden can't be put in place with smoking area to stop people leaving just from front of pub.	Access to the pub garden is likely to be through the pub.
At the moment the pub has a delivery between 6 and 7 in the morning every Thursday and has done for a very long time. We are woken by the trucks reversing into car park now and rolling barrels off of the back of trucks and across car park to pub seller. If these trucks can't reverse round properly into the new entrance they will be parking out the front and travelling longer distance waking the street up. They have cause damage to pavements at entrance too pub car park that's why a concrete bollard has been put on the corner near St Michaels. As they cut the corner if some ones parked opposite as	Deliveries take place outside pub opening times and tracking has been shown to the delivery area.

they cant get out of car park. Highways department should have photos. Pavement was destroyed and had to be all relayed at yours and our expense.	
The only other concern i have is that a solid perimeter hoarding fence goes up around site with locking gates. As we have had problems with kids round here when previous works have and are going on at the moment. They pull the fences down and throw materials around and at residents property. Which i am sure neighbour hood watch could tell you about and the companies working for the council that are resurfacing paths and roads at the moment. Working hours should be no more than 8am till 6 pm Monday till Saturday if possible. More for noise really.	Construction phase site security is a matter for the developers, conditions are recommended in relation to construction parking and material storage. An informative in relation to working hours is recommended. Antisocial working hours can be addressed through other environmental legislation.
Another thing I have since thought about is by taking away smoking area to public bar and having it as a delivery area the public bar is losing its fire escape ?	Access to the garden is provided from the public bar with other fire exits from the lounge bars.

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 area
- (iii) Impact upon residential amenity for nearby residents and future residents of the development.
- (iv) Parking and highway issues
- (v) Impact on trees
- (vi) Foul and Surface Water Drainage
- (vii) 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 development would make a contribution to the Councils housing needs.

(ii) Impact upon the character and appearance of the area

The proposed new dwellings are located to the east of the pub building. They are

traditionally designed as a short terrace with hipped roofs, tile hanging to the first floors and would address both Jessie Road and Ernest Road frontages. Parking is proposed to the front of the dwellings and with additional parking for house 3 to the Ernest road Frontage.

Private garden areas are provided to the rear and with further landscaping to the front. The proposed development is considered to be an attractive addition to the mainly residential area.

The loss of trees is assessed separately below.

The alterations to car parking for the pub and the alterations to the car park and access are considered to be acceptable subject to appropriate landscaping, materials and stopping up of existing accesses.

(iii) Impact upon residential amenity for nearby residents and future residents of the development.

The main impacts in relation to existing neighbours are considered to be to 1a Ernest Road, 13, 9 Jessie Road, the properties to the south of Jessie Road, and to 2 St Michaels Road.

1a Ernest Road would be to the rear of the three dwellings and close to the parking for house 3. The properties would have rear gardens in excess of 12m in depth and would be over 14m from the flank wall of No.1a which meets the requirements of the Councils Borough Design Guide. Most trees are also to be retained to the northern boundary. There is also an existing wall to this boundary.

No.13 Jessie Road is located on the opposite side of Ernest Road and approximately 20m off with the road between the properties this relationship is considered to be acceptable.

The properties to the south of Jessie Road are set approximately 30m from the proposed dwellings. An objection has been received from the occupant 26 Jessie Road which raises multiple concerns in relation to the development which mainly relate to the impact of the development on the operation of the public house and potential impacts on amenity. Many of these comments appear to result from existing issues with the operation of the pub which is a long established business. The current application cannot be required to address existing issues many of which can be sought to be addressed if necessary through other legislation and Environmental Health/licensing requirements.

The application has been altered during the course of its consideration with the beer garden position being amended in location including a rear smoking shelter. The pub therefore retains external areas for customers use. Other issues including the gathering of people at the front of the building is a matter for the management of the public house (as now) and are not matters that can be controlled in detail by the local planning authority.

Access to the pub garden is now shown to be taken through the public bar area rather than the lounge bar where functions can be held. It is a matter for the pub to ensure that this access works in relation to deliveries etc which are understood to take place outside pub opening times.

The entrance to the pub car park will be amended by the proposals and this would

face properties opposite, it is noted that the two existing car park entrances are set at an angle to the road but also have the potential to impact nearby residents. It is not considered that a refusal of planning permission could be justified in relation to the use of the new access and potential impact on the properties opposite.

No 2 St Michaels Road lies to the north of the site and is set adjacent to the proposed pub garden which has been relocated. The smoking shelter is also in this location. In addition further parking is proposed to the south of No.2. The proposals include the provision of an acoustic fence to the northern boundary at 1.8m height. The Environmental Health officer has considered this relationship in some detail and has following a site visit raised no objection to the proposals.

In relation to the proposed new dwellings, concerns were raised in relation to the original proposals with regard to the relationship of the residential occupants to the public house. This has resulted in amendments to the proposals including the re-positioning of the pub garden, acoustic fencing, alterations to the pub windows with 'acoustic glass'. Subject to suitable conditions it is now considered that the proposed dwellings can have an acceptable relationship to the pub use. Environmental Health are now content that the amenities of future residents can be suitably protected and impacts on amenity mitigated. It is recognised also that new residents will be aware of the dwellings proximity to an existing functioning public house.

(iv) Parking and highway issues

The main issues in relation to parking and access are considered to be the suitability of the parking to serve the public house and residential properties and the alterations to the access points.

In relation to car parking for the Pub the current car park provides 24 spaces and 22 spaces are now proposed. The parking standards would require 42 spaces (based on bar area of 210msq), however, the loss of two spaces is not considered to significantly alter the existing parking position sufficient to justify a reason for refusal of planning permission. It is noted that a Transport Assessment has been submitted with the application and it is accepted that the Pub which is located in a residential area is likely to attract significant walking customers.

With regard to cycle parking the application does not alter the pub size and there can be no additional cycle parking requirements.

The proposed new dwellings are two bedroom and require 2 car parking spaces per unit and two cycle parking spaces. These are provided on site and this arrangement is considered to be satisfactory.

Alterations are proposed the existing car park entrances to the pub such that instead of two accesses on the corners of Jessie Road with St Michaels Road and Ernest Road there would be a single access to Jessie Road. Tracking has been provided to show delivery access and no objections have been received from the Development Engineer (highways) in relation to the proposals.

A new access to serve the new dwellings from Jessie Road and parking to house 3 is provided from Ernest Road. The Development Engineer (Highways) has raised no objections to these proposals.

(v) Impact on trees

The proposals result in the removal of a line of lime trees which cross the site. these have been assessed by the Councils Arboriculturalist and whilst their removal is unfortunate, they have been impacted and compromised by inappropriate metal tree guards and are not considered worthy of a Tree Preservation Order.

Other trees are generally retained and there is an opportunity by the imposition of a landscaping condition to secure further planting to the site frontage of the new dwellings and the Pub.

(vi) Foul and Surface Water Drainage

Conditions are recommended in relation to drainage matters to ensure appropriate drainage and to control intrusive construction methods as the area is within a source protection zone.

(vii) Developer contributions

The residential development is CIL liable and this has been calculated to be £25,562.14.

This development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice in regard all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the LPA at the end of June 2014 require a payment of £181 per dwelling to the Solent Recreation Mitigation Project together with £20 administration and £8.80 monitoring fee. The Unilateral undertaking in relation to these matters together with appropriate contribution has been received for £590.

8 Conclusion

The proposed development is considered acceptable in principle and would have an acceptable impact on the character and appearance of the area. The impact of the development on nearby and future residents has been carefully assessed and this has led to amendments to the proposed development. It is now considered that the proposal would have an acceptable impact on neighbours and would provide an acceptable environment for future residents.

Parking has been considered and the very modest reduction in parking for the pub would not warrant a refusal of planning permission. the proposed dwellings provide adequate car and cycle parking. the alterations to the accesses have been assessed by the Development Engineer (Highways) and no objections have been raised.

The proposal would result in the removal of trees, however the trees have been assessed by the Councils Arboriculturalist as not being worthy of protection by the imposition of a Tree Preservation Order. The development also offers the opportunity for further planting.

Finally, developer contributions in relation to CIL will be required and SRMP contributions have been secured.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01189

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

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

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

Planning, Design and Access Statement Nov 2017
Location Plan Block Plan Drawing No. 172292.104 Rev P1
Proposed Site Layout Drawing No. 172292.100 Rev P7
Proposed House Plans Drawing No. 17.2292.101 Rev P2
Proposed Elevations Drawing No. 17.2292.102 Rev P1
Proposed Context Elevation Drawing No. 17.2292.103 Rev P1
Proposed PH Ground Floor Plan Drawing No. 17.2292.106 Rev P1
Proposed PH South Elevation Drawing No. 17.2292.107 Rev P1
Transport Statement January 2018
Swept Path Analysis Drawing No SP01
Swept Path Analysis Drawing No. SP02
Topographical Drawing Ref ENC/161017/9Z2-Topo
Punch Taverns Ltd Letter dated 29th November 2017
Arboricultural Implications Assessment and Method statement
Biodiversity Checklist

Reason: - To ensure provision of a satisfactory development.

- 3 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 neighbours amenities having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 4 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

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

- 5 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface 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. 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 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.

- 6 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No part of the residential 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, acoustic fencing 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 existing and future occupiers of neighbouring proposed property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Servicing and deliveries to or from the Public House premises shall only take place outside the opening hours of the Public House.

Reason: To ensure that adequate car parking is available during the opening hours of the Public House having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The occupation of the dwellings hereby permitted shall not commence until the existing accesses to the Public House have been closed, kerbs reinstated and the approved access to the public house provided.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the residential development hereby permitted and the Public House shall be made fully available for use prior to the residential development being first brought into use and shall be retained thereafter for their intended purpose.

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

- 11 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

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

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

- 12 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

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

- 1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation

Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to the National Planning Policy Framework, and to policies DM10 of the Havant Borough Local Plan Core Strategy 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework. There is a potential for asbestos containing materials to be present within shallow made ground which could pose a risk to both groundworks staff, and to future occupants.

- 13 The residential properties shall not be occupied unless and until the alteration works to the public house, garden, acoustic fencing and smoking shelter shown on drawing numbers 17.2292.100 Rev P7 and 172292.106 Rev P1 have been carried out. The alterations shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory relationship between the Public House and proposed residential units having due regard to policies CS16 and DM10 of 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 for hardstanding areas 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 The proposed development shall be carried out in full accordance with the Arboricultural Implications Assessment and Method Statement and Tree Protection Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and

having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 16 No deep bore foundations or intrusive drainage methods shall be implemented without the written agreement of the Local Planning Authority.

Reason: The site is located in a source protection area which could be impacted by intrusive construction or drainage methods. To avoid potential pollution to water sources having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.