

APP/18/01109 - Outline application for the redevelopment of Former Dairy Crest site for up to 74 dwellings with access off Fulflood Road., PERM,31/03/2021

APP/21/00931 - Outline application for demolition of the existing buildings and development of the site to provide 31 homes with associated parking, access and landscaping., WD,04/01/2022

3 Proposal

- 3.1 The application is for the approval of Reserved Matters (Appearance, Layout, Landscaping and Scale) pursuant to Outline Planning Permission ref. APP/18/01109, for the erection of 74 flats, together with communal amenity space, drainage, parking and associated infrastructure, landscape, ancillary and site preparation works, with access off Fulflood Road. (i.e. condition 3)
- 3.2 The original Outline Permission related to access only with all other matters reserved for up to 74 new homes. The Outline Permission was granted on 31 March 2021, under reference APP/18/01109. A related S106 Agreement was also required, which covered the need for a Viability Appraisal, a Management Company and Management Plan, provision for SUDs, the SRMS and other contributions due.
- 3.3 The following conditions as required by the Outline Permission are of relevance to the application, with information provided on the following matters:
- Condition 5 Contamination - a revised substitute bespoke condition has been recommended by Environmental Health in respect of condition 5, which has been agreed with the applicant.
 - Condition 9: FFL and Drainage - discharged
 - Condition 10: Noise – this was subsequently withdrawn by the applicant.
- 3.4 The principle of Residential Development and the point of access have therefore been established by the Outline Planning Permission under reference APP/18/01109.
- 3.5 As approved by the Outline Permission, vehicular access would be off Fulflood Road, near Little Hackets to the north. The access would feed into the car parking area to the rear, which would be overlooked by the development.
- 3.6 The proposal for 74 dwellings would produce a density of development of 148 dph (developable area), over 4 floors, with access via communal lifts and stairs. A density of up to 74 units of accommodation was accepted under the original Outline Permission. The mix of dwellings is set out below:

Type	No.	% of Total Units
1, bed	21	28%
2, bed	53	72%
Total	74	100%

- 3.7 In relation to Affordable Housing, at the Outline planning stage a Financial Viability Assessment was submitted, which concluded that the only method of bringing forward the site (as encouraged by the NPPF) was to reduce the affordable housing

contribution to nil. The Council tested the Viability of the scheme independently at the developer's expense. This testing concluded at that time that the lack of affordable housing on site or a contribution was justified on viability ground. However, a Clause was inserted in the associated S106 agreement which requires:

"To submit the Viability Appraisal to the Council by no later than the earlier of 3 years from the date of the Agreement or the Reserved Matters Approval Date together with a solicitor's undertaking that the Council's costs reasonably and properly incurred in verifying the Viability Appraisal shall be met in full."

- 3.8 That said, since the grant of the Outline Permission, Vivid Housing Ltd, the applicant has secured grant funding from Homes England to provide 100% affordable housing on the site. This would be in the form of rental accommodation. This change to the proposed tenure of the proposal, necessitates changes to the agreed Section 106 agreement, by way of a Deed of Variation (DoV), to secure 30% affordable housing, to be policy compliant. However, a Viability Appraisal clause remains in the DoV, to be provided prior to commencement of development, together with the Council's reasonable costs in verifying such an Appraisal, unless it is confirmed in writing prior to commencement of development that at least 30% of affordable housing will be provided on site. In accordance with policy this would be 22 dwellings.
- 3.9 Within the proposed car parking area 74 spaces would be provided in a parking court behind the building, which would be sheltered from public views, together with internal communal cycle storage areas for 140 cycles within the north side of the building, with accesses from the car park area. A communal bin storage area would also be located within the north side of the building adjacent to the vehicular access.
- 3.10 A landscaped open space would be provided to the south of the site, with hedging and trees proposed along the northern and western boundary. Trees and planting are also proposed within the car park area to help break up the hard surfacing.
- 3.11 Changes to the proposal since first submitted include:
- Enhanced brickwork detail to the fenestration;
 - Changes to the internal staircase layout;
 - The location and material to be used for the close boarded fence along the southern boundary;
 - Additions and changes to the proposed landscaping;
 - Additional footpaths within the car parking area;
 - Provision of a 2m wide footpath on the south side of Fulflood Road;
 - Layout to car parking area and loss of 2 car parking spaces.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Housing Delivery Position Statement March 2022

Havant Borough Local Plan (Core Strategy) March 2011

CS1 (Health and Wellbeing)

CS2 (Employment)

CS6	(Regeneration of the Borough)
CS8	(Community Safety)
CS9	(Housing)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13	(Green Infrastructure)
CS15	Flooding
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM1	(Recreation and Open Space)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM17	Contaminated Land
DM18	Protecting New Development from Pollution
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Havant Borough Local Plan (Allocations) July 2014

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

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Arboricultural Officer – No Objection

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The proposed development will result in the loss of seven individual trees and one group. The landscaping plan shows the additional planting of 36 amenity trees and hedging around large parts of the perimeter of the site. The newly planted trees include a mix of native and non-native species, which will protect and enhance the natural features and amenity importance of trees on the site and contribute to the green space to the south of the site.

The recommended conditions are to ensure the development is undertaken with the supporting information and the newly planted trees will be retained for at least five years, to ensure their establishment within the development.

The proposed works would be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

Approval subject to the following conditions;

Tree works and development:

The development hereby permitted shall be undertaken in accordance with the Arboricultural assessment and method statement (08.08.2022 22042-AA2-PB) and the Tree protection plan (22042-2).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Core Strategy (2011) and the National Planning Policy Framework.

Management of newly planted trees:

If within a period of 5 years from the date of the planting of the trees identified in the Landscape Proposals (6/22 Drawing no. 838/01 Rev A) or any further tree planted in replacement, is removed, uprooted, destroyed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species as that originally planted, pursuant to Arboricultural assessment and method statement (08.08.2022 22042-AA2-PB); shall be planted at the same place, within the first available planting season, unless the local planning authority gives its written consent to any variation.

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Core Strategy (2011) and the National Planning Policy Framework.

Officer Comment: *The above 2 conditions are recommended if permission is granted.*

Building Control - Comments

Building Regulation consent will be required for this work

Surface and Foul Public Sewers run within the adj land but should be 3m from new building but this should be ensured on site Smoke venting of staircases has not been clearly shown

Compliance with AD B Section 5 Fire Authority vehicles turning and access should be indicated re possible landscaping issues at turning points

Further issues may arise once a Building Regulation application has been submitted.

Officer Comment: *Matters relating to Building Control, will be dealt with under a Building Regulations application.*

Coastal Engineering - No Objection

I can confirm that the Coastal Partners have no objection in principle to the proposed development from a tidal flood risk perspective, but are able to offer the following comments and advice.

The site is mainly shown to lie within the Environment Agency's present day Flood Zone 1, with the South Eastern boundary of the site shown to be within Flood Zones 2 and 3. However, this appears to be a result of fluvial and surface water flood risk and therefore we recommend that you consult the Environment Agency and your Council's drainage engineer if you have not already done so.

The site is outside the area of present day tidal flood risk and is predicted to remain so until at least 2115, therefore is considered to be at low risk (less than 1 in 1000 year /

0.1% annual probability) of experiencing an extreme tidal flood event. As a result, we do not need to be re-consulted on any further applications relating to this development at this site unless updated climate change allowances show the site at future tidal flood risk.

For information, the present day 1:200 year extreme tidal flood level for Langstone Harbour according to the Partnership for Urban South Hampshire Strategic Flood Risk Assessment (SFRA) is 3.3 mAOD, increasing to a predicted 4.4 mAOD by the year 2115 (design tide level), due to the effects of climate change. However, the SFRA is in the process of being updated to be in line with current climate change guidance. The latest guidance for calculating climate change sea level allowances can be found here: www.gov.uk/guidance/flood-risk-assessments-climate-changeallowances#sea-level-allowances

Officer Comments: *Both the Environmental Agency and Drainage have been consulted over the application, whose consultation comments are below.*

Communities Manager - No Objection

The community's team has no comment or objection to the above application.

Community Infrastructure - Comment CIL

The CIL rate is set out in our Charging Schedule and all the appropriate documentation and current rates can be accessed from this page:
<https://www.havant.gov.uk/communityinfrastructure-levy-charging-schedule>

The amounts in the Charging Schedule are indexed according to the year in which the CIL liable permission is issued.

There are stated to be existing buildings on site, we have now received an updated CIL Form 1.

S106

There is a S106 dated 31 March 2021 for outline application APP/18/01109. Should any amendments be required arising out of the reserved matters application a Deed of Variation will be required.

The SRMS calculation for APP/18/01109 is based on the following information taken from the design and access statement provided:
Size of Unit No SRMS per Unit (final sum to be indexed in accordance with terms in S106)

Total payable prior to commencement
1 Bed 21 £356 £7,476
2 Bed 53 £514 £27,242
TOTAL 74 £34,718

DEED OF VARIATION MAY BE REQUIRED.

Councillor Amy Redsull - Warren Park
No comment.

Councillor Tony Denton

No comment.

Council Ecologist - No Objection

The application is accompanied by a Biodiversity Net Gain Assessment (EcoSupport, August 2022). The submission of BNG assessments is not yet mandatory in the UK and Havant Borough Council does not currently require BNG assessments for planning applications. However, where submitted these will be reviewed and treated accordingly.

The site is of limited biodiversity value, comprising a former commercial site characterised by expanses of hardstanding, buildings and with minimal vegetation. I am generally supportive of the proposed ecological measures within the BNG assessment, and these should, if implemented, result in an increase in biodiversity units within what is an unremarkable site. However, I note that your landscape consultee has raised some concerns with certain aspects and the proposed landscaping may need to be amended to address these. BNG requires long-term (30 years) commitment from the applicant/site owner to ensure that the desired habitats are in sufficient condition to realise the estimated uplift. The submitted information contains no details of any such commitment and it is therefore for the LPA to ensure that an appropriate legal agreement is secured that guarantees long-term management, following submission of details of how habitats are to be managed for biodiversity.

Whilst outside the scope of the current application, the new buildings offer an opportunity for ecological enhancements such as bat and bird boxes.

Officer Comment: *Whilst the applicant has submitted a BNG Assessment, as this is not a mandatory requirement for this application, and as such the requirement for a 30 year management plan cannot be required as part of this proposal.*

Crime Prevention – Major Apps

Final Comments – No Objection

The proposed amendments to the boundary treatment, positively addresses the concerns stated within my letter of 7 October 2022.

I have no further comments at this time.

1st Comments – Suggested Changes

Having considered the application, I have the following comments to make with reference to the prevention of crime and disorder (Anti-Social Behaviour (ASB)).

The National Planning Policy Framework makes clear the Government's continuing commitment to "create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience".

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically "to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder."

The guidance advises: "Planning provides an important opportunity to consider the

security of the built environment, those that live and work in it and the services it provides." It continues, "Good design that considers security as an intrinsic part of a masterplan or individual development can help achieve places that are safe as well as attractive, which function well and which do not need subsequent work to achieve or improve resilience." "Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult."

Clear definition of the different spaces within the development reduces the opportunities for crime and disorder and reduces the fear of crime.

Access to the elevations of the apartment blocks from the public realm must be prevented. Apartment blocks must sit within an area of semi-private space, this space must be enclosed within a robust boundary treatment at least 1.2m high. Ground floor apartments with doors that can be accessed from the surrounding semi-private space must be protected by a private space which is the sole preserve of the resident of the apartment with the doors that can be accessed from the space. Apartment windows on the ground floor must be defended by planting. Hampshire Constabulary cannot support this application if the dwellings do not have this basic level of protection.

Currently hedging is shown as providing the boundary treatment with Dunsbury Way and Fulflood Road. Hedging alone does not provide an adequate level of security in this situation, which increases the opportunities for crime and disorder and the fear of crime. To reduce the opportunities for crime and disorder the boundary treatment should incorporate robust vertical railings at least 1.2m high.

The railings enclosing the patio space for plot numbers 6 and 9 are only 900mm high, this does not provide sufficient protection the railings should be 1.2m high.

To reduce the opportunities for crime and disorder and reduce the fear of crime lighting throughout the development (including the access route and car park) must conform to the relevant sections of BS 5489-1:2020. To secure this we would ask that the following condition is attached to any consent:

CONDITION: Prior to the commencement of works details of the lighting scheme shall be submitted and approved in writing by the Local Planning Authority. The design of lighting scheme must comply with BS 5489-1:2020 and discharge any liabilities attached to that standard. The development shall only be carried out in accordance with the approved details and maintained thereafter.

REASON: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the adopted Local Plan (Core Strategy), Policies CS8 and CS16 and the NPPF (As Amended).

We note that a lighting report and lighting layout are provided and they indicate compliance with the standard.

Officer Comment: *Lighting details have been provided in respect of the application, with a layout that is acceptable. If permission is granted, a condition is recommended that the lighting complies with the above BS standard. Boundary railings are annotated on the Landscape Proposals plan for the private garden areas that would abut Dunsbury Way and Fulflood Road.*

Developer Services, Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer asset within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. Please note:

- The 225 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

- All existing infrastructure should be protected during the course of construction works. Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Officer Comment: *At outline stage a condition as to foul drainage connection was not imposed as such matters are "...directly controlled by the Water Acts. Applying the principle of avoiding dual regulatory control it is not necessary for the planning system to impose a condition on this matter when it should be dealt with properly through the Water Acts." Therefore, the connection for foul drainage would be for relevant discussions to take place between the developer and Southern Water.*

As to surface water, the details submitted have been agreed by the Lead Local Flood Authority, with the provision of SUDs covered by Schedule 3 in the legal agreement attached to the outline permission.

A condition is however recommended that the surface water and foul sewerage system shall be constructed in accordance with the technical details submitted.

Southern Water's comments would be an informative for the applicant.

Early Years - Comments

Following my response on the original application of 72 dwellings, I believe that the

revised plan is now for 74 dwellings instead? (so an additional 2 dwellings)

For this, we would only be looking for an additional 6 early years places for 74 dwellings, which can be accommodated locally within existing early years provision.

Economic Development - Comments

As this application relates to 'Reserved Matters' the principle of development for residential has already been established (and I have noted the policy team response in this vein too) then I don't have any further observations from an economic development perspective.

On a development of this scale, I would have thought that an Employment & Skills plan from the developer would be required but having looked at the provisions of the s106 Agreement attached to the outline planning approval this appears not to be the case. Confirmation on this point would be appreciated.

Officer Comment: *An Employment & Skills plan, did not form part of the s106 Agreement for the outline application, as it was not required as the development was less than 100 new homes.*

Education Department - No Comment

Officer Comment: *The Education Department advised under the outline application, that there are sufficient surplus places from within the catchment area to accommodate the likely number of pupils generated by the proposal.*

Emergency Planning – No Objection

I note that HCC have said that the potential for floods, as the lead flood LA is low risk for the flood zones mentioned so I see no issues there other than the EA's comments where they are saying the submitted flood risk assessment does not comply with the requirements for site-specific flood risk so may need to review this area again with the developers perhaps.

I cannot comment on behalf of the emergency services and how they would gain access to the area but seems access would be acceptable looking at the proposed plans.

Officer Comments: *The access to the site for the emergency services has been agreed by the Highway Authority.*

A number of the points raised by the Environment Agency (see below), who raise no objection to the proposal, do not fall within the remit of planning, and therefore are recommended as an informative.

Engineering – Comments

Dunsbury Way features as a development priority route in the LCWIP adopted by HCC in 2022. Therefore, measures to accommodate the proposals in the LCWIP should be included in the development proposals. In particular this will extend to the treatment of the access of Fulflood Road onto Dunsbury Way, to ensure that the development will not compromise whether it can be made compliant with the layouts in LTN1/20 in the future, and to accommodate widening of the footway in Dunsbury Way along the development frontage to a minimum of 3.5m if it is intended for shared use (a vertically segregated layout would however be preferred, 3m cycles and 2m pedestrians).

The over-provision of cycle spaces is welcomed given that this is a highly accessible site by non-car users.

Consideration should be given for subsidised bus travel for new occupiers for a period after occupation of each unit.

Drainage comments have been covered by the LLFA / EA responses.

Officer Comment : *The Highway Authority has responded to the points raised by Engineers and confirmed that:*

“This reserved matters application is for a consideration on the internal design. The applicant has already had outline planning consent which was approved previously with no requests for a contribution towards these matters. We have already picked up further matters to be addressed at the reserved matters stage. Unfortunately, in this respect we have already missed the opportunity to request contributions towards LCWIP routes from this site.”

Therefore, it is not possible at this stage to secure the matters requested by the Engineers

.Environment Agency –

Final Comment - No Objection

Following the submission of the Drainage Technical Note (DRAINAGE_TECHNICAL_NOTE-1721028) dated November 2022 and the data shown in Section 4. EA COMMENTS & RESPONSE, we now remove our objection to the proposal.

Advice to LPA

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not

Advice to Applicant

Environmental Permit

It is noted in the surface water drainage statement (Section 7.2. in the FRA) that there will be a discharge of surface water to main river, this will require an environmental permit.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)

- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Officer Comment: *The Council's Emergency Services (ES) was consulted and raised no objection to the proposal.*

1st Comment - Objection

We have reviewed the information as submitted and set out our position below.

Environment Agency Position In the absence of an acceptable flood risk assessment (FRA) we object to this Reserved Matters application.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 22 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Ensure the development is flood resilient by submitting details of the finished floor levels (FFLs) ensuring they are raised with an appropriate freeboard allowance above the 1 in 100-year flood event plus an allowance for climate change
- Consider how a range of flooding events (including extreme events) will affect people and property
- Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event

Overcoming our objection

The FRA has not been updated with the conditions and advice included at our Outline Application response. Even though the site falls into Flood Zone 1, Flood Zones 3 and do touch the sites boundary and with the latest climate change allowances added on for the lifetime of the development, it could be affected by fluvial flooding. We need evidence showing the comparison.

Climate change allowances

The FRA fails to incorporate the latest climate change allowances (2019), therefore failing to show that the development will be safe for its lifetime (100 years), both in terms of the property and its inhabitants. When considering the impacts of climate change there is guidance specific to planning which can be found at 'Flood risk assessments: climate change allowances'. Applying these allowances will result in future flood levels higher than current flood levels. These calculations need to be made

by the applicant. The EA maps do not include climate change allowances. The data used for the maps come from when the a particular model flood was updated.

Product 4

We previously advised requesting Product 4 data from the Environment Agency, which is mentioned in the FRA, but with no data provided. We also have no evidence of this request having been made to the EA. The most up to date fluvial flood levels can be obtained by requesting a free 'Product 4' from the Environment Agency's enquiries team on SSDENquiries@environment-agency.gov.uk. Please provide a detailed map in your request of data for the proposed site. Please remember this data does not include the latest climate change levels as above.

Ground levels compared to flood levels

Detailed information of the 1 in 100-year fluvial flood levels plus the latest climate change allowances for the lifetime of the development, compared with the sites ground levels and finished floor levels, should be calculated and provided in the FRA. Finished Floor Levels - appropriate freeboard.

An appropriate freeboard should then be applied to the finished floor levels (FFL's) to keep the occupants safe for the lifetime of the development, usually a minimum of 300mm. Under the NPPF vulnerability classification guidelines this development proposal falls under the 'More Vulnerable' classification as it is residential with bedrooms on the ground floor. Stating that the finished floor levels will be set a minimum 150mm above ground levels (as seen in Section 6.2. of the FRA) is inadequate.

Advice to LPA

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
 - Details and adequacy of an emergency plan
 - Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
 - Whether insurance can be gained or not

Advice to Applicant

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood

defence (including a remote defence) or culvert

- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. It is noted in the surface water drainage statement (Section 7.2. in the FRA) that there will be a discharge of surface water to main river, this will require an environmental permit.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Environmental Health – Contamination - No Objection

Observations / Comments:

I have briefly reviewed the application documents, and in particular the submitted revised Ridge Site Investigation Report (5012199-RDG-XX-ST-DOC-C-00SIR02). Given the time imperative for this decision, I will be as brief as possible.

Contaminated Land Assessment – Ridge Site Investigation Report

The part 2 report is a revision of the part 1 report, updated to reflect additional gas & groundwater monitoring.

Soil Contamination

The report finds that some contaminants are present at elevated concentrations, and in some cases these exceed human health generic assessment criteria – notably Benzo(a)Pyrene, Benzo(b)fluoranthene, Dibenzo(a,h)anthracene, and Lead. Asbestos fibres have also been identified in shallow made ground, and that this is the case in a relatively small number of samples with a very small spatial footprint is indicative that asbestos is likely to be relatively common.

The report presents a narrative of a statistical assessment of made ground samples, assuming all made ground to comprise a single statistical population. This assessment concludes that several of the sample results are outliers – in the case of lead, this applies to 3 of 5 sampled locations. Given the prevalence of outliers across disparate sample locations, an alternative interpretation (to the 'each represents a separate & distinct contamination hotspot-') is that the number of available samples is insufficient to describe the population.

Whilst this alternative interpretation is not explicitly described in the report, the proposed remedial measures are precautionary, and do treat all made soils as being potentially harmful to occupants.

Ground Gas

The results of gas monitoring note slight-strong organic odours, CO₂ commonly >5% at steady state, and CH₄ (methane) at peak concentrations at combustible levels (>50% by volume). Co (carbon monoxide) is also commonly above the limit of detection, and O₂ depletion is common, to low single-digits.

tVOC (as determined by PID) is commonly around 0.40 ppm, a level dismissed as 'negligible' within the report, however I would highlight that this corresponds to a Benzene-Equivalent concentration of 1280 µg/m³, around 1/3rd of the 8hr workplace exposure limit for an adult, and an order of magnitude above the long-term average ambient exposure for domestic setting (which accounts for the risks to infants).

Recorded flow rates are low, but strongly falling atmospheric pressure events have not been captured within the available data, and so it is unlikely that the worst-case scenario has been captured.

The conclusions of the assessment are broadly agreed, namely that ground gas protection to CS₂ is required for ground-floor dwellings. Consideration should also be given to upgrading the gas membrane to a hydrocarbon-resistant product, on the basis of the tVOC values persistently recorded at several locations across the site.

Groundwater

The report presents a summary of maximum recorded contaminant concentrations in groundwater, however it is noted that the corresponding laboratory report is not appended. This means that the summary results cannot be checked for typographical or unit errors (etc.). *Prima Facie*, the summary values are favourable, and support the initially presented conceptual site model which postulates low mobility on the basis of absence of elevated concentrations within natural deposits (underlying made ground, where contaminants are present).

The groundwater assessment is broadly agreed. No proactive remedial measures are considered to be necessary for the protection of environmental receptors (underlying secondary aquifers, or the adjacent stream).

Proposed Risk Mitigation

1. Removal of made soils to specified depths, with two different specifications applicable to private garden areas and amenity planting areas, respectively.
2. A system of clean cover with separator/warning layer, to be implemented where retained made soils are present below depths specified in 1.
3. Gas protection to CS₂ for ground floor dwellings, to comprise a passively ventilated sub-floor void, and integral gas resistant membrane with appropriate construction detailing.
4. Materials Management Plan to apply to soil arisings, appropriate segregation and verification to identify site won soil that is suitable for use on the 'clean side' of the cover system.
5. Observation of a watching brief during development groundworks, to identify and address any regions of shallow contamination of a materially different character to that documented in the investigated regions of the site.

Specific proposals have not been made, and the report anticipates a requirement for a 'remediation method statement'. There are some areas that would benefit from being fleshed out, in particular I note that the proposed watching brief is not presented with any detail. As the quality of a watching brief can vary quite widely, it might be appropriate to secure greater clarity on proposals.

The materials management and verification would similarly benefit, and the gas

mitigation would benefit from an explicit consideration of an upgrade of membrane material as a precaution to manage the theoretical tVOC risk.

Condition 5 to APP/18/01109 requires at part 3 a verification plan, which the submitted document does not seek to address. I am content to accept that the Ridge Site Investigation Report satisfies the requirements of c.5 parts 1 & 2.

Procedural / Proposed Conditions

Assuming that the award of reserved matters consent presents the opportunity for new/replacement/amended conditions (to those imposed upon the outline consent), I would recommend;

That Condition 5 be substituted with the following;

[Condition X] Bespoke – Remediation Method Statement & Verification Plan

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme for mitigation of risks arising from ground contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme may comprise separate reports as appropriate, but shall be prepared by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A Remediation Method Statement based on the proposals outlined within the Ridge & Partners Report Ref: 5012199-RDG-XX-ST-DOC-C-00SIR02 (July 2021) and;
- 2) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Method Statement (1) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action. All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site &/or to the quality of controlled waters in the vicinity of the site

That Condition 6 be transposed to the reserved matters consent as **[Condition X+1]**, amended to refer to **Condition X**, rather than Condition 5.

That both compliance Conditions 7 & 8 (proposed by the EA) are transposed to the reserved matters consent as **[Condition X+2 & X+3]**. There is no need to amend the stated 'reason'.

SuDS – Pollution Risk

The comments of the LLFA & EA are noted. I have nothing further to add, and no

objections are raised.

Sustainability - Air Quality & Air Quality Relevant Policy

I have briefly looked over both the Design & Access Statement and the Planning Statement, and I have run a keyword search to identify instances of words relevant to sustainability (air quality & climate-) features which address the related NPPF policies and the provisions of the HBC interim housing delivery statement.

I note that the general sustainability credentials of scheme are relatively poor, with no specific provisions made for limiting on domestic combustion, for local micro-generation, energy leveraging (low carbon technologies) or recovery.

With respect to local policy, I have been unable to identify any specific references to;

- The provision of- & for- electric vehicle charging points, contrary to housing delivery statement Principle 5 f)
- Any description of how the required 19% reduction in of dwelling emission rate (DER) relative to the target emissions rate (TER), is to be achieved (in accordance with Principle 5 i))

Given the current status of the LP2036, and the timescale for a decision on this application, I won't expand any further on this area – it suffices to say that the NPPF 2021 provides the necessary policy hooks for the LPA to seek reductions in development emissions, including those associated with the use of the buildings, and those associated with transportation.

Conclusions

Subject to the recommendations on managing the risks posed by soil quality & soil gas, no objections are raised.

Officer Comment: *It has been confirmed by the agent that the development would be constructed to Level 3 of the Code for Sustainable Homes, as required by Policy CS14.*

If permission is granted the above conditions are recommended, which have been agreed with the agent.

Environmental Health – Pollution – Further Information Required.

I have reviewed the additional information submitted in support of the above application.

An updated noise assessment has prepared by *Mayer Brown and ref: 5939_FHDunsburyWay(N).9-Rev1*, dated 4th August 2022. The assessment considered noise requirement imposed by condition 10 (Pre-occupancy sound insulation requirement) Pursuant to the Outline application approved under planning ref: APP/18/01109 The report considered environmental noise affecting the internal and external areas in the context of glazing arrangement and ventilation requirement and how noise will be mitigated prior to first occupation of the dwelling units.

The design mitigation measures are quoted for combination of glazing configuration and ventilation requirements in areas where exceedance are predicted to achieve the desired noise levels, however no product details are known at this present time. Our previous consultation response in relation to noise alluded to the fact there will be a passenger lift within the building and raised concerns as to potential structure borne

vibration and requirement for anti-vibration measures. It doesn't appear to me that this has been considered in the updated version of the report. Also, there is no mention of the level of noise exposed to future occupiers in the external amenity areas. We expect that this noise mitigation measures should have been considered in the updated noise report.

Whilst the processes and guidance used by Mayer Brown is acceptable, we are unable to prove that condition 10 has been fully complied until the applicant has fully demonstrated that antivibration measures for the passenger lift has been fully implemented and effective. In addition to that, the report should demonstrate that the external noise levels within the curtilage of residential units and amenity areas for the site will conform to the "Design criteria for external noise" upper guideline value of 55 dB LAeq,T and preferably with the desired LAeq,T level of 50 dB as specified in section 7.7.3.2 of BS 8233:2014 are met with the current mitigation strategy.

Officer Comment: *the noise assessment has been submitted in respect of condition 10 imposed on the outline permission. Whilst desirable it is not necessary to discharge this condition at this stage, with the applicant aware of the above requirement to discharge the condition.*

Hampshire Highways –

Final Comments – No Objection

Reference to what was requested in the Highway Authorities previous response dated 4th April 2023, and any outstanding matters will be addressed within this response. In response to the Highway Authorities formal response, the following revised drawings have been submitted for consideration: • Drawing 056.0049-0001 Rev 4 Visibility splays and access design; • Drawing 056.0049.0003 Rev 3 Fire Tender and Car Swept Path Analysis; • Drawing 056.0049-0004 Rev 2 Fire Tender internal tracking; • Drawing 056.0049-0005 Rev 2 Delivery Vehicle and Car Swept Path Analysis; • Drawing 056.0049-0006 Rev 2 Pantechicon Swept Path Analysis; and • Drawing 22.003.002 Rev N Site Plan

The Highway Authority have reviewed the submitted information and have the following comments to make. Virtual Footways Virtual footways have now been widened to 1.5m as shown within drawing 22.003.002 Rev N. This is agreed.

Highway Boundary The highway boundary has now been provided on drawing 056.0049-0001 Rev 4 confirming that visibility splays either fall within the highway or under the jurisdiction of the applicant. The back of the visibility splay under the jurisdiction of the applicant should be dedicated as highway through the S278 legal agreement required for the site access works.

Tracking

All tracking has been undertaken at 10mph which is agreed to be an appropriate speed. Car and Delivery Vehicle: Tracking for a car past a delivery vehicle at the site access has been shown within drawing 056.0049.0005 Rev2. Whilst the tracking shown is tight it is agreed that it is achievable.

Fire Tender:

As previously requested, tracking has been provided for a fire tender as shown within drawing 056.0049.0004 Rev2. It is agreed that the fire tender is able to access the dry risers in an appropriate manner. Pantechicon: Tracking for a Pantechicon entering

the site and navigating the internal network has been shown within drawing 056.0049-0006 Rev2. Whilst the tracking shown is tight, it is agreed that this vehicle is able to manoeuvre within the site appropriately to egress in forward gear. It is agreed that this overcomes audit problem 3.3.1 which was noted within the Highway Authorities previous response.

Having regard to the above, the Highway Authority are satisfied that all previous concerns have been addressed and provide no objections to this planning application subject to the following conditions:

- No part of the development shall commence until such time as the details of the highway works along Fulflood Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-0001 Rev 4 has been approved by the Highway Authority Reason - In the interest of Highway Safety
- Prior to occupation the highway works along Fulflood Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-001 Rev 4 to be completed to the satisfaction of the Highway Authority Reason - In the interest of Highway Safety
- The approved line of site splay as shown within drawing 056.0049-001 Rev 4 shall be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall be subsequently maintained so thereafter. Reason - In the interest of Highway Safety
- No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:
(a) A programme of and phasing of demolition (if any) and construction work; (b) The provision of long term facilities for contractor parking;
(c) The arrangements for deliveries associated with all construction works;
(d) Methods and phasing of construction works;
(e) Access and egress for plant and machinery;
(f) Protection of pedestrian routes during construction;
(g) Location of temporary site buildings, compounds, construction material, and plant storage areas; Demolition and construction work shall only take place in accordance with the approved method statement.
Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.
- Prior to commencement to submit the drainage strategy to the Planning Authority for approval in consultation with the Highway Authority, and for the drainage strategy to be implemented in accordance with the approved plans Reason - In the interest of Highway Safety
- Prior to commencement to submit the final ground levels plan to the Planning Authority for approval in consultation with the Highway Authority and for the levels to be implemented in accordance with the approved plans Reason - In the interest of Highway Safety
- Prior to commencement to submit the final street lighting strategy to the Planning Authority for approval in consultation with the Highway Authority and for the street lighting strategy to be implemented in accordance with the approved plans Reason - In the interest of Highway Safety.

Officer Comment: *If permission is granted agreed highway conditions are*

recommended, with the exception of any imposed on the outline permission ie construction method statement.

1st Comment - Further Information Required

Policy Status

The planning statement provides a summary of the relevant transport planning policies.

Outline Planning Consent

Outline planning consent (ref. APP/18/01109) was granted for the development of 74 dwellings. At the outline stage, matters regarding the principle of vehicular access, sustainable access, trip generation and distribution were agreed with the internals subject to reserved matters planning consent.

Site Access

Access to the site is via Fulflood Road with the principle of the access from Fulflood Road agreed at the outline stage. It is noted that under the outline consent two cars were able to pass at the site access and along the access road. The Highway Authority however require further details at the reserved matters stage to ensure that the access is suitable to progress through the Section 278 design check process.

Therefore, the following further information is required from the applicant:

- ☐ Detailed design drawing showing the site access;
- ☐ Visibility splays shown in accordance with HCC TG3 guidance;
- ☐ Stage One Road Safety Audit (RSA1) of the site access proposals;
- ☐ Tracking of a fire tender past a car at the site access

It is understood that no footway improvements were secured under the outline planning application. The current footway along the eastern side of Fulflood Road is substandard in width and should be widened to a minimum of 2.0m to allow for two-way pedestrian flow. It is anticipated that this will be a key pedestrian route to access Dunsbury Way and should be improved. No tactile crossing facilities have also been provided at the site access and should also be provided.

Comments above relating to the access proposals are subject to the findings of the RSA1. The RSA1 should be submitted alongside a designer's response for consideration.

Parking Provision

The applicant proposes that vehicle and cycle parking will be provided in accordance with Havant Borough Council's Parking Supplementary Planning Document. The applicant proposes 76 unallocated parking spaces for residents and visitors and 136 cycle parking spaces to be provided within a secure communal bike store.

The width of the parking spaces should be provided for consideration. These should be in accordance with the requirements as laid out within Havant's Parking SPD. No hardstanding has been provided around the back of some parking spaces and should be provided.

In line with the outline permission, it is noted that an under provision of parking has been provided however an over provision of cycle parking has been provided to encourage sustainable travel to and from the site. It is Havant Borough Council's responsibility as Local Parking Authority to confirm whether this under provision in

parking would be acceptable. The Highway Authority will be satisfied subject to written confirmation from Havant Borough Council that this is acceptable.

Internal Road Network

The internal road network of the site has been updated following the outline planning consent. The updated masterplan appears to be lacking footways for residents to access the building upon alighting from their vehicle. Further consideration should be given to pedestrian mobility through the parking area to ensure they are able to access the residential block in a safe and appropriate manner. This should include footways throughout the parking court along with dropped kerbs and tactile paving. In particular, footway should be provided on the landscaped strip to the left of the parking court providing permeability for pedestrians from the bottom of the parking area to the residential building.

The width of the access road should be confirmed to ensure two vehicles are able to pass upon entering the site. Tracking should also be provided for two cars passing each other along the access road considering the layout has been revised since the outline planning stage. Additionally, the aisle width between parking spaces should also be confirmed to ensure there is appropriate space for vehicles to manoeuvre into spaces.

Confirmation is requested on how access to the cycle stores is to be achieved. Is a shared use path to be provided from the site access along Fulflood Road to run along the frontage of the cycle stores? Or are cyclists expected to cycle on carriageway within the parking area and then access the cycle store. Further consideration should be given to the above. If cyclists are expected to cycle on carriageway further connections should be provided from the parking area to the cycle store as shown below:

Unable to insert extract of map, but available to view on line.

Refuse/Serviceing:

The design and access statement confirms that kerbside collection is proposed for the development meaning a refuse vehicle will not need to enter the site to and manoeuvre. The applicant should confirm the carry distances for refuse collection and ensure they meet the guidelines as laid out in Manual for Streets.

A fire tender is to enter the parking court with remote dry risers present to prevent the vehicle from driving directly behind the building within the parking court. This is agreed.

Revised tracking should be submitted along with the dimensions of the fire tender, along with tracking speeds for consideration. The current layout means the fire tender runs tight to parking spaces meaning any overhang of vehicles would obstruct the fire tender from manoeuvring appropriately.

Levels

No levels plan has been provided. Final level details will be secured through an appropriate planning condition to be submitted prior to commencement.

Drainage

No detailed drawings regarding the drainage proposals have been submitted. The details of the drainage strategy can be secured through an appropriate planning condition to be provided prior to commencement. The detailed drainage should be

designed in a way to ensure that no water is to drain onto the highway preventing any potential highway safety issues that may occur from standing water.

Street Lighting

Details of street lighting have been submitted however it is noted these will be internal and therefore private lighting arrangements. It is the responsibility of the LPA therefore to suitably condition any street lighting proposals and provide comments on the proposals. The Highway Authority have no comments to make on the lighting specifications submitted.

Recommendations

Having regard to the above, the Highway Authority require the above further information requested before a formal recommendation can be made:

- ☐ Detailed design drawing of the site access;
- ☐ Stage One Road Safety Audit (RSA1) of the site access;
- ☐ Tracking of a fire tender past a car at the site access;
- ☐ Visibility splays shown in accordance with HCC TG3 at the site access;
- ☐ Footway along Fulflood Road is substandard in width and should be widened to a minimum of 2.0m;
- ☐ Tactile crossing facilities should be provided at the site access;
- ☐ Width of parking spaces should be provided;
- ☐ Further consideration should be given for pedestrian mobility through the parking area to ensure a safe and suitable access to the apartment block – for example provision of footways as well as dropped kerbs and tactile paving throughout;
- ☐ Width of the access road should be confirmed;
- ☐ Tracking should be provided for two cars passing along the site access road considering this has been revised since the outline stage;
- ☐ Aisle width between parking spaces should be confirmed;
- ☐ Confirmation requested on how access to the cycle store is to be achieved;
- No hardstanding has been provided around the back of some parking spaces and should be provided;
- ☐ Carry distances for refuse collection should be confirmed and ensure they meet the guidelines as laid out within Manual for streets; and
- ☐ Revised tracking should be submitted along with dimensions of the fire tender and tracking speeds submitted for consideration

Housing Manager (Development) - Comment

Housing:

Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), the governments Ministerial Statement published during the summer of 2016, and the Housing Delivery Position Statement March 2022, mean that developments of 10 units or more would be expected to provide 30% affordable housing outside of Havant, Waterlooville, and Leigh Park town centres: and 20% affordable housing on sites within Havant, Waterlooville, and Leigh Park town centres.

In addition to the above, developments of 50 dwellings or more will be expected to Deliver 2% of homes designed to meet Part M4(3) of the Building Regulations as part of the affordable housing provision.

The applicants, Vivid Homes, are proposing 74 new homes comprising a mixture of 1 and 2- bedroom units with a variety of internal areas.

Normally I would expect this proposal to deliver the current minimum 30% affordable

housing requirement which equates to 22.2 units. However, the applicants are proposing 100% of the units to be affordable homes despite maintaining the principle of the existing viability assessment which concluded that the inclusion of affordable housing would render this development unviable; in fact, the assessment stated that even without affordable housing the development would only yield a developer profit of 0.05% as opposed to an expected industry figure of between 15-20%.

The consideration of the viability assessment enables VIVID to secure sufficient Homes England Partnership funding for all 100 units. It is the addition of the grant funding and a significantly different operating margin criteria that will allow this development to be delivered.

With grant funding all the new homes will be for Social Rent which typically represents around 60% of market rents; this offers truly affordable homes. With a Community Lettings Plan in place the new homes can be offered to a mix of occupants who will benefit, not least in these times of spiralling living costs. Social Rent homes can provide for people with low pensions, lower incomes, and will appeal to those residents currently wishing to downsize potentially freeing up their larger homes to meet the needs of families.

The demand for affordable housing remains high within Havant borough; as at 20/10/2022 there were 1869 households registered on Hampshire Home Choice seeking Affordable/Social Rented accommodation in our area and of these 846 are waiting for a one bedroom home, 579 for a two-bed, 369 for a three bedroom, and 75 for a 4+ bedroom home.

This proposed development will provide much needed affordable housing in a very sustainable area close to all local amenities and services.

Officer Comment: *the applicant has confirmed that the development would not deliver any homes designed to meet Part M4(3) of the Building Regulations as part of the affordable housing provision. The application is determined on this basis, which would provide 100% of affordable rental housing.*

Landscape Team,

2nd Comment – No Objection

Having reviewed the amended plans, we have the following comments:

- We welcome the change of boundary treatments which should mitigate the visual and safety risks related to Riders stream.
- The relocation of the trees will also aid with offering additional natural surveillance.
- Recommend to condition soft landscaping, hard landscaping and boundary treatments.
-

Officer Comment: *If permission is granted a condition is recommended to secure additional landscaping in the form of hedging along the southern boundary.*

1st Comment - Concerns

From a landscape perspective we have the following comments in relation to this application:

- We have concerns with the type and location of the boundary treatment to the south of the site adjacent to Riders Stream. The proposed CBF is firstly too close to the water course and will significantly negatively affect the character of the stream and

public footpath. There is a precedent to have fencing at the top of the slope and away from the stream as such the existing fence line location needs to be retained. The longevity and security of the CBF is not deemed sufficient given the applicant is proposing a communal area adjacent to the watercourse. The CBF needs to be replaced with steel mesh anti climb fencing this needs to be softened with evergreen UK native

climbing species such as Clematis Armandi, Pileostegia Viburnoides and Clematis Armandii.

- The location of the communal sitting areas coupled within the existing and proposed soft landscaping has very limited natural surveillance, this could lead to anti-social behaviour.

Recommend to relocate the cluster of 3 no. trees to an alternative location to allow views of the communal area from the proposed building.

- The communal area is very close to plot no. 9 and there is limited access separation.

Recommend to consolidate the communal areas to one larger area to the east as far as possible. With access only from a communal footpath (no gaps in the hedge).

Local Lead Flood Authority HCC –

Final Comment - No Objection

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

This response does not reflect the position of Hampshire County Council as the Highway Authority. If there is a potential for the drainage features to be offered for adoption, this will need to be discussed separately with Highways development planning as they might not be considered acceptable by the Highway Authority.

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

The County Council has additionally reviewed the following documents relating to the above application:

- Drainage Technical Note P02 (Ridge, 29/11/22)

An allowance for urban creep has not been included due to the nature of the development, this is acceptable.

The water quality information provided is also acceptable.

1st Comment - Further Information Required

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

This response does not reflect the position of Hampshire County Council as

the Highway Authority. If there is a potential for the drainage features to be offered for adoption, this will need to be discussed separately with Highways development planning as they might not be considered acceptable by the Highway Authority.

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

The County Council has reviewed the following documents relating to the above application:

- Flood Risk Assessment and Drainage Strategy (Ridge, July 2022)
- Site Investigation Report (Ridge, April 2020)

The site is brownfield and is predominantly within Flood Zone 1, adjacent to Flood Zones 2 and 3 associated with a watercourse. The site is generally at very low risk of surface water flooding with areas at low risk. Properties are proposed in the areas at very low risk only.

Groundwater levels have been recorded at shallow depths, which would inhibit infiltration drainage. Attenuation of surface water with a discharge to the watercourse is proposed. The development proposal includes a reduction in impermeable area, providing betterment.

Permeable paving and an attenuation tank are proposed for attenuation storage, with a restricted discharge of 1.8 litres per second. This discharge rate would be equivalent to Q_{bar} for the site area.

The provided hydraulic calculations state that flooding should not be experienced for the design storm, however it is not clear whether urban creep has been considered as the relevant sections of the calculations refer to a value of zero. The report states that an allowance for urban creep has been provided, however, so clarification is required on whether the impermeable areas have been amended manually. Exceedance flow routes have been provided.

Maintenance and water quality information has been provided. We anticipate no issues, but water quality information should be provided with reference to the simple index approach or the SuDS Manual.

In order for us to provide a substantive response, the following information is required:

- Clarification on whether an increase of 10% has been included for impermeable areas to account for urban creep in calculations.
- Water quality information to be provided with reference to the simple index approach.

We require this further information before we can make a decision on whether to recommend to the Local Planning Authority that planning permission is granted.

Nitrates Team – No Objection

I can confirm there was sufficient capacity in the Council's strategic mitigation scheme for the application proposals which was reserved for the development at outline stage.

The applicant should be advised that the Council's strategic mitigation scheme is to be charged at £3,000 per kilogram of nitrogen (as at 18/11/22) which is to be increased annually at the start of the financial year in line with the Cost Price Index. In addition, it should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:
<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

Officer Comment: *The applicant is aware of the current cost of the Council's mitigation scheme, which due to the outline permission, it has been agreed that it is based on the cost at that stage, with a minor reduction in payment due to an amended nutrient load.*

Norse South East, Operations Director - No Comment

Planning Policy - No Objection

I can see that the discussion of the policy position regarding the loss of employment land took into account the emerging local plan, with regard to the outline application. That plan has been withdrawn and the policy position therefore reverts back to the policies of the Core Strategy and the Allocations Plan (and the NPPF). If this was a new application, we would have to discuss the loss of employment in a different way, but since these are matters of principle and the principle of residential development has been established, I do not consider that there is a need to reconsider this point.

Traffic Team

It appears that there is insufficient parking space allocated as per HBC Supplementary Planning Document; 0.9 spaces per 1 bed and 1.3 spaces per 2 bed apartments. It also appears that there is no additional space allocated for visitors.

Officer Comment: *At outline stage it was accepted that there would be a short fall of car parking, which remains the case, which is explained under the heading 'Access and Parking'.*

Waste Services Manager – Comment

Just need to make sure the service road part of this new development is suitable to accommodate 26 ton refuse vehicle for the collection of waste as part of this planning application.

Officer Comment: *Plans showing the internal tracking for delivery vehicles and fire tenders have been submitted and agreed with the Highway Authority.*

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: 38

Number of site notices: 2

Statutory advertisement: 07/10/2022

Number of representations received: 2

Comment	Officer Comment
Exacerbate existing car parking problems. Development of brown field site welcomed – less pressure on greenfield sites. Positive all homes affordable Support the proposals for biodiversity net gain. Important that an ecological corridor be maintained and enhanced along Riders Stream. Use of bird and bat boxes should be considered. Best BREEAM standards of insulation will be used. Solar PV and/or Thermal should be mounted on the roofs. There should be no gas heating - suggest the use of Air or Ground Source Heat Pump – low energy bills. Secure Bicycle Storage sheds. EV charge points for car parking area. The plot of land adjacent to the entrance to little Hacketts and Fulflood Road was supposed to have a doctors surgery/crèche/shop built on it 14 + years ago - still hasn't happened. Turned it into industrial	See Section 7 below Not material to the application under consideration.

7 Planning Considerations

Habitats Regulations & Appropriate Assessment

- 7.1 At the time of the Outline Planning Application APP/18/01109 a Habitats Regulations Assessment including Appropriate Assessment was undertaken in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England were consulted in relation to the assessment and concurred with the assessment conclusions providing that all mitigation measures were appropriately secured. The Habitats Regulations Assessment concluded that the proposal will not result in adverse effects on the integrity of any of the sites in question.
- 7.2 The Reserved Matters application has resulted in a revised Nutrient Budget being submitted. A further Habitats Regulations Assessment (HRA) and Appropriate Assessment (AA) Outcomes was carried out with Natural England being formally consulted, who raise no objection, subject to satisfactory mitigation.

Recreational Pressure

- 7.3 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of the adopted Havant Borough Local Plan (Allocations) and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.
- 7.4 The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant entered into a legal agreement at the outline stage to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24

Water quality

- 7.5 There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.
- 7.6 Natural England has produced a national generic 'Nutrient Neutrality Methodology' for achieving nutrient neutrality for new development. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement on Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant entered into a legal agreement at the outline stage to secure the mitigation package.

7.7 The Reserved Matters Check of Habitats Regulations Assessment (HRA) and Appropriate Assessment (AA) Outcomes concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA and AA Outcomes was subject to consultation with Natural England as the appropriate nature conservation body, who have confirmed that they agree with the findings of the assessment. The applicant entered into a legal agreement at the outline stage to secure the mitigation packages. Due to a reduction in mitigation costs, as a result of an amended nutrient load, this would be the subject of a Deed of Variation to the original S106 Agreement. The recommendation is subject to the satisfactory completion of the appropriate Deed of Variation.

7.8 In all other respects and having regard to the relevant policies of the development plan and all other material considerations 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) Housing issues/ Affordable Housing
- (iv) Impact upon residential amenity
- (v) Highway Impacts Access & Parking
- (vi) Drainage and flood risk
- (vii) Contamination Issues / Air Quality
- (viii) Impact on trees & landscaping
- (ix) Impact on ecology
- (x) Education/Health
- (xi) Developer Contributions/CIL and Deed of Variation

(i) Principle of development

(i) Principle of development

7.9 The site has the benefit of Outline Planning Permission granted under reference APP/18/01109. The principle of residential development of the site is therefore clearly established.

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

7.10 The site and its location have been described in detail in section 1 of this report. The proposal is accompanied by a suite of plans and elevations including a 3D Visualisations plan which provide full details of how the site would be developed. The proposed development consists of 74 apartments, with the principle of the provision of up to 74 apartments previously established at outline stage.

7.11 As stated above, the immediate and surrounding area is varied, with industrial uses adjacent to the site and further north. However significant residential development has taken place within the immediate area. To the south of the site lies the former Leigh Park Garage on the corner of Dunsbury Way, which now comprises a 3/4 storey residential development. Further to the north of the site, the redevelopment of the former Proctor and Gamble Site for a mixed residential, employment and community/ health services has been completed, which consists of a variety of built form, which includes 4/5 storey residential buildings. Immediately to the north of the site is an

empty piece of land, which did form part of the former Proctor and Gamble Site, which had planning permission granted under application 07/51184/054, which was not implemented; this was for a 4/5 storey building. Therefore, development of a similar scale to that proposed (i.e. 4 storey) has been accepted within the locality.

- 7.12 The scheme comprises a single “L” shaped apartment building extending to four-storeys, with a flat roof behind a parapet. The building extends north-south parallel with Dunsbury Way along the western boundary and east-west parallel with Fulflood Road along the northern boundary. The building is set back off these two roads, to reduce its impact on the locality and to provide landscaping and private amenity space for occupiers of the ground floor flats.
- 7.13 The building line along the western boundary would be similar to existing development to the south, which are 2 storey dwellings. However, the proposed would be forward of the existing development on the site, which is single storey. As to the western elevation, the proposal would be set back at a minimum of 4m from the adjacent public footpath in Dunsbury Way, which would incorporate the shared garden areas for the flats, with trees, hedging and a 1.2m metal railings along the boundary. The overall height of the development would be 12m, reflective of part of the development opposite to the west, which is a 3 - 4 storey building. Due to the setting back of the development, its scale would not be overbearing or dominant within the street scene.
- 7.14 As to the building line on the northern boundary, this is set back into the site, from the current single storey development along this boundary, which currently abuts the public footpath along Fulflood Road. The building line on this boundary, would be forward of the building line of Staunton Heights at the junction of Dunsbury Way/Bramdean Drive, to the west. However, due to the separation distance between these two sites, with Dunsbury Way in between, the staggered building line would not materially impact on the character and appearance of the area. Due to the location of the development with similar scale development within the locality, its scale would not be overbearing or dominant within the street scene.
- 7.15 It is acknowledged that the development, with an overall height of 12m, would impact on the character and appearance of this corner plot. However, it would replace an existing development, which has fallen into disrepair, subject to vandalism, which adversely impacts on the visual amenity of the locality. The replacement of the existing dilapidated development would enhance the overall character and appearance of the street scene and help regenerate the area, in accordance with Policies CS6 and CS16 of the Core Strategy
- 7.16 As to the design of the building, this would be contemporary in nature, with a vertical theme aided by the design of the windows and doors and recessed bays, which would incorporate the balconies. The corner element is increased in height to provide a focal feature at the intersection of the two roads, with the roof set back behind a parapet. The use of different coloured brickwork and brickwork detail (i.e. red and orange, with parts of the base in grey brickwork), would add interest to the facades.
- 7.17 The approved vehicular access would be off Fulflood Road, linking directly into the car parking area to the rear of the site. Apart from limited views from the access into the site, the internal car parking arrangements, would not be visible from the public realm.
- 7.18 As to car parking spaces, 74 would be provided, together with internal communal cycle storage areas (provision for 140 cycles) within the north side of the apartment block, with accesses from the car parking area. A communal bin storage area would also be

located within the north side of the building adjacent to the vehicular access.

- 7.19 The layout includes a landscaped open space to the south of the site, with hedging and trees proposed along the northern and western boundary. Landscaping is also proposed within the car park to help break up the hard surfaced area.
- 7.20 Overall, the development would be reflective in scale of similar modern style development within the locality, which would not be overbearing or dominant, which would help regenerate and enhance the visual amenity of the area, in accordance with adopted policy.

(iii) Housing issues/ Affordable Housing

- 7.21 The proposal would provide for 74 flats. Policy CS9 (Core Strategy) requires development to deliver 30% affordable housing unless a lesser requirement has been transparently justified on viability grounds. The Housing Officer has confirmed that there is a high need for affordable housing in the Borough.
- 7.22 At the outline stage, the application was submitted with a Viability Assessment which concluded that the only method of bringing forward the site (as encouraged by the NPPF) is to reduce the affordable housing contribution to nil which was justified by the NPPF, CIL Regulations 2010 (as amended), and the RICS Guidance Note 'Financial Viability in Planning'.
- 7.23 The Council tested the Viability of the scheme independently at the developer's expense at the outline stage. This testing concluded that the lack of affordable housing on site or a contribution is justified on viability grounds. Therefore, at the outline stage, the applicant had justified transparently on viability grounds the lack of affordable housing as required by policy CS9. That said, understanding the changing costs of development a viability review mechanism was secured within the legal agreement, that enabled the costs of the development to be reviewed as the development progressed. If the review demonstrated that the Residual Land Value exceeded the benchmark land value, then an appropriate affordable housing contribution would be required.
- 7.24 Since the grant of outline planning permission, the applicant, Vivid Housing Ltd, has secured funding from Homes England, with the result that 100% of the development would be affordable rented accommodation. In accordance with policy CS9 of the Core Strategy, 30% of this would be secured by Deed of Variation to the section 106 agreement, to be policy compliant.

The housing mix of the development would be:

1 bed - 21 units
2 bed - 53 units

- 7.25 With regard to the type and size of proposed accommodation on the site and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should 'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities'. Paragraph 6.24 states that a mix of dwelling types is sought from one and two bedroom flats to terraces and larger detached houses. In this case, the proposal comprises a mix of one bedroom and two bed roomed flats. This is an acceptable mix for this site. The site is proposed

to be 100% affordable and, whilst a mix of tenures is usually sought, the Council's Housing Officer considers that the homes will provide much needed affordable accommodation in a very sustainable location close to all local amenities and services.

- 7.26 Having regard to the recognised need for rented affordable housing this mix is considered acceptable, having regard to the individual merits of the application.

(iv) Impact upon residential amenity

Impact on existing residential amenity

- 7.27 In relation to the impact on existing residents the closest residential properties are to the west, with the apartment building at the junction of Dunsbury Way and Bramdean Drive and to properties to the south in High Lawn Way. The site to the north, on the opposite side of Fulflood Road, at the time of the officer's visit was vacant, with the property within the plot, boarded up.

Dunsbury Way and Bramdean Drive

- 7.28 Staunton Heights is the development on the corner of Dunsbury Way and Bramdean Drive, set back into the site. The development is a mixture of 3 and 4 storey. At all levels access to the apartments are via open walkways, with windows servicing the apartments set back into the development, which limits overlooking into these windows.
- 7.29 Dunsbury Way lies between Staunton Heights, with footpaths and verges either side. The separation distance would be approximately 30m, with a requirement of 28m in Havant's Design Guide SPD for back-to-back relationships. The relationship between Staunton Heights and the proposal is considered acceptable.
- 7.30 The closest property to the south is 220 Dunsbury Way, which is a two-storey end of terraced dwelling. 220 Dunsbury Way, has a side front door entrance but no windows on this northern elevation. Between the site and 220 Dunsbury Way, are Riders Stream, a public footpath and an established tree boundary along the southern side (with other established trees within this area), which overshadowed the entrance to this property. The separation distance between 220 Dunsbury Way and the proposal would be approximately 32m, which exceeds the 28m requirement in Havant's Design Guide SPD for back-to-back relationships. The relationship between 220 Dunsbury Way and the proposal is therefore considered acceptable.

Impact on future residential amenity

- 7.31 To the east of the site is the Omnibus Depot, which is a Vehicle Recovery Centre/vehicle rental business, with further commercial premises to the northeast. The separation distance between the closest part of the building on the northern boundary and this commercial site is 16m, with the access road and car park in between. On the eastern elevation closest to the commercial premises, at floor levels 1 to 3, windows servicing bedrooms and living areas would overlook this commercial yard. The living areas would also benefit from windows to the north and south.
- 7.32 As to the commercial estate further to the northeast, due to the separation distance, with Fulflood Road and Little Hackets Road in between, it would be unlikely to give rise to an unacceptable level of noise and disturbance to future occupiers of the

development.

- 7.33 A Sound Insulation Assessment (SIA) has been submitted in respect of condition 10 imposed on the outline permission. This includes an assessment of the sound insulation requirements of the properties. The conclusion in this document is that noise intrusion should be adequately controlled with the use of standard thermal double glazing and standard trickle vents.
- 7.34 The Council's Environmental Health Officer was consulted over the SIA and found that additional information was required. The applicant in response has withdrawn the discharge of this condition, with the caveat that it has to be complied with. Condition 10 seeks to ensure that the noise levels within the proposed units are in line with those laid out in BS8233.2014, especially in relation to living rooms and bedrooms. This would be secured as part of the discharge of this condition.
- 7.35 All of the apartments would exceed the Government's Technical housing standards - nationally described space standards, with all ground floor apartments benefiting from an amenity area. All upper storey apartments would have their own balconies. The apartment block would have a communal lift, along with three sets of stairs to gain access to the higher levels.
- 7.36 Car parking would be provided to the rear of the building, with access points from the building. Four communal internal cycle storage areas would be provided on the ground floor on the northern section of the building. A communal bin storage area would also be located within the north side of the building adjacent to the vehicular access.
- 7.37 The development would have a landscaped open space along the southern boundary, providing an amenity area for residents.
- 7.38 Parking would only be 1 unallocated space per unit, in a sustainable location, with access to shops, services and public transport a short distance away. The level of parking is considered in detail under the next section.
- 7.39 As to public transport a bus service is available within Dunsbury Way, with services to Havant and Portsmouth. To conclude, the proposal would provide satisfactory living arrangements for future residents, with the safeguard of the Outline Permission Condition 10 yet to be discharged to ensure that the relationship with the Depot to the east is acceptable.

(v) Highway Impacts Access & parking .

Access and highway networks

- 7.40 In relation to highway matters, the principle of up to 74 dwellings on the site, from the existing access onto Fulflood Road was established at the outline permission stage, when the proposal was found to have an acceptable impact on the wider transport network.
- 7.41 The Highway Authority (HA) was consulted over this proposal and as part of the consultation process required further information, which included the following.

Virtual Footways

- 7.42 Additional information on drawing no. 22.003.002 Rev Q shows an increase in width of

the virtual footways within the car parking area from 0.9m to 1.5m. This has been agreed by the HA.

Highway Boundary

- 7.43 The highway boundary shown on drawing 056.0049-0001 Rev 4 confirms that visibility splays either fall within the highway or under the jurisdiction of the applicant. Visibility splays of 2.4m x 33m to the south west and 2.4m x 36m to the north east are shown on the aforementioned plan. As to the back of the visibility splay, which falls under the jurisdiction of the applicant the HA requires that this should be dedicated as highway land through the S278 legal agreement required for the site access works.

Tracking

- 7.44 The HA has confirmed that all tracking within the site has been undertaken at 10mph, which was agreed to be an appropriate speed for the development. The results of the tracking are as follows.

Car and Delivery Vehicle

- 7.45 Tracking for a car past a delivery vehicle at the site access has been shown within drawing 056.0049.0005 Rev2. Whilst the HA found the tracking shown as tight, they have agreed that it would be achievable.

Fire Tender

- 7.46 Tracking provided for a fire tender has been shown within drawing 056.0049.0004 Rev2. The HA has agreed that the fire tender would be able to access the dry risers in an appropriate manner.

Pantechicon

- 7.47 Tracking for a Pantechicon entering the site and navigating the internal network has been shown within drawing 056.0049-0006 Rev PO2. Whilst the HA found the tracking was tight, they have agreed that such vehicles would be able to manoeuvre within the site appropriately to egress in a forward gear. The HA has agreed that this overcomes the audit problem 3.3.1 which was noted within the HA's previous response.
- 7.48 In light of the additional information provided during the consultation process, the HA has confirmed that all previous concerns have been addressed and provide no objection to the proposal subject to conditions. These conditions include:

Prior to development commencing details of the highway works along Fulflood Road to be approved by the HA;

Prior to occupation the highway works along Fulflood Road shall be completed;

The approved visibility splays shall be kept free of any obstruction exceeding 0.6 m in height;

Prior to works commencing a construction method statement (CMS) shall be submitted and approved; (A Construction Traffic Management Plan condition 4 was imposed on the outline permission, with slightly different requirements, which has been approved by the LPA. Therefore, this condition cannot be re-imposed.)

Prior to works commencing the final details of the drainage strategy and levels at the site access shall be submitted for approval.

Car Parking and Cycle Provision

7.49 At the outline stage an illustrative layout proposed 76 un-allocated spaces, with a car parking requirement of 129 spaces. Whilst it was acknowledged at the outline stage that parking would be addressed in the final Reserved Matters layout, justification was provided and accepted for a reduced level of parking on the site.

7.50 The justification for this was set out in the Officer's report which states:

"The applicant refers to an appeal decision for the neighbouring Proctor & Gamble site for application 06/51184/053, the applicant identifies that the Inspector considered that noted the site was close to local facilities and was close to bus services to Havant and Portsmouth and this in a sustainable location, with the proposed parking provision of 1 space per flat being considered acceptable. The submitted transport assessment outlines that the site represents a sustainable location which provides good access to public transport and which would facilitate active travel choices. Given the location of the site relative to local bus services, retail opportunities and local service, – they would be able to support a more ambitious (i.e. lower) quantum of parking if spaces were unallocated, and that some consideration is given the exclusion of non residents. Having considered the Transport assessment justification for the level of proposed parking, this is similar to the comments detailed within the appeal Inspectors decision for 06/51184/053. It is considered that the Inspectors decision is a material consideration when considering this application. While the changes to planning policy both locally and nationally over this time are noted, they would not fundamentally change the Inspector's conclusion as set out above, in that the character of the area remains the same, the site is within a sustainable location. Whilst it is acknowledged this is critical as this relates to the site being within a sustainable location, it cannot be argued the site is now not sustainable given the quantum of development that has been undertaken in the intervening period.

The concerns of the Traffic Team are noted, however no empirical evidence of highway issues, from the surrounding development has been provided, which has the same level of parking as this proposed development. As such the proposed car parking arrangement remains unallocated. The sites acceptability of being a sustainable location and as such being able to provide a lower quantum of car parking seems to be encouraged both through the internal consultees and the direction of travel within the NPPF. Moreover, the site to the north which is subject to the appeal was considered to be within a sustainable location. As such the scheme, through the submitted justification, it is considered that the lower quantum of parking than the SPD, given the sustainable location of the site and that through the reserved matters application the suggested recommendations within the travel plan would help ensure the proposal helps to promote and encourage the opportunities for sustainable development is acceptable.

Taking all these factors together with regard to impact on the highway and parking provision, it is considered that given the sustainable location of the site, the provision of the car parking proposed is considered acceptable and the development would not have a significant adverse impact on the highway network."

7.51 The proposal when first submitted showed 76 un-allocated car parking spaces, which

has been reduced to 74 to accommodate the changes required by the HA (as set out above) in the interests of highway safety. This provides for 1 car parking space per unit for the 74 flats, with Havant's Car Parking SPD requiring 106 spaces, which includes 20% visitor parking. Following the grant of outline permission on 31 March 2021, it has been accepted that the site is in a sustainable location, being able to support a lower quantum of car parking which was based on 74 car parking spaces. Therefore, it is considered, due to the individual circumstances of the application, which includes the site's sustainable location and on highway safety grounds for future occupiers, 74 car parking spaces are appropriate for the proposal.

- 7.52 The size of the car parking spaces would be 2.4m x 4.8m as set out in Havant's Car Parking SPD, with the aisle widths of 6m between the parking spaces. 1.5m virtual pedestrian walkways and crossings would be provided within the site, with footpaths to the rear of the car parking. Footpaths from Fulflood Road and the car park along the eastern boundary, would provide access to the entrances to the building, together with access from the west elevation.
- 7.53 Details of the lighting layout for the car park area is shown on drawing No. LD/VIV/DWH-CP Rev 1.0, with further information set out in the Residential Car Park Lighting report. The exterior car parking lighting would be required to comply with BS EN 548901-2020 Maintained Lighting Levels for Outdoor Car Parks, as required by Hampshire Constabulary. A condition requiring compliance with the lighting details submitted and to accord with the above standard is recommended.
- 7.54 Cycle provision would be provided internally on the ground floor within the north side of the building. 140 covered secured cycle spaces would be provided, to encourage sustainable transport, which is an over provision compared to the SPD standards which would require 127 spaces, which is welcomed and helps support the general argument regarding the sustainable location of the development.

(vi) Drainage and flood risk

Surface Water

- 7.55 A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application, with additional information provided in a Drainage Technical Note to address the comments of the Local Land Flood Authority (LLFA) and the Environment Agency (EA).
- 7.56 As to surface water this would be discharged to the existing stream to the south, which is a tributary of the Hermitage Stream. Prior to discharging the surface water to the stream, it would be collected via permeable paving in a cellular storage tank, located under the car parking area.
- 7.57 Following the updated drainage information from the applicant, the LLFA is content with the surface water drainage scheme and raises no objection. The provision of SUDs for the development, is covered under Schedule 3 of the legal agreement linked to the outline permission.

Foul Water

- 7.58 Foul water generated from the development would be discharged into the existing Southern Water foul water manhole. All foul water drainage would be designed and

constructed in accordance with the Building Regulations Part H and it is intended to connect to new foul water drains constructed as part of the construction phase.

- 7.59 Southern Water has advised that their investigation indicates that they “... *can facilitate foul sewerage water run off disposal to service the proposed development.*” An informative is however suggested by Southern Water that details of “... *the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.*” An informative is not recommended, as at outline stage a condition as to foul drainage connection was not imposed as such matters are “...*directly controlled by the Water Acts. Applying the principle of avoiding dual regulatorily control it is not necessary for the planning system to impose a condition on this matter when it should be dealt with properly through the Water Acts.*” Therefore, the connection for foul drainage would be for relevant discussions to take place between the developer and Southern Water. However, a drainage condition is recommended that the surface water and foul sewerage system shall be constructed in accordance with the technical details submitted, together with drainage condition required by the Highway Authority.

Flood Risk

- 7.60 The site currently falls within FZ1, but with climate change may be at risk from fluvial flooding from the stream to the south.
- 7.61 The EA initially raised an objection to the development, due to the risk of fluvial flooding. In response to this objection, a Drainage Technical Note was provided, advising that the surface water drainage strategy submitted would cater for surface water flooding up to and including the 1 in 100 yr. +CC allowance event and extreme events. The information provided showed that the flood levels of the stream are well below the proposed ground levels and the exceedance events are suitably catered for.
- 7.62 Following a review of the additional information, the EA withdrew its objection, and the proposal is considered to accord with policy CS15 of the Core Strategy.

(vii) Contamination Issues / Air Quality

- 7.63 Two Site Investigation Reports dated April 2020 and July 2021 have been submitted in respect of contamination on the site. The Council's Contamination Officer (CO) has been consulted over these documents and subject to the CO's recommendation on managing the risks posed by soil quality and soil gas no objection is raised to the proposal. The recommendation of the CO is that outline Condition 5 (i.e. an assessment of the nature and extent of contamination at the site) be substituted with a 'Bespoke – Remediation Method Statement & Verification Plan' condition, full details of which are set out in Section 5 above, together with other conditions recommended.
- 7.64 As to Air Quality issues the CO is of the view the general sustainability credential of the scheme is relatively poor, with no specific provision for limiting on domestic combustion, for local micro-generation, energy leveraging (low carbon technologies) or recovery.
- 7.65 The principle of residential development on the site was established by the grant of outline planning permission and therefore the additional requirements sought by the CO, cannot be secured at this stage. That said, it has been confirmed that the development would be constructed to Level 3 of the Code for Sustainable Homes, as

required by Policy CS14.

(viii) Impact on trees & landscaping

- 7.66 As part of the proposal a Tree Protection Plan has been submitted, which sets out the location of the trees on the site and the categorisation and protection/management proposals for the trees. This plan also shows the trees that would have to be removed to enable the development to move forward. Out of the 8 trees to be removed 6 of them are category C trees, with the remaining 2 trees category B trees (ie Hawthorn & Birch). Under the landscape scheme 36 new native tree and hedgerow planting would take place along the western and southern boundaries and within the car parking area. Mature trees along the southern boundary would be retained, together with new native tree/hedge planting as part of the proposal.
- 7.67 An Arboricultural Assessment & Method Statement has also been submitted in support of the development. The Council's Arboricultural Officer has been consulted over the proposal and has raised no objection, subject to two conditions that the development shall be undertaken in accordance with the Arboricultural Assessment and Method Statement and the Tree Protection Plan and that if any trees are removed within a period of 5 years, they shall be replaced. If permission is granted these conditions are recommended.
- 7.68 As to the landscaping of the site, which is a Reserved Matter, following the submission of a revised plan this has been agreed by the Landscape Team, with further details required for the hedgerow along the southern boundary. The landscaping, as mentioned above would include native trees and hedgerow planting along the western and northern boundaries which would help soften the development from these directions, together with a mix of native trees/hedge planting and grassed areas within the car park which would help break up this hard surfaced area, with natural features.
- 7.69 A communal greenspace would be provided along the southern boundary, which would include seating areas and tree planting which would be managed by the applicant. If there is a change of ownership the DoV provides for a Management Company to manage these areas.

(viii) Ecology

- 7.70 The application is accompanied by a Biodiversity Net Gain Assessment (BNG) (EcoSupport, August 2022). The Council's Ecologist (CE) was consulted over the proposal, who has advised the site is of limited biodiversity value, due to its former commercial use.
- 7.71 BNG requires long-term (30 years) commitment to realise the estimated uplift, which is not included within the assessment. That said, as BNG is not mandatory for the development it cannot expressly be required to be secured through condition or S106 obligation. The general landscaping of the site is however required to be carried out and this would be secured via a planning condition.

(ix) Education/Health

- 7.72 The County Children's Services Department confirmed at the outline stage, that they would not be seeking a contribution from this development for either primary or

secondary school places, as there are sufficient surplus places within the catchment area to accommodate the likely number of pupils created by the proposal.

7.73 The health contribution was secured at the outline stage, via the S106 agreement.

(x) Infrastructure/S106 requirements

7.74 As this is a Reserved Matters application the infrastructure requirements have generally previously been considered and assessed at the Outline Stage and the requirements secured via the associated S106 Agreement. Given that the proposal now proposes alterations to the nutrient load and that affordable housing will be provided on site, there is a need to secure a Deed of Variation to the Original S106 Agreement, to reflect these changes. The recommendation below is therefore subject to a Deed of Variation being secured.

7.75 The original S106 Agreement secured the following matters. Where there is a need to vary the agreement, this is noted:

Schedule 1:

Owners covenant with the Borough Council:

Viability Appraisal _

“To submit the Viability Appraisal to the Council by no later than the earlier of 3 years from the date of the Agreement or the Reserved Matters Approval Date together with a solicitor’s undertaking that the Council’s costs reasonable and properly incurred in verifying the Viability Appraisal shall be met in full.”

Variations required: A Viability Appraisal is required to be submitted to the Council prior to the commencement of development, together with a solicitor’s undertaking to pay the Council’s reasonable costs, unless it is confirmed in writing prior to commencement of development that at least 30% of affordable housing will be provided on site. This would amount to 22 dwellings, which would be policy compliant.

Schedule 2:

Management Company and Plan _

The applicant intends to undertake the management of the site in their capacity as a social housing provider. This has been incorporated into the agreement, whilst also ensuring that if another developer takes on the site, then a Management Company and Management Plan would be required to be provided and agreed by the Council.

Schedule 3

Sustainable Drainage System

No changes to S106 Agreement are required.

Schedule 4

SRMS Contribution

No changes to S106 Agreement are required.

Nutrients Contribution

“Nutrient Mitigation Contribution means subject to paragraph 5.2 of Schedule 5 the sum of £71,159 payable to the Council towards the costs to be incurred by the Council in providing measures to offset the nutrient load of the Development as mitigation against the water quality impacts arising from the Development on the Solent European Protected Sites.”

Variation required: the nutrient contribution has been reduced from £71,159 to £64,220, due to an amended nutrient load.

The Deed of Variation amends the nutrients contribution.

Schedule 5

CIL

The proposal is for 100% affordable social housing, with Social Housing Relief being claimed, to secure exemption from CIL.

(xi) Planning Conditions

- 7.76 The original outline planning permission reference APP/18/01109 included the imposition of several planning conditions. The application is seeking to discharge some of these conditions. In that regard, some have been submitted for discharge under the original planning application reference and some as part of this Reserved Matters application. These are listed below under their host reference number:

Submitted for conditions under APP/18/01109 Outline Application

- 4 – Construction Traffic Management Plan – discharged 21/2/23
- 9 – Finished Floor Levels and details of the exceedance flows from the site – discharged 21/3/23

Submitted for consideration under APP/22/00829 Reserved Matters Application

- 3: Reserved Matters - Appearance, Landscaping (subject to details required in respect of condition 5 below), Layout and Scale are approved by this application. As to ‘Other Matters’ (e) to (m) these are approved by the application.
- 5: Contamination. Details were submitted in respect of this condition, resulting in further information being required as set out in recommended condition 7 below, which has been agreed with the applicant
- 10. Noise (subsequently withdrawn by applicant who is aware of the need to comply with the condition to safeguard residential amenity)

8 Conclusion

- 8.1 In conclusion, the residential development of the site has outline planning permission and therefore the principle of the development is established, with access approved. The current application has therefore been considered in detail in relation to the reserved matters (i.e. Appearance, Landscaping, Layout and Scale).

- 8.2 The proposal represents a residential development of a contemporary nature and appearance and at a density reflective of other apartment developments within the locality. The character, layout, scale and appearance of the development is considered acceptable.
- 8.3 The development provides 1 and 2 bedroom rental flats, which is considered acceptable. The development would provide for 100% affordable housing, with 30% provision secured via a Deed of Variation in accordance with policy.
- 8.4 The impact on the nearest existing residential properties beyond the site have been considered and the relationship between the proposed and existing residential units are considered acceptable. With regard to the proposed units the development has been provided with acceptable internal and external amenity space. The relationship with existing commercial premises, in relation to this residential use has also been assessed and considered to be acceptable, with Condition 10 on the outline (the requirement for a Noise Impact Assessment) yet to be discharged.
- 8.5 Highway impacts from the development were considered in detail at the outline stage and as part of this application, with improvements secured and found to be acceptable. The internal road layout is considered acceptable, and parking of a level considered to be appropriate in a sustainable location. Levels of cycle provision and refuse/recycle facilities are considered acceptable.
- 8.6 In terms of communal area and landscaping for the development these are appropriate and acceptable for the development.
- 8.7 The site is currently in flood zone 1 (low flood risk), but with climate change potentially in flood zone 2 - 3. In recognition of this, the proposal has provided suitable drainage and flood risk mitigation for the development and found to be acceptable.
- 8.8 Ecological impacts in terms of Nutrients and Solent Recreation Mitigation Strategy were secured at outline stage, with Natural England reconsulted at this stage, raising no objection to the proposal.
- 8.9 Infrastructure and S106 requirements have been assessed and secured at the outline consent stage. There has been a need to assess the reserved matters application against the requirements of the original S106 Agreement. As set out above this has resulted in a need for a Deed of Variation to the original S106 and the recommendation below is subject to this being secured.
- 8.10 Finally, conditions 4 and 9 were submitted pursuant to the outline application and discharged, with conditions 3, 5, 9 and 10 forming part of this application. As to condition 10 (i.e. Noise Impact Assessment) this was subsequently withdrawn by the applicant and does not form part of the application. All undischarged conditions from the Outline Consent shall remain in place and will need to be discharged as required.
- 8.11 Overall, the Reserved Matters Application is considered to result in an attractive residential development of much needed affordable rental housing in the Borough. Conditional planning permission is therefore recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT APPROVAL OF RESERVED**

MATTERS for application APP/22/00829 subject to:

- (A) The satisfactory completion of the S106 Deed of Variation as set out in paragraph 7.75 above to secure the necessary requirements arising from this reserved matters application (for which authority is given to the Head of Legal Services to complete the Deed of Variation); and
- (B) The following conditions

1 **GENERAL**

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

Plans

Site Plan - Drawing No. 22.003.02 Rev Q
Boundary Treatment Plan - Drawing No. 22 003 08 Rev H
Elevations - North & West - Drawing No. 22 003 05 Rev E
Elevations - South & East - Drawing No. 22 003 06 Rev E
Floor Plan - Ground Floor - Drawing No. 22 003 03 Rev D
Floor Plan - First to Third Floor - Drawing No. 22 003 04 Rev D
Landscape Proposals - Drawing No. 838/01 Rev C
Lighting Plan dated 24/5/23 – Drawing No. LD/VIV/DWH-CP Rev 1.0
Tree Protection Plan – Drawing No. 22042-3
Delivery Vehicle and Car Swept Path Analysis - Drawing No. 056.0049-0005 Rev PO2
Fire Tender and Car Swept Path Analysis - Drawing No. 056.0049.0003. Rev PO3
Fire Tender Internal Tracking - Drawing No. 056.0049-004 Rev PO2
Visibility Splays - Drawing No. 056.0049-0001 Rev PO4
Pantechicon Swept Path Analysis - Drawing No. 056.0049-0006 Rev PO2
Proposed Level Strategy – Drawing No. 1100 Rev PO5

Documents

Planning Application Form
Arboricultural Assessment and Method Statement, Barrell Tree Consultancy 9 June 2023
Biodiversity Net Gain Assessment, (Ecosupport, 5/8/2022)
CIL Form 2 - Assumption of Liability
CIL Form 10 - Mandatory Social Housing Relief Claim Form
Cover Letter dated 5/8/2022
Design and Access Statement, HGP Architects, July 2022
European Sites Avoidance & Mitigation Checklist
Flood Risk Assessment and Drainage Strategy, Ridge dated July 2022
Landscape Design and Management Statement, Draffin Associates Ltd, dated 28/6/22
Manual for Managing Trees on Development, Barrell Tree Consultancy 2020
Nutrient Budget Calculator dated 16/2/2023
Updated European Site Avoidance and Mitigation Checklist
Occupancy Calculator 16/2/23

Planning Statement
Residential Car Park Lighting - Lumen Designers dated 24.5.23
Road Safety Audit Stage 1, 2 March 2023
Schedule of Accommodation
Site Investigation Report, Ridge April 2020
Site Investigation Report, Ridge July 2021
Sound Insulation Assessment - 4 August 2022
Occupancy Calculator dated 16/2/2023
Update from Agent uploaded 19/10/2022

Reason: - To ensure provision of a satisfactory development.

- 2 The development hereby permitted shall be undertaken in accordance with the Arboricultural assessment and method statement (9.6.23 22042-AA3-PB) and the Tree Protection Plan (22042-3).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The approved line of site splay as shown within drawing 056.0049-001 Rev P04 shall be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: In the interest of highway safety having due regard to policies DM12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the 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 policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5 **PRECOMMENCEMENT**

Prior to the commencement of the development, except for demolition works, further details of soft landscaping to supplement that shown on Drawing 22/003/02 Rev Q [Site Plan] and 838/01 Rev C [Landscaping Plan] shall be submitted to and agreed in writing by the Local Planning Authority. The further plans shall include provision of a hedge for the full length of the southern boundary, to the rear of the footway, parking spaces and the parking court to provide a clear visual barrier as shown indicatively in Drawing 22/003/02 Rev Q. All approved landscaping works shall, as detailed in the Landscape Design and Management Statement dated 28.6.22, be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the

development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in the interests of highway safety having due regard to policies CS16, DM8 and DM 13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 **No part of the development shall commence**, except demolition, until such time as the details of the highway works along Fulflood Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-0001 Rev 4 has been approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interest of highway safety having due regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 **Prior to the commencement** of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme for mitigation of risks arising from ground contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme may comprise separate reports as appropriate, but shall be prepared by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) A Remediation Method Statement based on the proposals outlined within the Ridge & Partners Report Ref: 5012199-RDG-XX-ST-DOC-C-00SIR02 (July 2021) and;

2) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Method Statement (1) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site &/or to the quality of controlled waters in the vicinity of the site.

- 8 **Prior to the commencement** of the development, except for demolition works, the final details of the drainage strategy and levels at the site access shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved levels and drainage strategy shall thereafter be implemented in accordance with the approved plans prior to first occupation of the development.

Reason: In the interest of highway safety having due regard to Policies CS16 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 9 **Prior to the commencement** of the development, except for demolition works, the final street lighting strategy shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved street lighting strategy shall thereafter be implemented in accordance with the approved plans prior to the first occupation of the development.

Reason: In the interest of highway safety having due regard to Policies CS16 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

10 **ABOVE GROUND**

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

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

11 **PRIOR TO OCCUPATION**

The highway works along Fulflood Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-001 Rev 4 shall be completed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority **prior to first occupation of the development.**

Reason: In the interest of highway safety having due regard having due regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The surface water and foul sewerage system shall be constructed in accordance with the Flood Risk Assessment and Drainage Strategy dated July

2022 and the Drainage Technical (Drainage Technical Note - 172 1028) dated November 2022 and the data shown in Section 4. EA COMMENTS & RESPONSE and completed **prior to first occupation of the development**. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority and the Environment Agency. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure adequate surface water drainage provision and to mitigate flood risk having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 13 **Prior to the occupation** of any relevant part of the permitted development, any verification report required in accordance with condition 7 shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers.

- 14 **Prior to occupation** the lighting for the outdoor car parking area shall be carried out in accordance with the approved Residential Car Park Lighting Report and the approved drawing No. LD/VIV/DWH-CP, Rev 1.0. The design of the approved lighting scheme shall comply with BS EN 548901-2020 Maintained Lighting Levels for Outdoor Car Parks. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the Havant Borough Local Plan (Core Strategy) 2011, Policies CS8 and CS16 and the National Planning Policy Framework

- 15 **Prior to first occupation** of the development hereby permitted the emergency and rescue plan for managing flood risk for residents, shall be submitted to and approved in writing to the Local Planning Authority. The approved scheme shall be implemented before the occupation of the development hereby approved.

Reason: In the interest of the safety of the residents and to accord with Policy

CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.