

APP/19/00542 - Outline application for backland development of 4 No. One bedroom cottages. , PERM,13/11/2020

Officer Comment: *This is the application that the Reserved Matters application is in relation to.*

3 Proposal

Application for Approval of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to Outline Planning Permission ref. APP/19/00542 for backland development of 4 No. One bedroom cottages. Partial Discharge of Conditions 7 (Construction Management Plan), 8 (Contamination), 16 (Ecological Enhancements), Condition 18 (Traffic Control) and discharge of Condition 19 (Means of Enclosure).

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS4	(Town District and Local Centres)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.
Conservation Area: Black Dog

5 **Statutory and Non Statutory Consultations**

Arboriculturalist

No comments received.

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council

Officer Comment: SRMS payments were secured at outline stage.

b) Issue the Nutrient Neutrality Unilateral Undertaking. See

<https://www.havant.gov.uk/nitrogen-developers>

Officer Comment: The nutrient requirements are related to the Grampian Condition 22 of the outline consent and will be addressed separately under that condition discharge.

Conservation Officer

Final Comments:

UPDATED RESPONSE FOLLOWING SUBMISSION OF AMENDED PLANS AND CHANGE OF DESCRIPTION OF DEVELOPMENT

New Description: _

Application for Approval of Reserved Matters (Access, Appearance, Landscaping and Layout and Scale) pursuant to Outline Planning Permission ref. APP/19/00542 for backland development of 4 No. One bedroom cottages.

Legislative and Policy Context

When assessing the proposal, the following legislation and policy context is taken in consideration.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

Local Planning Policies _

Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) states that planning permission will be granted for development that:

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

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

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

Policy DM20 of the Allocations Plan states that planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement.

Assessment

The previous heritage response advised:

‘Within this application, only layout and landscaping are being proposed. All other matters are still reserved. The proposed landscaping scheme appears appropriate and is an enhancement of the current condition of the site. Overall, there are no heritage objections to these matters’.

The description has now been altered so that all reserved matters are being applied for including appearance and scale. The proposed details, including a schedule of materials (October 2023), are considered to be acceptable from a heritage perspective and meet the test set out in Section 72 of the T&CPA 1990 in that the development would preserve and enhance the Black Dog Conservation Area. The proposal would also meet the relevant sections of the NPPF and Local Plan policies.

Conclusion

NO OBJECTION

Original Comments:

Background

The site is located to the rear of No’s 70 and 76 West Street in Havant. It is located just outside the Black Dog Conservation Area. Outline permission has been granted for 4no. 1bed cottages.

Proposal

Application for Approval of Reserved Matters (Landscaping and Layout) pursuant to Outline Planning Permission ref. APP/19/00542 for backland development of 4 No. One bedroom cottages.

Legislative and Policy Context

When assessing the proposal, the following legislation and policy context is taken in consideration.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

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Assessment

Within this application, only layout and landscaping are being proposed. All other matters are still reserved.

The proposed landscaping scheme appears appropriate and is an enhancement of the current condition of the site. Overall, there are no heritage objections to these matters.

Conclusion

NO OBJECTION

County Archaeologist

Thank you for your consultation. I have no specific comments regarding this reserved matters application.

Archaeological matters for this proposed development were addressed through Condition 4 of the outline permission, which sought ensure that the layout and location of the proposed dwelling would remain consistent with the plans submitted at the outline stage (locations which have been already been impacted by previous development). As long as this condition is adhered to, no archaeological issues will be raised.

Southern Water

Southern Water has no objections to the above reserved matter application.

The comments in our response dated 26/06/2019 remain unchanged and valid.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Officer Comments: *Below are the Southern Water Comments received in relation to the Outline permission:*

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

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>.

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

- a Adequate soakaway or infiltration system
- b Water course
- c Where neither of the above is practicable sewer

We request that should this application receive planning approval, the following condition 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: *Condition 13 in relation to foul and surface water drainage was imposed on the outline planning permission and is yet to be discharged.*

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that noncompliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk.

Engineering/Drainage

No comments received.

Environment Agency

No comments received.

Environmental Health

I refer to the above application for discharge of matters reserved by condition 7 from Outline Planning Permission ref. APP/19/00542 relating to construction management plan.

The applicant has submitted a 'a reserved matters supporting statement', within which contains the construction management plan. The plan sets out several measures to be implemented during the construction phase in line with the requirements of the condition. The report is acceptable, however, as this is a live document in that it ought to be referenced during construction works, I am happy to recommend a partial discharge. Once the works have been completed in full compliance with the submitted details, the condition may be fully discharged.

Environmental Health (Environmental Control)

Observations / Comments:

Condition 7 – Construction Management Plan

It is noted that the plan contains references to the presence of water distribution/spraying/cleaning equipment, but does not specifically make any provision for ensuring that a water source of sufficient capacity (either on-site/piped, or located offsite for filling of the site-water bowser) will be maintained throughout the period of works.

Similarly, I note that the section addressing the prevention of mud trackout refers to a sludge pump to clear silt, but it does not address the disposal route for pumped water e.g. to a settlement tank/barrels etc.). This is fairly important in this area, as local surface-water drains discharge to the Brockhampton Stream within 120m of the site entrance.

As my colleague highlights, CMP's are live documents and are expected to evolve as the project progresses. I trust that these comments will be sufficient to highlight the expectation that an adequate water supply will be available throughout works, and that sludge disposal (and for similar reasons, site runoff at the northern boundary) will be expected to avoid pollution of the local surface water with suspended solids. I would anticipate these comments being accounted for in the next iteration of the CMP, which I expect to be drafted following selection of the principal contractor.

No in-principle objections arise.

Condition 8 – Contamination

I note that section 4 of the report makes assumptions about the direction of runoff from the site. Whilst the site is generally level, stockpiles of material can create gradients which differ from those that exist at the undeveloped site, and LIDAR indicates that the northern portion of the site does fall toward the Brockhampton Stream. It is expected that works within 8m of the Brockhampton channel will require an Environmental Permit from the Environment Agency, I would expect this process to reinforce the need to manage this risk.

I would also highlight that whilst section 10 somewhat down-plays the risks to water receptors, and emphasises human health risk, the site does lie within an SPZ1 for the protection of the public potable groundwater supply, and has two local surfacewaters within a short distance of the site boundary. Because risk-screening criteria area typically far more stringent for water receptors than for human health, water receptors could represent a significant-, and possibly the predominant-, risk driver for the site.

Given this, I would recommend that the proposal to sample groundwater for dissolved and/or suspended contamination using the same analytical suite if present be upgraded, so as the design of the phase 2 intrusive investigation seeks to establish the depth to groundwater and to sample it.

Otherwise, the conclusions of the report are broadly agreed. Given the condition wording, it is recommended that the part discharge applies to part 1) only, and that the Grampian clause should remain in force until the LPA is able to discharge both parts 2) & 3) of condition 8.

Hampshire Highways Final Comments (5/6/24)

I refer to the consultation relating to further submissions relating to the above planning application and would make the following comments in relation to the highway elements of the proposed development layout, Construction Management Plan and Traffic Signal Controls.

The Highway Authority are satisfied that the latest submissions relating to the highway aspects of the proposed layout as shown on Drawing - Traffic Management Plan referenced NJC-004 of the Technical Note including signal provisions/motion sensor/give way signage and signage for no parking to the rear of Cobden Homes are acceptable.

Condition 7 (Construction Management Plan) As included within the Reserved Matters Supporting Statement. The previously submitted CMP has been amended to address the matters previously identified by the Highway Authority in the earlier response dated 20 November 2023. The Highway Authority now accept that the submitted CMP is acceptable.

Condition 18 (Traffic Control) The latest Technical Note sets out in Appendix 2 the details of the proposed signal equipment and the principles set out therein are acceptable.

As previously stated in the Highway Authority responses, whilst the principle of introducing traffic signals has been accepted the provision of the private signal head above the footway will however, require a further approval from the Highway Authority through a licence application with regard to the positioning of the proposed signal equipment to the West Street frontage over the extent of highway (footway).

Officer Comment: *An informative has been added in relation to this information.*

Further Comments uploaded 09/04/24

With regards to the management of the construction process.

The Plan should include the pre booking of deliveries and collections to minimise any potential congestion and time spent waiting on the public highway.

In addition, those deliveries and collections should be restricted to the period 09:30 to 16:30 to minimise the impact of construction related traffic on the highway network during peak hours.

Both measures seek to minimise the detrimental impact of the construction phase on the operation and safety of the local highway network.

Further Comments 20/11/23

I refer to the further consultation on additional submissions including matters relating to Highway considerations and would make the following comments.

Within the Reserved Matters Supporting Statement the partial Discharge of Condition 7 (Construction Management Plan) and Condition 18 (Traffic Signals).

Construction Management Plan with supporting Drawing referenced NJC-001 Swept Path Tracking and Appendix B Measures to Prevent Mud on the Highway'

The Swept Path Tracking (NJC-001) provided to support the Construction Management Plan (CMP) shows a 4.6T Light Van entering, turning and exiting the site in a satisfactory manner. It is advised that vehicles will be required to access via Park Road. However, there is no statement included to demonstrate how the size of delivery vehicles will be restricted or as an alternative how deliveries by larger vehicles will be managed to ensure no detriment to the operation and safety of the highway (West Street and junction with Park Road North/South). The available access for example would not permit entry for any Cement Mixer Lorry Deliveries, Skip delivery/collection or larger lorries delivering bricks/roof trusses that may be required.

No indication is given as to the number of larger vehicle movements that may be required if the size of vehicles is not restricted to 4.7-T van as shown in the tracking drawing (NJC-01). There is no explanation of how larger vehicles will access and egress from/to Park Road as advised. A lorry routing plan should be provided to show how the vehicles will access, unload and leave the site having regard to the restricted movements at the junction of West Street with Park Road North/South.

Paragraph 1.9 of Construction Management section confirms that deliveries will be restricted to the period 09:30 to 14:00 which would be acceptable to the Highway Authority. Paragraphs 1.16 - 1.18 confirm that deliveries will be pre arranged timed deliveries and departures to ensure the site can operate in an appropriate manner to minimise detriment to the operation and safety of the local highway.

The document includes response to the Discharge of Standard Planning Conditions - Measures to prevent mud on the Highway. The document list of equipment to be maintained on site during ground works which would be appropriate having regards to the scale of development. The accompanying Method Statement says that it is proposed to minimise vehicle movements into the site this would result in a greater reliance on street parking of construction/delivery/collection vehicles to the detriment of the operation of the highway, no estimated numbers of associated construction phase vehicle movements have been provided.

Condition 18 regarding details of the Traffic Signal Details being provided to ensure safe access to the site, this is addressed within the submitted Highways Technical Note. This document confirms that Green/Red signal heads will be placed either end of the tunnel entrance to control vehicle movements with the Green lights being shown constantly to the West Street entry unless a requirement for red is triggered by a motion sensor on site for exiting vehicles. With the access proposed to serve a total of 7 car parking spaces these arrangements would be considered appropriate although it is suggested that on site signage for 'Give way to oncoming vehicles' should be placed close to the position of the sensor. No details of the form of motion sensor are provided other than the location thereof. The swept path tracking drawings (NJC-02) for cars entering, parking and leaving the site show the location of on site traffic signals on the drawing base which have now been relocated. NJC-01 substitutes the sensor to the location of the signals, those tracking drawings NJC-02 shows a number of instances where the exiting vehicles may strike the sensor dependent on what form that sensor takes. This situation needs to be clarified.

In considering the Tracking Drawings NJC-01 and NJC-02 a car space No 70 has been included. It is understood that this was agreed previously to be removed to enable the parking spaces for units A & B to function in an acceptable manner. This space has now been reinstated causing very tight manoeuvres for vehicles using those spaces when space No 70 is occupied.

It is confirmed that properties will be leasehold and the communal area and the signal/sensor operation will be under the control of a Management Company in perpetuity which is considered to be an appropriate method of maintenance with regular checks of signal operation and emergency cover provided.

As previously stated in the Highway Authority responses, whilst the principle of introducing traffic signals is accepted the provision of the private signal head above the footway. However, a further approval from the Highway Authority will be required through a licence application with regard to the positioning of the proposed signal equipment to the West Street frontage over the extent of highway (footway).

At this stage, having regard to the above comments some further submissions are required before the Highway Authority are prepared to recommend that the highway aspects of the conditions are fully discharged.

Further Comments uploaded 19/09/23

Further to the e mail and attachments from Jennie Fox.

The signal head has been relocated to the rear of the overbuilding and whilst I have concerns that this location is above the driver's eye line the majority of users of the access will be residents who will be familiar with the access/egress requirements.

The principle of signal-controlled access was accepted previously and the increase in scale now proposed, having regards to the sustainable location, would not significantly compromise that arrangement. There is of course an established access way here which seems to have provided some informal rear access/parking for some of the properties fronting West Street and operated with no controls.

The HA are satisfied that the management of the signals could be undertaken by the Management Company or their appointed contractor. An emergency call number should be provided to the residents to report any fault to enable immediate attention to maintain safety.

As previously advised should planning permission be granted then a further approval from the Highway Authority will be required through a licence application with regard to the positioning of the signal equipment to the West Street frontage to over sail the extent of highway (footway).

With regards to the internal layout the removal of the parking space to the rear of 74-76 Cobden Homes would enable improved manoeuvring in to/out from the parking spaces for units A and B. However, there are concerns that a vehicle may still park in the area of the deleted space to the rear of 74-76 Cobden Homes as there is a rear gate to this area for an assumed right of access. It may be that to prevent the manoeuvring for units A and B being compromised that Units A and B could be set back in line with the alignment of Units C and D.

With regards to the Refuse collection arrangements, if the Recycling and Waste Team are satisfied with the arrangements for collection then the Highway Authority would raise no objection to those arrangements.

Further Comments 22/08/23

I refer to the further consultation relating to additional submissions relating to the above planning application.

It is understood that the internal arrangements for traffic signals to facilitate the one-way operation of the access to/from West Street will relate to a traffic signal which will be triggered by a sensor. The form of that sensor is assumed to be a beam but the alignment of that beam is not given or shown. It is essential that beam is not triggered by manoeuvring vehicles, only those seeking to directly leave the site. This is to ensure that delays to vehicles entering the site from West Street are minimised to safeguard the operation and safety of the local highway network. The drawing appears to show the signal head and sensor to be pole mounted which is set into the driveway and does potentially create issues with manoeuvring as described below in relation to the provided tracking drawings.

Previously, the traffic signal scheme was approved in principle to serve 4 car parking spaces whilst the current scheme serves 7 spaces which will place a greater reliance on the suitability of the operation of the signals to maintain safety and avoid vehicles having to reverse to the public highway. It is noted also that a right of way access is maintained to the parking/turning area which may attract vehicle movements on occasions.

It is understood that the Management Company will inspect the proposed signal installation regularly, contact information should be provided to residents to ensure any breakdown or damage of/to the signal equipment can be reported immediately and acted on urgently.

A series of vehicle tracking drawings for large cars, Drawing Ref NJC-002, are provided for entering and leaving each car parking space and the following comments are made on those.

Ingress -01 parking for no. 72 A - acceptable
Egress - 01 parking for no. 72 A - acceptable

Ingress - 02 parking for no. 72 tight if 72 A parked - acceptable
Egress - 02 parking for no. 72 tight if 72 A parked - acceptable

Ingress - 03 parking for Unit C - acceptable
Egress - 03 parking for Unit C - appears likely to strike exit traffic signal.- unacceptable

Ingress - 04 parking for Unit D - appears to strike exit traffic signal - unacceptable
Egress - 04 parking for Unit D - appears to strike exit traffic signal - unacceptable

Ingress - 05 parking for no. 70 - acceptable
Egress - 05 parking for no. 70 - requires reverse through total site to enable to turn - concern

Ingress - 06 parking for Unit B - very tight to manoeuvre if vehicles parked for No 70 and Unit A - concern
Egress - 06 parking for Unit B - very tight to manoeuvre if vehicle parked for No 70 and Unit A , involves long reverse through site - concern

Ingress - 07 parking for Unit A - very tight to manoeuvre if vehicles parked for No 70 and Unit B also very close to wall of Unit A - concern,
Egress - 07 parking for Unit A - very tight to manoeuvre if vehicles parked for No 70 and Unit B also very close to wall of Unit A and boundary wall to no. 74-76. Strikes traffic signal on exit. - unacceptable.

In overall terms the tracking information now provided does demonstrate that the site layout is very tight in terms of manoeuvring of vehicles in a safe manner, from the available information available, including potential striking of the traffic signal provision on site.

Further Comments 27/06/23

I refer to the consultation on the reserved matters application as above and would make the following comments in regard to Condition 7 (Construction Management Plan) and Condition 18 (Traffic Control).

Condition 7 Construction Management Plan

Whilst the Plan is generally accepted the following specific comments are made. The Plan states at 1.2 that this is accepted as only partially discharges Condition 7 as Contractors are yet to be appointed. A full plan may therefore need to be submitted at that stage.

1.14 states 'A hammer head (turning zone) vehicle zone will be on site to avoid vehicles from needing to reverse on to West Street. Please refer to the accompanying Swept Path Tracking Plan' A tracking plan referenced NJC-001 is provided and shows a 4.6T Light Van of 5.885m in length and 2.0 metres wide and this indicates that such a vehicle can enter, turn and leave the site in a forward gear. However, no confirmation is provided to explain how the restriction in the size of vehicles to the site will be enforced. Alternatively, no information is provided as to how larger vehicles would be accommodated without any impact on the operation and safety on West Street.

1.14 advises that there is a turning zone on site however, the submission within the section Discharge of Planning Conditions - Measures to Prevent Mud on the Highway within the Method Statement advises that the number of vehicles entering the site will be minimised endeavouring; to unload delivery vehicles at the entrance or 'crane off' from the highway; and load muck away at the site boundary;

The northern side of West Street is covered by double yellow line markings indicating parking restrictions of no waiting at anytime. Any kerb side deliveries should therefore be limited in time to avoid disruption to the operation of the public highway. Management of pedestrians using the footway during any kerb side deliveries will need to be in place.

1.19. states 'Contractor's parking to be limited on site. Under no circumstances will any parking be permitted on West Street or any surrounding roads' an explanation of how the parking for contractors would be managed to ensure no overspill parking occurs. managed.

Condition 18 Traffic Signals

The principle of private traffic signals here due to the restrictive width of the existing access has been accepted.

The submissions include a technical sheet relating to the proposed signal heads, together with a drawing showing the location of the proposed signal heads. The technical sheet relates to three lamp signals whilst the drawing 17023 -551 shows two lamp signal heads.

The plan shows the signal head located over the extent of highway which would require the approval of a Highway Projection Licence application to the Highway Authority.

There is no explanation of how the signals will be triggered/operated and how those arrangements will minimise delays to vehicles entering from West Street and be managed and maintained.

Having regards to the above comments the Highway Authority would recommend that at this stage Condition 7 and Condition 18 have not been fully discharged.

Original Comments 06.02.23

The submissions include two matters which relate to highway aspects Condition 7 Construction Management Plan and Condition 18 Traffic Controls of the planning permission APP/19/00542.

Condition 7. Construction Management Plan

Para 1.9 the document should set out specifically the permitted delivery times in terms of avoiding highway network peak hours and school starting and finish times.

Para 1.14 a plan should be included which shows the proposed on site turning head for the largest vehicle required to access and egress the site to avoid reversing to/from West Street.

Para 1.15 is not required if adequate turning on site is demonstrated to comply with requirements.

Condition 18 Traffic Controls

The principles of controls for access arrangements were agreed in consideration of APP/19/00542. A Transport Note is provided to confirm the arrangements for traffic controls prior to the occupation of the properties.

The proposal is to install red and green traffic signals at each end of the existing tunnel with movements from West Street prioritised to ensure no stopping or reversing on West Street which would be detrimental to the operation and safety of the public highway. It is a requirement that the signals should be clearly visible and not cause an obstruction within the extent of highway, including the footway. No plan/elevations are provided to show the location of the proposed signals.

The Highway Authority would recommend that the above matters are addressed before these conditions are agreed.

Natural England

Final Comments 11/07/23

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on your appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment dated 20 June 2023, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Further Advice

Nutrient Budget – Bespoke Occupancy Figure

We note that an alternative occupancy figure has been used in the nutrient budget calculation. Please note that the Natural England Solent Nutrient Budget Calculator uses a default value for the number of residents per dwelling of 2.4, reflecting the national average from Office of National Statistics (ONS) data. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. However please note, unless there is a clear justification for them to differ, such rates would need to be applied consistently in line with other policy requirements/approaches used in relation to the scheme (e.g. for calculating open space requirements). These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Officer Comment: *The nutrients requirement will now be addressed under a separate discharge of Grampian Condition 22 of the outline planning permission.*

Original Comments 18/04/23

SUMMARY OF NATURAL ENGLAND'S ADVICE

WATER QUALITY/NUTRIENT NEUTRALITY ADVICE This proposal falls within the Impact Risk Zone of European Sites vulnerable to nutrient impacts. Please refer to Natural England's overarching advice dated 16th March 2022 and sent to all relevant Local Planning Authorities.

When consulting Natural England on proposals with the potential to affect water quality resulting in nutrient impacts on European Sites please ensure that a Habitats Regulations Assessment is included which has been informed by the Nutrient Neutrality Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts. For large scale developments, Natural England may provide advice on a cost recovery basis through our Discretionary Advice Service

All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION FOR RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England notes that the Habitats Regulations Assessment (HRA) has not been provided with the application. As competent authority, and before deciding to give permission for the project which is likely to have a significant effect on a European Protected Site, you must carry out a HRA and adhere to its conclusions. For all future applications within the zone of influence identified by your authority, please only consult Natural England once the HRA has been produced.

Officer Comment: The nutrients requirement will now be addressed under a separate discharge of Grampian Condition 22 of the outline planning permission.

FURTHER INFORMATION REGARDING RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Chichester Harbour Special Protection Area (SPA). It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will (in our view) be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within the ZOI from the recreational impacts associated with such development.

However, following the People Over Wind ruling by the European Court of Justice, mitigation may not be taken into account at screening stage when considering 'likely significant effects', but can be considered at appropriate assessment. In the light of this, these measures) should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

Providing that the appropriate assessment concludes that the measures can be secured [with sufficient certainty] as planning conditions or obligations by your authority , and providing that there are no other likely significant effects identified (on this or other protected sites) which require consideration by way of appropriate assessment, Natural England is likely to be satisfied that your appropriate assessments will be able to ascertain with sufficient certainty that there will be no adverse effect on the integrity of the European Site from recreational pressure in view of the site's conservation objectives. In this scenario, Natural England is unlikely to have further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Nutrient Team

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

The applicant should be advised that the Council's strategic mitigation scheme is to be charged at £3,300 per kilogram of nitrogen (as at 1/4/23) 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/mitigationschemes-available-to-developers/>

Officer Comment: *The nutrient requirements will now be addressed separately in relation to the Grampian Condition 22 imposed on the outline consent.*

Portsmouth Water Company

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

Condition 8

We agree with the recommendation under condition 8 and have no further comments to make.

Condition 7

Some information has been provided to support the Construction of Environment Management Plan (CEMP) as required under condition 7. Whilst the information is acceptable, we cannot discharge this condition until full details are provided by appointed contractors before agreeing to the full discharge.

Ecologist

Final Comments:

I had previously requested clarification on the 'enhanced' plantings within the site due to a lack of detail within the submitted Ecological Enhancements Plan (CAD, December 2022, and later revised August 2023). The submitted Reserved Matters Supporting Statement (CAD, December 2022) contains some details of the proposed new/additional hedgerow plantings as well as the proposed use of a 'wildflower' grassland seed mix. These details are acceptable. The Supporting Statement also includes details of other ecological enhancements such as green roofs and bat/bird boxes. These are welcome, and I would agree with the proposed number and location of these features: each bike store to have a green roof and a single bird box, each dwelling to have a single Common Swift box/brick, and each dwelling to have at least a single bat brick.

If you are minded to grant permission, can I suggest that all ecological measures are secured by condition.

Development shall proceed in accordance with the ecological enhancement measures as detailed in section 2 of the Reserved Matters Supporting Statement (CAD, December 2022) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Original Comments:

The submitted Ecological Enhancements Plan (CAD, December 2022) shows areas of enhanced planting. It is unclear what these enhancements are to be and I consider that further clarification is needed.

6 Community Involvement

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

Number of neighbour notification letters sent: 96

Number of site notices: 1

Statutory advertisement: 27/01/2023

Number of representations received: No Comments Received

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the Conservation Area and Town Centre
- (iii) Impact upon residential amenity
- (iv) Flood Risk

- (v) Ecological impacts
- (vi) Highway impacts
- (vii) Contamination issues
- (viii) Impact on Trees
- (ix) Developer Contributions / nutrient neutrality
- (x) Conditions

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. This is a Reserved Matters application following the Granting of Outline Planning Permission (All Matters Reserved) under planning permission APP/19/00542 which established the principle of the development of 4 No. One bed cottages.

The current application for Reserved Matters relates to the outstanding matters, Access, Appearance, Landscaping, Layout and Scale.

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

- 7.3 The site is to the rear of converted buildings fronting West Street now in residential use. The site is located in the town centre and is therefore within a sustainable location. The provision of additional residential properties to the rear of the site has previously been approved in the outline consent and they would make a modest contribution to the Councils Housing needs.
- 7.4 The developments impact on the Conservation Area has been carefully assessed. The previous layout of outbuildings on the site has influenced the design of the proposed four units shown on the submitted plans.
- 7.5 The proposals are for the provision of four relatively small 1 bed units on the site. These are designed with pitched gable roofs including solar panels and roof lights and first floor bedrooms. Walls would be in red / brown Multi Stock brick and the roofs in Redland duoplain Rustic Brown tiles. White upvc windows and conservation rooflights would be incorporated.
- 7.6 The Conservation Officer has provided comments on the proposed development and has confirmed that: *The proposed details, including a schedule of materials (October 2023), are considered to be acceptable from a heritage perspective and meet the test set out in Section 72 of the T&CPA 1990 in that the development would preserve and enhance the Black Dog Conservation Area. The proposal would also meet the relevant sections of the NPPF and Local Plan policies.*
- 7.7 The proposed layout includes hardsurfacing to the front of the units providing parking and manoeuvring in Golpla gravel and porous pavers. There are proposed green garden areas to the rear of the proposed dwellings with small individual gardens. The layout is considered acceptable in this urban context and would remove an existing overgrown area where waste materials appear to have been stored.

- 7.8 Overall the proposals are considered to result in a positive enhancement to the character and appearance of the Conservation Area meeting the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to provide additional residential development in this sustainable location within Havant Town Centre.

(iii) Impact upon residential amenity

- 7.9 The proposed dwellings are sited to the rear of buildings on the West Street frontage which back onto the application site. The proposed dwellings are designed as single storey with limited accommodation within the first floor roof space and are one bedroom. The proposed dwellings shown on the submitted drawings would be designed with the main accommodation at ground floor level with one bedroom in the first floor roof space. There would be four windows (two ground floor lounge and two first floor bedroom) facing back towards the frontage units. The drawings show a separation of approximately 14- 15m would be provided. It is considered that this would prove appropriate amenity in terms of the impact on the existing properties in this relatively high density town centre location.
- 7.10 The layout to the rear of No.72 and 72A provides an amended and reduced external area. The rear amenity area to No.70 is similar to the outline approval. Parking spaces for No.70 and 72 are also now included to the rear of No.72 and 72A.
- 7.11 The proposals would result in a reduction to the amenity area available to the rear of 72-76 West Street. However, access to the rear of these properties would remain. On balance, it is not considered that the reduction of external amenity areas would warrant a refusal of the current planning application and the principle has been accepted in the outline consents.
- 7.12 The proposal would result in an increase in the use of the access between the buildings (70/72) with 6 parking spaces provided, although it was noted at the site visit that parking is currently taking place to the rear of the frontage buildings. On balance and given the town centre location it is considered that the additional use of the access would not result in an impact on residential amenity sufficient to warrant a reason for refusal.
- 7.13 With regard to the proposed dwellings and their own amenities, as shown on the Reserved Matters plans, the four 1 bed dwellings are provided with small private gardens to the northern side of the site measuring between approximately 25 and 28 sqm. Whilst these areas are small and close to an existing food take away restaurant, they would provide a private external amenity area considered appropriate in this case to serve the one bed units. Overall and taking account of the town centre location, it is considered that suitable amenity areas can be provided for the properties. The internal floorspace is shown as 45sqm which would exceed the minimum space standard indicated for a single storey 1 bed 1 person dwelling (39sqm). A two storey 2 person dwelling would require 58sqm. At this time the Council has not adopted internal space standards. Internal space is on balance considered to be acceptable.
- 7.14 Cycle storage, car parking, turning and bin storage is shown on the submitted plans.

(iv) Flood Risk

- 7.15 The principle of Residential development of the site has been established by the outline consent when flood risk was considered. The site is located adjacent to a main river which runs to the rear (north) of the site. A small area to the rear of the site is also shown in Flood Zones 2 / 3. The layout of the dwellings, the accesses and parking thereto and the majority of the garden areas all fall within Flood Zone 1 (the zone of least risk) where development is preferred in sequential terms. Whilst it is noted that the site is now within a future flood zone – given the principle of development is already established the development is considered acceptable. The Environment Agency raised no objection to the outline consent. It is noted that the applicant will require an Environmental Permit for Flood Risk activities as the proposed development lies within the 8 metre bylaw width of the Lavant Stream "main river".

(v) Ecological impacts

- 7.16 In relation to on site ecological impacts, the proposal is accompanied by an Ecological Enhancements Plan and Supporting Statement giving details of new/additional hedgerow plantings and 'wildflower' grassland seed mix together with details of other ecological enhancements such as green roofs and bat/bird boxes. Subject to a compliance type ecological condition the Council's Ecologist raises no objection to the proposals.

(vi) Highway impacts

- 7.17 In relation to highway matters, the application has been subject to detailed consideration at outline and Reserved Matters stage in consultation with Hampshire County Council the Highways Authority. It is noted that the Reserved Matters application includes parking for six cars, including parking for No.70 and 72 and the four proposed units (the outline consent showed four spaces for the new units only). The parking to the new units meets the Council's parking standards and it is noted that the location of the site is very accessible within Havant Town Centre.
- 7.18 Access to the site is via a narrow tunnel below the frontage units and this leads onto West Street in a town centre location. The outline consent secured traffic lights to allow for appropriate timing of vehicles entering and leaving the site. It is noted that a further consent would be required from the Highway Authority for the installation of the traffic light on West Street.
- 7.19 Tracking has been provided to demonstrate manoeuvring within the site and acceptable access into and out of the site. The Highways Authority are now content that the proposal is acceptable in highway terms. A condition is recommended to secure the signage shown on drawing No. NJC-004 (in the Highways Technical Note) in relation to 'No parking' and 'Give Way' to ensure manoeuvrability within the site and access safety.

(vii) Contamination issues

- 7.20 The application has been assessed by the Council's Environmental Control Officer and these matters are controlled under the Contamination condition 8 and are considered further in (x) below.

(viii) Impact on Trees

- 7.21 In relation to trees, the main issue relates to a Eucalyptus tree on the eastern side of the site. Condition 10 of the outline planning permission requires tree protection and it is noted that the Reserved Matters proposal includes porous non-dig surfacing close to the tree.

(ix) Developer Contributions / nutrient neutrality

- 7.22 The proposal is CIL liable now that the floorspace can be established at the Reserved Matters stage. This has been calculated as £24,492.86 and a Draft Liability Notice has been issued.
- 7.23 A contribution to SRMS was secured at the Outline stage. In relation to Nutrient Neutrality the outline consent was subject to Grampian Conditions to ensure nutrient neutrality (Conditions 22 and 23). Condition 23 is a compliance condition requiring water efficiency, condition 22 was originally applied for part discharge but this condition has now been removed from the Reserved Matters application and is being addressed separately (consultation on a revised HRA/AA is currently underway with Natural England but does not form part of this application).

(x) Conditions

- 7.24 The following conditions have been applied to be discharged as part of this application:

Partial Discharge of:

Condition 7 (Construction Management Plan)
Condition 8 (Contamination)
Condition 16 (Ecological Enhancements)
Condition 18 (Traffic Control)

Discharge of Condition:

Condition 19 (Means of Enclosure)

Condition 7 Construction Management Plan

- 7.25 Condition 7 has been applied for discharge in relation to parts (a), (c), (d), (e) and (f). The following parts would require a further submission for discharge:

(b) Provisions for the segregation & storage of wastes destined for both disposal & for recycling, and details on the procedures and logistics for collection and transport from the site;

(g) Details of the training of site operatives to follow the Construction Management Plan requirements; and

(h) Details in relation to measures for surface water management during development.

Amendments have been secured during the application process to provide additional details and the Highway Authority and Environmental Health have raised no objection to the part discharge of this condition. Portsmouth Water have also confirmed that: *whilst the information is acceptable, we cannot discharge this condition until full details are provided by appointed contractors before agreeing to the full discharge.* A part discharge of the condition is recommended.

Condition 8 (Contamination)

- 7.26 Condition 8 has been assessed by the Council's Environmental Control Officer who has recommended discharge of part 1 only at this stage.

Condition 16 (Ecological Enhancements)

- 7.27 This condition has two elements for discharge details of ecological enhancements and then implementation prior to occupation. The Ecologist has confirmed that the proposed ecological enhancements are considered acceptable and this element can be agreed. A part discharge is therefore appropriate.

Condition 18 (Traffic Control)

- 7.28 This condition has two elements, details of the traffic control and implementation prior to occupation. Following amendments received the Highway Authority have confirmed that the proposed controls are acceptable. The condition can therefore be part discharged at this stage.

Condition 19 (Means of Enclosure)

- 7.29 The Supporting Statement confirms that all new fencing is to comprise 1.8m high close boarded timber fences and these are shown on the Ecological Enhancements Plan. This is considered acceptable and the condition can be discharged.

8 Conclusion

- 8.1 In conclusion, the principle of residential development has previously been agreed by the outline planning permission. The proposal has been considered in terms of its impact on the character and appearance of the Conservation Area and the Town Centre and is considered acceptable.
- 8.2 The impact on the residential amenities of both existing and future residents has been assessed and is considered acceptable. Flood risk has been considered together with ecological impacts which are appropriately addressed.
- 8.3 The Highway impacts have been considered in detail in relation to access onto West Street and are now appropriately addressed. Contamination issues will require further submissions in relation to the conditions attached to the Outline Consent.
- 8.4 The impact on trees have been considered and the Outline Condition will continue to apply. Nutrient neutrality will be addressed further in the discharge of Outline Condition 22 (now being assessed separately to this Reserved Matters application).

- 8.5 Finally, as part of the application the discharge / part discharge of conditions imposed on the Outline Consent have been proposed. During the course of the application the scope of the conditions to be discharged has been considered and the agent has been advised as to the extent of any condition discharge/part discharge that can be agreed at this stage.
- 8.6 Subject to conditions set out below Reserved Matters Consent can be recommended. In addition, Outline Planning Permission conditions can be discharged/part discharged as set out below in **Appendix A**.
-

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT APPROVAL OF RESERVED MATTERS** for application APP/22/01207 subject to the following conditions:

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

Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Highway Technical Note Nick Culhane uploaded 9th May 2024

Traffic Management Plan Drawing No. NJC-004

Swept Path Tracking Drawing No. NJC-002 Rev A

Location and Block Plans Drawing No. 17023-141 uploaded 30th October 2023

Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023

Proposed Floor Plans and Elevations Drawing No. 17023-450 Rev A

Proposed Context Elevations Drawing No. 17023-550 Rev A

Proposed Elevations - Traffic Lights Drawing No. 17023-551 Rev A

Proposed Bike Sheds Drawing No. 17023-561

Environmental Desk Study and Preliminary Risk Assessment Apple Environmental November 2022 uploaded 30th October 2023

Schedule of Materials October 2023

Reason: To ensure provision of a satisfactory development.

- 2 Development shall proceed in accordance with the ecological enhancement measures as detailed in section 2 of the Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) March 2011 and the National Planning Policy Framework.

- 3 The dwellings the subject of this Reserved Matters application shall not be occupied unless and until the 'No Parking' and 'Give way to oncoming vehicles' signage shown on Drawing No. NJC-004 has been provided on site in the positions shown. The signage shall thereafter be retained and maintained.

Reason: To ensure acceptable manoeuvrability on site and in the interest of highway safety having due regard to policies DM11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendix A Conditions:

In addition the following Conditions of Planning Permission APP/19/00542 can be discharged / part discharged:

Partial Discharge of Conditions 7 (Construction Management Plan), 8 (Contamination), 16 (Ecological Enhancements), Condition 18 (Traffic Control) and discharge of Condition 19 (Means of Enclosure).

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Condition of Planning Permission APP/19/00542.

Condition 19

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

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

Details Submitted:

Ecological Enhancement Plans 17023-161 C uploaded 30th October 2023
Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Reasons for approval

The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

The following conditions are part discharged:

Condition 7

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

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

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

Details Submitted:

Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Highway Technical Note Nick Culhane uploaded 9th May 2024

Extent of Discharge:

The condition is part discharged in relation to the following parts only: (a), (c), (d), (e) and (f).

Condition 8

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

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

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

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

- 3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - appropriately considered remedial objectives,
 - an appraisal of remedial & / or risk mitigation options, having due regard to sustainability, and;
 - clearly defined proposals for mitigation of the identified risks.

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

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

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

Details Submitted:

Environmental Desk Study and Preliminary Risk Assessment Apple Environmental
November 2022 uploaded 30th October 2023

Extent of Discharge:

This condition is part discharged in relation to Part 1 only.

Condition 16

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

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

Details Submitted:

Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023

Extent of Discharge:

This condition is discharged in relation to the details of ecological enhancements. The condition cannot be fully discharged until the enhancements have been implemented prior to occupation.

Condition 18

The development hereby permitted shall not be occupied prior to the submission of details to and their approval in writing by the Local Planning Authority in relation to traffic control measures with regard to the 'tunnel' through the existing building. The traffic control system shall thereafter be carried out prior to occupation and maintained in accordance with the approved details thereafter.

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

Details Submitted:

Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Highway Technical Note Nick Culhane uploaded 9th May 2024

Traffic Management Plan Drawing No. NJC-004

Swept Path Tracking Drawing No. NJC-002 Rev A

Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023

Proposed Elevations - Traffic Lights Drawing No. 17023-551 Rev A

Extent of Discharge:

This condition is discharged in relation to the details of the traffic control measures. This condition cannot be fully discharged until the traffic control system has been carried out prior to occupation.

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

Alex Robinson

Alex Robinson Executive Head of Place
Date: 19 July 2024