
Site Address:	Former site of Colt International Ltd, New Lane, Havant, PO9 2LY		
Proposal:	Application for Non-material amendment to Planning Permission APP/19/01166 relating to - omit the existing concrete stairs, to capture the realigned Southern cycle footpath.		
Application Type:	Non-material change		
Application No:	APP/22/00983	Expiry Date:	10/11/2022
Applicant:	Mr Allchurch Drew Smith Limited		
Agent:	Mr Vincent MH Architects Limited	Case Officer:	David Eaves
Ward:	Bondfields		

Recommendation: **GRANT PERMISSION**

1 Site Description

This site is the former Colt International industrial premises and lies to the west of New Lane, south of Bartons Road and east of Martin Road. The site has been cleared of the former industrial buildings and residential development is nearing completion with flats, terraced, semi-detached and detached houses. These were granted reserved matters consent under planning permission APP/19/01166. The site has two distinct areas with an upper part to the western side (approx 1/3rd of the site) set significantly higher than the eastern part set lower. Between the two is a steep bank with drainage features.

Between the two sections there are a set of steep steps which this application seeks to remove. There is also a road and 3m wide shared footpath and cycle way route between the western and eastern sections of the site running along the southern side of the development. There is proposed to be a slight re-alignment to the southern cycle / pedestrian route to the southern boundary close to the New Lane frontage.

With regards to surrounding uses, to the south are industrial buildings fronting New Lane and a more modern industrial estate with access to Martin Road. To the west beyond Martin Road is the Church of St Alban, a residential property (Vicarage) and a Skate Park. To the north beyond Bartons Road are residential properties and to the east are other industrial units within New Lane industrial estate.

2 Planning History

01/50098/016 - Renewal of Temporary Permission 99/50098/15 for retention of research test rig for environmental monitoring located on roof on east side of building., TPP, 12/07/2001

99/50098/015 - Research test rig for environmental monitoring located on roof on east side of building, TPP, 16/03/2000

93/50098/006 - Raising roof on existing store on north elevation to form test house, PERM, 06/07/1993

93/50098/009 - Two internally illuminated box signs to replace existing applied neon signs., PERM,

04/50098/017 - To replace wooden perimeter fence along Bartons Road and Martin Road boundaries with galvanised steel palisade fence to a height of 2 metres., PERM,20/12/2004

GEN/12/00875 - Proposed replacement windows incorporating ventilation louvres, ,31/10/2012

APP/17/01001 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration of the site (Approved 11.10.17). Request to Discharge Condition No.s 3, 6 and 7 (16.01.18). , PAYA,11/10/2017

GEN/17/01158 - Screening Opinion - Colt International., ,16/10/2017

APP/18/00244 - Outline application with all matters reserved. Mixed use development comprising up to 100 new homes, including up to 40% affordable, 2860 sqm of employment floorspace and improved access onto New Lane and Martin Road. On-site parking for residential and employment uses. Landscaping to be provided, including acoustic bund to rear of employment units and naturalisation of existing watercourse (full details to be submitted at a later stage) (Approved 30.01.19) Request to Discharge Conditions 4 & 18 and partially Discharge Condition 8 (20.02.2019). Request to Discharge Condition 4 (6.01.20).Request to Discharge Conditions 15 & 16 (20.12.19) and Condition 5 (6.2.20. Request to Discharge Condition No.s 6,7,8,11,14,17,18,19,21 & 25 (22.07.20).Request to discharge condition 9 (04.05.22), PERM,30/01/2019

Officer Comment: This is the original outline permission which related to residential and employment floorspace (the employment area is to the east of the residential area).

APP/19/01166 - Reserved matters application following Outline Planning Permission APP/18/00244 relating to access, appearance, landscaping, layout and scale for residential development of 94 dwellings and discharge of requirements of conditions 5 (ecological mitigation and enhancement strategy), 15 (vehicular access points) and 16 (pedestrian and cycle links) (Approved 24/06/2020). Request to Discharge Conditions 2, 3, 4, 5, 6 and 7 (15/07/2020). Request to Discharge Conditions 8, 13 and 14 (01/07/2021). Request to discharge condition No. 12 (13/10/2021). Request to discharge condition No/s 2 and 9 (27/10/2021)., PERM,24/06/2020

Officer Comment: This is the application which is sought to be amended by the current proposals.

APP/20/00647 - Application for non-material change to planning permission APP/19/01166 relating to realignment of shared footpath and cycle way from South of the site to further North., PERM,26/08/2020

APP/20/00822 - Application for non-material change to Planning Permission APP/19/01166 relating to relocation of vehicle & cycle parking spaces and reconfiguration of pedestrian access ramp from Barton's Road., PERM,09/11/2020

APP/20/00838 - Deed of Variation of S106 relating to: (1) The removal of Clause 19; (2) the definition of "Chargee" in the First schedule includes successors and is circular; (3) allowing an MVSTT valuation of a period of 3 months; (4) the definition of "Disposal" to exclude a charge to avoid ambiguity; (5) the reference to "diligently and actively" at paragraph 4.2.2 to be removed. - Current Application

APP/21/01233 - Application for Non-Material Amendment to Planning Permission APP/18/00244 to vary conditions 12 & 13 to allow for relief from the requirements under these conditions for the implemented residential dwellings., PERM, 14/12/2021

3 Proposal

Application for Non-material amendment to Planning Permission APP/19/01166 relating to - omit the existing concrete stairs, to capture the realigned Southern cycle footpath.

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

CS16	(High Quality Design)
CS20	(Transport and Access Strategy)
DM11	(Planning for More Sustainable Travel)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Hampshire Highways

Whilst the Highway Authority considers that the existing stairs would have aided permeability through the site, it is acknowledged that there are alternative pedestrian links through the development and onto Bartons Road which represent suitable alternative provision.

The Highway Authority therefore recommends no objection to the proposed NMA application.

5 Planning Considerations

- 5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.
- 5.2 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) Appropriateness of design and impact on the character of the area
 - (iii) Effect on neighbouring properties
 - (iv) Impact on permeability / non-car based travel
- (i) Principle of development
- 5.3 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development control criteria. The residential development has Outline and Reserved Matters consent and this proposal relates to the removal of a staircase route which was part of the original industrial site and was shown to be retained on the Reserved Matters consent. The implications of the staircase routes removal are considered below.
- 5.4 The stairs are relatively steep and the applicant has expressed concerns over the future safety of the stairs.
- 5.5 The proposal also shows a slight re-alignment to the southern shared footpath/cycle route, the re-alignment is proposed to retain southern boundary trees. A revised plan has been provide to show the previously approved landscaping to the north of the route can still be provided.
- (ii) Appropriateness of design and impact on the character of the area
- 5.6 The staircase is located on the steep bank between the higher western and lower eastern levels of the site. The bank is grassed and the stairs are constructed in concrete. The application plan shows the *existing steps demolished, graded and landscaped to match adjacent slopes*. A condition is recommended to ensure that the bank is graded and landscaped and subject to this the proposals would have an acceptable impact on the character and appearance of the area.
- 5.7 The southern cycle pedestrian route would be slightly repositioned at its eastern end, this would allow for existing trees to be retained whilst accommodating previously approved planting. This is considered acceptable.

(iii) Effect on neighbouring properties

- 5.8 The staircase is located within the development site and would have no impact on residential properties outside the development site. In relation to the new residential properties the staircase is located to the east of flat units 14-25 and to the west of a parking area with residential houses beyond. It is not considered that there would be any impact on the residential amenities of the nearest properties resulting from the removal of the staircase. The change to the cycle/pedestrian route would not impact residential properties.

(iv) Impact on permeability / non-car based travel

- 5.9 The staircase would have provided a further link between the two levels of the site although it has to be accepted that the route is steep and would not have been suitable to many potential users. The site is considered to remain permeable with the road, cycle and pedestrian link to the southern side of the site and links from the site secured to Martin Road and Bartons Road from the western side of the development and Bartons Road and New Lane from the eastern side.
- 5.10 Notwithstanding that this is a NMA application, consultation has taken place with the Highways Authority and it is noted that no objection to the proposal have been raised. Overall the removal of the staircase route is considered acceptable and suitable alternative routes for pedestrians are provided. Cyclists would not have easily used the staircase route but have alternative links to the surroundings.
- 5.11 The proposed changes are relatively modest and it is considered they are unlikely to lead to an adverse impact to the character of the area, neighbouring properties and the development continues to offer permeability and can therefore be considered as non-material.
- 5.12 The minor change to the pedestrian/cycle route alignment would not negatively impact the usability of the route and is considered non-material.

6 Conclusion

- 6.1 Overall, the proposed alteration to planning permission APP/19/01166 is not considered to result in a material change to the extant planning permission and the change is recommended for approval.
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7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00983 subject to the following conditions

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

Site Location Plan Drawing No. 001 Rev P02
Proposed NMA Site Plan Demolition of Steps, Realignment of Path Drawing
No. 0006 Rev P04

Reason: To ensure provision of a satisfactory development.

- 2 The area of the existing steps to be demolished shall be graded and landscaped to match the adjacent slopes within 3 months of the steps being demolished unless otherwise agreed in writing by the Local Planning Authority. The landscaping shall thereafter be retained and maintained.

Reason: In the interests of the character and amenity of the development and to accord to the approved development having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.