

2 Planning History

00/52191/026 - Demolition of SMA building and erection of a new high bay warehouse for storage of pharmaceutical products (to east of SMA building), S106,12/02/2002

03/52191/032 - New security building to north of car park., PERM,16/06/2003

03/52191/033 - Application to crown raise two Holm Oak trees (T1 & T2) subject to TPO 1034., PERM,02/07/2003

03/52191/034 - New HVAC plant for warehouse located in south east corner adjacent to railway and north west corner close to Stanbridge Road entrance., PERM,20/11/2003

04/52191/035 - New HVAC Plant for Warehouse situated in South East corner adjacent to railway and North West corner close to Stanbridge Road entrance (resubmission), in order to seek a revision to Condition 3 of planning permission 03/52191/034 with respect to noise level., PERM,26/03/2004

04/52191/036 - Application to fell Poplar tree, T2 subject to TPO 1034., PERM,11/10/2004

07/52191/037 - Re-roofing of existing pitched structure with one DDA compliant reception., PERM,03/09/2007

08/52191/038 - Alteration to existing access and associated works. Facade reinstatement post demolition., PERM,02/05/2008

08/52191/039 - New pallet store (108.75 sq m) abutting existing maintenance building which will also be reclad to match adjacent buildings., PERM,09/06/2008

08/52191/040 - New Packaging Hall extension and new electrical intake switchboard., S106,16/09/2008

08/52191/041 - Discharge of Condition No.s 2,3,4,5,6,7,9,10,12,13,15,19,20,22 and 23 of Planning Permission 08/52191/040., PERM,12/11/2008

08/52191/042 - Discharge of Condition 2 of Planning Permission 07/52191/037., PERM,23/12/2008

09/52191/043 - Variation of Condition No. 22 of Planning Permission 08/52191/040 to allow for the insertion of 2No. additional double windows to the east facing elevation of packaging hall., PERM,18/05/2009

09/52191/047 - New raised roof parapet to existing site building, south elevation of building 'M'. , PERM,27/01/2010

APP/10/00902 - Application for the temporary Planning Permission for the siting of 8No. Portacabin and 6No. steel containers with hardstanding area., TPP,17/01/2011

APP/10/00955 - Construction of new cold storage warehouse facility., PERM,28/02/2011

APP/11/00298 - Discharge of Condition No/s 2, 3, 4 and 10 of Planning Permission APP/10/00955., PERM,23/06/2011

APP/11/00969 - Discharge of Condition No/s 12 & 13 of Planning Permission APP/10/00955, PERM,14/07/2011

APP/11/01212 - Application to determine whether prior approval is required for the method of demolition of 5No. buildings (including: main administration building (u); workshop (t); boiler house (r); warehouse (q) ;and switch building (s)) and any proposed restoration of the site., PARR,06/09/2011

APP/11/01460 - Application to determine whether prior approval is required for the method of demolition of 5No. buildings (including: main administration building (u); workshop (t); boiler house (r); warehouse (q) ;and switch building (s)) and any proposed restoration of the site. (Revised application.), PARP,21/10/2011

APP/12/00117 - Installation of 9No. windows at second floor level, south and east elevations., PERM,04/04/2012

APP/12/00164 - Erection of a new section of palisade security fencing to height of 2.65m, to sub divide north and south sites at 32 New Lane., PERM,05/04/2012

APP/12/00600 - Discharge of Condition No. 2 of Planning Permission APP/12/00117., ,26/07/2012

APP/13/00404 - Remodelling of north elevation to incorporate demolition of existing 3 storey offices; installation of loading doors, new cladding provision of service yard and reorganisation of parking areas. Over cladding of west elevation., PERM,27/06/2013

APP/13/00836 - Installation of ground mounted solar PV modules in two phases., PERM,16/10/2013

APP/13/00837 - Erection of new metal-clad substation enclosure., PERM,16/10/2013

APP/14/00378 - Insertion of 2No. new fire escape exit doors in west elevation of Block N. , PERM,03/06/2014

APP/15/00365 - Replacement of two existing external stand alone blast freezers with one large blast freezer building with integral link to existing warehouse facilities., PERM,26/06/2015

APP/16/01061 - Application to determine whether prior approval is required for the method of demolition of building including slab removal and any proposed restoration of the site., PAYA,10/11/2016

APP/16/01100 - Extension of existing site security offices to form new reception area and ancillaries., PERM,04/01/2017

APP/16/01142 - Erection of prefab building to house electrical services., PERM,20/12/2016

APP/17/00257 - Refurbishment of existing Site Security Offices with new side extension to form new reception area., PERM,05/05/2017

APP/17/01085 - Erection of replacement perimeter security fencing along the northern and eastern boundaries of the site with 2.4m high painted palisade fencing.,
PERM,07/12/2017

APP/19/00532 - Erection of new and replacement perimeter security fencing 2.4m high with new security gates at site entrances along the North Western boundary.,
PERM,19/07/2019

GEN/20/00451 - Redevelopment of industrial land for the erection of a distribution warehouse building and a vehicle storage deck (Use Class B8), construction of an additional access, car parking and associated works ,25/08/2020

APP/21/00200 - Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure. **Current Application** This application was considered at the Council's Planning Committee on the 9th September where it was resolved to grant consent subject to a number of matters including the completion of a S106 Agreement.

3 Proposal

- 3.1 Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration.
- 3.2 The application is submitted for demolition under GPDO Schedule 2, Part 11 Class B - the relevant parts of which for this consideration state:

Class B – demolition of buildings

Permitted development

B. Any building operation consisting of the demolition of a building.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(b) where the demolition does not fall within paragraph (a) and is not excluded demolition—

(i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site;

(vii) the development must not begin before the occurrence of one of the following—

(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or

(cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

(viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa) where prior approval is required, in accordance with the details approved;

(bb) where prior approval is not required, in accordance with the details submitted with the application;

3.3 The application has been submitted with the following supporting information:

Covering letter
Existing Tree Schedule
Ecological Impact Assessment
Demolition Plan
Construction Management Plan
Arboricultural Impact Assessment and Method Statement
Tree Retention
Tree Constraints Plan

3.4 On the 19th August 2021 it was confirmed that 'Prior Approval is required for the method of demolition and any proposed restoration. The letter confirmed the requirements for the Prior Approval Stage. This included clarification on the extent of demolition, the hours of work, Environmental Health recommendations and Arboricultural requirements.

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)
CS15	(Flood and Coastal Erosion)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

DM18	(Protecting New Development from Pollution)
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Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

I confirm the TPP fencing is adequate and meets with the agreed protection measures.

I confirm that I am happy for this condition to be signed off by David.

Building Control, Havant Borough Council

Section 80 / 81 Notices have been served under 21/1576/DM

No further comment at this time

Councillor Alex Rennie

No comments received

Councillor Imogen Payter

No comments received

Councillor J Branson - St Faiths

No comments received

Councillor Richard Stone

No comments received

Councillor T Pike - St Faith's

No comments received

County Ecologist

Thank you for your consultation. There are no additional ecology comments in relation to the updated information submitted.

Environment Agency

No comments received

Environmental Health

Observations / Comments:

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have read the enclosed documentation provided by the applicant and can comment as follows:

It is noted that the Construction Management Plan & the Collins Demolition Plan, differ in the advised times of work and as such I will request a Condition be imposed to clarify those.

I would ask that the following condition(s) be imposed, if prior approval is to be required:

Condition 1:

The advised demolition and clearance works to closely follow the mitigation measures for the control of noise / vibration and dust, as proposed under the following submitted documents: TSL Construction Management Plan dd 12/01/2021; & Collins Demolition Plan for 32 New Lane; and also the guidance as provided for noise and vibration under BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, and Part 2: Vibration (BSI, 2014v); and the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities

Reason: This is in order to protect the occupants of nearby residential properties from noise / vibration and dust nuisance.

Condition 2:

No works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 –13.00.

Reason: This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance.

I would also offer a suggestion that the contractor erect notices at suitable points on the site boundaries, advising of an available contact telephone number, for any local residents or businesses who may be adversely affected at any point and might wish to make contact with site management.

The above comments shall in no way prejudice any response / comments that may be or have been, submitted by the Environmental Control officer, Environmental Health. Please do not hesitate to contact me if you wish to discuss any of the above matters raised or would like further explanation.

Environmental Health - Environmental Control Officer:

Further Comments:

Observations / Comments:

I have reviewed the amended Demolition Plan (Collins Demolition Ltd. CDL140MS rev 1 06/09/2021) & Construction Management Plan (TSL, 20/08/2021, issue 4). I note that all recommended amendments have been incorporated within the text of the respective reports, and that the authors have aligned the proposals & provisions of each of these reports both with each other, and with the recommendations of Environmental Health (alongside other planning consultees).

I have no further comments to make. In line with prior comments, I would not object to a determination that prior approval is not required, or indeed to a determination that prior approval is required, and is to be approved where undertaken in accordance with the submitted plans.

If development management are minded to take the latter approach, I would reiterate my colleague's prior recommendation for a planning condition to secure that works progress in accordance with the submitted / approved plans & a range of standard industry guidance.

The condition is considered to go beyond simply listing the plans as approved documents, due to it's requirement to observe specific industry standards that are not all explicitly referenced within the respective plans. Marks comments reproduced below (blue text). I have purposefully omitted the previously recommended 'condition 2' (hours of work) as it's requirements have been fully incorporated within the above-referenced amended plans.

'I would ask that the following condition(s) be imposed, if prior approval is to be required:

Condition 1:

The advised demolition and clearance works to closely follow the mitigation measures for the control of noise / vibration and dust, as proposed under the following submitted documents: TSL Construction Management Plan dd 12/01/2021; & Collins Demolition Plan for 32 New Lane; and also the guidance as provided for noise and vibration under BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1:

Noise, and Part 2: Vibration (BSI, 2014v); and the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities

Reason: This is in order to protect the occupants of nearby residential properties from noise / vibration and dust nuisance. '

Officer Comment:

The agent has confirmed that this requirement will be met as conditions cannot be imposed but works have to take place in accordance with the approved details.

Original

Observations / Comments:

I have reviewed the supporting documentation to this application alongside the application cover letter. I note that my colleague has highlighted inconsistencies between the (general) Construction Management Plan (CMP) and Collins Demolition Plan (DP). This is perhaps unsurprising, given the different authors – but it does result in a lack of clarity on the means of undertaking the demolition works.

I would also highlight that there is a contradiction between the text of the cover letter & application description, and the scope of works outlined within the DP. Specifically:

- the cover letter states that '*...excavation of any substructures and foundations will need to be approved via the current planning application APP/21/00200*' (assumed to refer to the anticipated ground contamination conditions suite),
- the application description states that the scope of activity is limited to '*... buildings...slab removal and any proposed restoration*', whereas;
- the DP extends the scope of work to include works to '*...expose and remove all below ground obstructions such as historic footings, foundations, basements and tanks.*'

The Outline Remedial Strategy & Implementation Plan proposes additional investigation as a 'remedial' measure. The scope of works outlined within the demolition plan risks prejudicing these investigations, through internal relocation of spoil which will harm (or possibly preclude-) the ability to draw conceptual inferences from soils results. Given this risk, I would recommend that either;

- i) all below slab works are overseen by a Geo-Environmental consultant, or
- ii) that the proposed (and required) investigative works are scheduled to be undertaken at appropriate points within the demolition timetable (e.g. to follow slab removal, and precede works to 'expose and remove of all 'below ground obstructions')

It is unlikely that the full scope of demolition works could be undertaken with sufficient care & discipline so as to avoid the translocation of soils originating in areas of the site that are scheduled for further investigation, so as to avoid prejudicing the contamination assessment.

In terms of the associated conditions (EA proposed conditions [1] – [4], with EH proposed amendments), it would appear that the scope of works would not be contrary to the principal condition (as proposed). That condition does not seek to limit the 'demolition' exception to above ground elements, and as a result, the works could be accommodated without there being a strict need to address APP/21/00200 conditions discharge as a parallel administrative process.

In terms of risks, the removal of slabs will introduce additional drivers for contamination migration. Exposure and removal of below ground obstructions will increase these drivers (create voids, increase surface area exposed to percolation of rainfall, create low points and preferential drainage / soakage points etc.). Were the timetable not as tight as proposed, or were there greater uncertainty as to the likely limit of the previously identified contamination, this might be a greater concern. As it stands, I am content that the exposure of soils (and associated introduction of new mechanisms for contamination mobilisation/migration-) does not represent an unacceptable risk.

In principle, the above-highlighted risk of prejudicing assessment could be regarded to be a risk to the applicant, rather than a material planning issue – whilst there is a risk that (in the event that investigation follows execution of the full scope of the DP-) the investigative effort may be increased, the assessment work would still be caught by the anticipated APP/21/00200 conditions, and would still be required to the same standard. The risk to the applicant is in both the potential for additional complexity/cost of the proposed works, and to the construction timetable in the event that conditions discharge issues arise as a result.

The Council could accept that these are matters which are insufficient to require approval of the method & scope of demolition, and that the applicant is bound both by the anticipated APP/21/00200 conditions, and the general liabilities established under the NPPF.

Construction Management Plan

The plan is largely acceptable, and contains some examples of best practice (e.g. Air Quality & Dust monitoring throughout works). I note some inconsistencies between the CMP and DP, and a couple of provisions which give rise to potential for pollution concerns. In the interests of brevity, listed below with minimal discussion;

- Sheeting of (vehicle hauled) 'contaminated' material is proposed. No similar provision is made for other materials – all dusty material transported off site should be sheeted.
- 'Temporary site drainage, including site runoff' is proposed to be discharged to 'sewers where appropriate'. The CMP does not make clear whether drainage will be segregated, or whether runoff will be directed to foul in order to prevent excessive siltration of watercourses. It should be noted that the public surface water sewer discharges direct to the Lavant at 472122 107239, 250m from the site, and that suspended solids represent a significant pollutant. If drainage systems are to be segregated, I would recommend that provisions are made to avoid excessive sediments from entering the public surface water sewer network (or indeed, other chemical pollutants being transmitted via this vector to the statutory main river, where EQS's apply)
- Refuelling procedures outlined within the DP are inconsistent with provisions of the CMP – in particular, in respect of the use of drip protection, and where refuelling may take place. Use of drip trays is best practice, and should be observed where practical.

Conclusions

Given the anticipated protections under the related application, I do not consider it to be necessary to require prior approval of demolition works. Risks are flagged to the applicant, and recommendations are made in the interests of the applicant, in order to facilitate a smooth transition to onward development.

Pollution prevention recommendations are given as recommendations only – the CMP is a live document, and may be amended to account for these issues. In the event of a pollution incident, the Environment Agency would be the appropriate enforcement body, and liability would rest with the developer / principal contractor. I am assuming that it is reasonable to regard external pollution enforcement regimes as falling within the remit of NPPF 2021 para. 188 (pollution control regimes), given the temporary nature of these works and the developers general liabilities / duty of care.

On this basis, I don't regard the limited range of issues highlighted as sufficient justification for requiring prior approval of demolition works.

Hampshire Highways

To address the highway implications of demolishing the existing buildings, a Construction Management Plan (CMP) has been submitted.

The document satisfactorily addresses wheel washing facilities, contractor routing to the site and commits to avoiding deliveries during the local network peak hours to avoid additional congestion. Contractor parking will take place only on-site; however, a note should be added to the document which confirms that no overspill parking will take place on the highway. The Highway Authority acknowledges that the CMP is a live document and the change can be made prior to commencement of works on-site.

The Highway Authority are satisfied that the CMP addresses the highway implications of the demolition works and therefore no additional information will be required.

Landscape Team

From a landscape perspective we have no adverse comments in relation to this application.

Portsmouth Water Company

Thank you for consulting Portsmouth Water on this application. We are satisfied with the Construction Environmental Management Plan and therefore have no adverse comments on demolition on this site.

Hampshire Biodiversity Information Centre:

On Site - Notable and Protected Species - Bat (Injured Bat collected on site.

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: 73

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I comment as a neighbour of the Pfizer site, living in Nutwick Road with house and garden backing onto the site, across the railway line.	
Prior approval is needed to ensure that the demolition causes the least amount of disruption to people living near the site.	Noted
The TSL Construction Management Plan provides advice about how best to control noise, dust, and vibration, with the best timing for the demolition, September to March with daily time restrictions. Planning permission can ensure that agreement to the demolition is conditional on this CMP being followed. There also needs to be adequate supervision of the work to ensure that this is the case.	The CMP would need to be complied with
To provide protection from dust, protective hoardings will be needed around the site. Appendix A of the TSL report does not clearly show what height these should be, but we would like them to be as high as possible to maximise protection for us and other neighbours.	Hoardings are currently shown to the access to the site prior approval will allow consideration to be given to wider requirements.

As many trees, shrubs and hedges as possible should be retained on the site, and permission should also be conditional on supervision of work by an arboriculturist when working close to Root Protection Areas. One would like to see more trees planted, not just to replace those lost, but also to help counteract the high level of CO2 which will be generated by the site in future. A line of native trees could be planted parallel with the tall poplars on the eastern boundary to provide additional screening for neighbours. Advice contained in the Lizard Ecological Impact Assessment should also be followed, with a survey by a trained ecologist before demolition begins.	Tree protection measures have been agreed with the Council's Arboricultural Officer. The related planning application would secure wider landscaping proposals and planting. Demolition would need to take place in accordance with the Ecological Impact Assessment.
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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) method of demolition
- (iii) any proposed restoration of the site

(i) Principle of development

7.2 The application site is a former pharmaceutical business which has recently closed on site. The proposal would result in the demolition of the specialist buildings on site. There is a current planning application reference APP/21/00200 which relates to the re-development of the site. The demolition of the buildings is subject to an application under GPDO Schedule 2, Part 11 Class B to determine whether Prior Approval is required.

(ii) Method of demolition

7.3 The application is accompanied by detailed supporting information which includes a Demolition Plan which describes the Scope of Works as follows:

The works comprise general site clearance, removal of asbestos containing materials and soft stripping works prior to the demolition of the former Pfizer buildings and its associated structures down to slab level.

In addition to the buildings to be demolished on site, there are 2 no. tanks located in the north eastern corner of the site. These tanks were part of the former firefighting system for the Pfizer buildings and are therefore understood to contain water. Collins Demolition shall use this water to provide dust suppression during demolition and crushing activities.

Following demolition of the buildings to slab level, the former ground slabs of the demolished buildings (and the ground slab of buildings previously demolished) shall be removed to allow,

Subject to Planning Approval, for further excavation works to be undertaken to expose and remove all below ground obstructions such as historic footings, foundations, and tanks that

are no longer intended to be used. Initially we will be excavating down to 1.5mtrs below OGL and seeking advice from the Client as to foundations below that depth.

Regarding excavation works an Geo Environmental Consultant will be present for a watching brief during any demolition/site clearance that goes below slab level.

Following the demolition and excavation works, all materials shall be processed into suitable waste streams and removed from site.

Any clean brick and concrete materials arising from the demolition and excavation works shall be crushed to a 6F2 and Type 1 specification and stockpiled within the confines of the site boundary for use in the proposed development.

7.4 The Demolition Plan provides the following information in relation to the Demolition Route Plan:

In general, the demolition and ground works shall be undertaken in 3 phases.

Phase 1: Weeks 1 and 2

Collins shall demolish the bike sheds on the eastern site boundary to make access for TSL site cabins. In addition, Collins shall start removing the hard standing area in the car park located adjacent to the existing security hut.

Collins shall remove all gravel from the footprint of the building previously demolished to expose and break open the former slab remaining below. Following removal of the former ground slab, Collins shall excavate to expose and remove all historical obstructions such as footings and foundations.

During this time, Collins shall commence demolition of Building A and Building B (Low Bay Warehouse) to open up the north eastern corner of the site.

This area of the site will become the processing and crushing area for all materials arising from the ongoing demolition and ground works. Water from the former tanks located in the north eastern corner will be utilised to provide dust suppression during crushing activities.

Preparation works, in the form of manual soft stripping, will be undertaken to Buildings D (former goods in/ out) and to the admin wing of Building G (former packaging facility).

Following soft stripping, Building D will be demolished.

Phase 2: Weeks 3, 4, 5 and 6

Collins shall demolish Building C (former Packaging Facility), Building E (former High Bay Warehouse) and Building F (former Cold Store) utilising the high reach machine.

Collins shall demolish Building G (former Packaging Facility) utilising traditional demolition excavators.

Following on from the demolition of Buildings A, B and D in Phase 1, Collins shall commence the removal of the former ground slabs prior to excavating beneath the slab to expose and remove all historic footings and foundations.

Phase 3: Weeks 7 through 10

Following on from the demolition of Building C, Building E, Building F and Building G, Collins shall commence the removal of the former ground slabs prior to excavating beneath the slab to expose and remove all historic footings and foundations.

At the end of the week 8, Collins shall proceed to demolish the former water tanks located in the north eastern corner of the site. Following demolition, all slabs, footings and foundations shall be removed from this area.

- 7.5 The Demolition Plan confirms that: *All access and egress to the site shall be via the gated entrance located off New Lane on the sites eastern site boundary - this is the northern existing access to New Lane.*
- 7.6 Details of Waste and Material management including Asbestos Management are provided. In addition dust suppression measures are addressed and noise management requirements for the Principal Contractor.
- 7.7 A Construction Management Plan has also been submitted this sets out Working Hours which are stated as:

Working Hours

No works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 –13.00.

Please note, weekend work will only take place where completely necessary. If this does occur, we will ensure that any particularly noisy activities take place between 9am and 1pm and where possible all work will be internal.

- 7.8 It is noted that measures aimed at reducing noise, vibration, dust, stockpiles, wheel washing etc are proposed within the CMP. Haul routes (via B2149 and Crossland Drive) are also set out. Parking would be on site and the site would be secured using a mix of timber hoarding and Heras Fencing. In addition the CMP states:

The Project Manager, Site Managers and Emergency Contacts contact details will be displayed on the sites front entrance hoarding and in the welfare areas in the event that they are required to be contacted regarding an emergency or for any other matters, including deliveries.

A complaint handling procedure and community engagement strategy has been developed by TSL Ltd to ensure that the local community are correctly informed of progress and any complaints are dealt with in a timely and efficient manner. The complaints handling procedure will be reviewed at future construction meetings with the Council and modified, as necessary, to ensure its continued effectiveness.

TSL Ltd have appointed a dedicated Community Relations Ambassador, who will be focussed on engaging with the community, local businesses and Network Rail to provide appropriate information and to be the first line of response to resolve issues of concern. Reasonable steps will be taken to engage with all residents including those who may be differently affected by construction impacts. Occupiers of nearby properties will be informed in advance of any work taking place.

The Community Relations Ambassador will be responsible for receiving, recording and responding to external complaints. The guiding principles of the formal complaints' procedure are summarised below, please also refer to the Methodology of Addressing Neighbourly Matters.

- 7.9 The CMP states that: Any temporary site lighting that will be utilised will be pointed down and away from residential areas and ecologically sensitive areas. Proposals for Site Waste Management are also set out.
- 7.10 In relation to trees and tree protection, the details submitted include those relating to the linked planning application for redevelopment of the site and the Council's Arboricultural Officer commented in relation to that application:

The Tree Constraints plan, AIA, AMS and TPP supplied by Lizard are comprehensive documents and if fully adhered to will allow for the retained trees on this site to grow on unharmed in the future and in some instances for some trees the immediate rooting medium will be improved due to the removal of hard surfacing and the introduction of soft landscaping.

There are a number of trees required to be removed to facilitate the development, but none could be considered specimen or irreplaceable and will be more that adequately mitigated for with the proposed new tree planting scheme. The site will in fact be improved in terms of tree cover rather than negatively affected.

In terms of the part hedge removal, I defer to our colleagues in CELT for their opinion.

If permission is given for this application, then the following must be conditioned to ensure the trees are adequately protected:

- *Pre commencement site meeting with Site Agent, Arb Consultant and HBC representative to ensure that all tree protection is correctly in place.*
- *The AMS and TPP must be strictly adhered.*
- *Any new underground servicing must be undertaken outside of tree RPA.*

- *All works within the RPA must be supervised by the Arb Consultant.*
- *New trees must be maintained and any losses that occur in the first 5 years must be replaced by the site owner / lease holder.*

The CMP confirms:

The Demolition shall not commence unless and until a pre-commencement site meeting with the appointed contractor, the applicants Arboricultural Consultant and a Havant Borough Council Arboricultural representative has taken place to ensure that all tree protection is correctly in place. The tree protection shall thereafter be retained and maintained as approved for the duration of the demolition works.

The demolition shall take place in full accordance with the Arboricultural Impact Assessment and Method Statement Rev 02 Lizard Landscape Design and Ecology and Tree Retention and Protection Plan Drawing No. LLD2177-ARB-DWG-002 Rev 04. In addition all works within the Root Protection Areas of retained trees shall be supervised by the Applicants Arboricultural Consultants.

Points 1, 2 are relevant to the demolition phase and the site has now been visited by Arb Officers who have confirmed that tree protection is in place and acceptable. It is noted that the Landscaping Officer raises no concerns in relation to the Demolition proposals.

- 7.11 The site lies within Source Protection Zone 1c, Portsmouth Water have raised no objections in relation to the proposed demolition.
- 7.12 The proposal includes an Ecological Impact Assessment and the Council's Consultant Ecologist raises no additional comments to those made on the associated planning application (these raised no objections subject to suitable biodiversity enhancements). The demolition will need to be carried out in accordance with legal requirements in relation to protected species.
- 7.13 Overall, whilst the proposals are considered generally acceptable in relation to the Demolition proposals. Prior approval can therefore be recommended in accordance with the submitted details

(iii) any proposed restoration of the site

- 7.14 In terms of restoration details, these are considered limited, the Demolition Plan states in relation to Waste and Material Management:

All waste will be managed in accordance with the principles of waste hierarchy.

Where possible, materials will be reused or recycled.

No waste will be allowed to leave site until a Waste Transfer Note, or a Consignment Note for Hazardous Waste has been completed.

Waste will be segregated where possible, skips will be provided by Collins Demolition.

All waste movements to be pre-agreed with Principal Contractor.

7.15 The Construction Management Plan states:

With regards to stockpiles:

- Stockpiles shall be dampened down or covered to prevent dust, whilst the final choice shall be made by TSL Ltd. based on site constraints, but the options include covering with plastic / polythene membrane, or by a layer of clean soil material.
- Plant shall be appropriately loaded to prevent spillages.
- Stockpiles shall be kept to a minimum to reduce 'wind whip' causing potentially hazardous material to be blown from the pile.
- The drop distance from excavator bucket to stockpile / process plant shall be kept as short as reasonably practicable to reduce dust.
- Appropriate signage shall be displayed so that site workers / visitors are alerted to the potential hazards associated with the material to be stored on site.
- Roadways within the site shall be kept moist by spraying from a water bowser.

If any of the above mitigation methods are not adequate, or if complaints have been received then the works will cease until more successful methods are implemented.

7.16 Whilst the above details provide appropriate stock pile management, the demolition is clearly linked to a current application for the redevelopment of the site. The materials are proposed to be either re-used on site or removed if appropriate. The linked application has a resolution to Permit subject from Planning Committee subject to various matters.

8 **Conclusion**

- 8.1 In conclusion whilst the proposed demolition is considered acceptable in principle and is supported by the information provided, given the scale of the demolition works, the proximity of residential development to the site and the need to protect trees on site additional controls Prior Approval was required. The proposals now incorporate the required changes and it is considered that Prior Approval can be granted. The works will need to be carried out in accordance with the approved details.
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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PRIOR APPROVAL** for application APP/21/00783 subject to the following condition

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

Site Location Plan Drawing No. 7379-SMR-00-ZZ-DR-A-2001-S4-P3
Existing Site Plan Drawing No. 7379-SMR-00-ZZ-DR-A-2002-S4-P4
Havant Site Footprint Aerial Photo
Photographs of 32 New Lane
Construction Management Plan dated 23/08/21 Issue No.4
Collins Demolition Plan 1st Issue uploaded 16th September 2021
Arboricultural Impact Assessment and Method Statement Rev 02 Lizard
Landscape Design and Ecology
Existing Tree Schedule Rev 02 Lizard Landscape Design and Ecology
Tree Retention and Protection Plan Drawing No. LLD2177-ARB-DWG-002
Rev 04
Tree Constraints Plan Drawing No. LLD2177-ARB-DWG-001 Rev 03
Ecological Impact Assessment Rev 02 Lizard Landscape Design and Ecology
Covering Letter Fellows Planning dated 19th July 2021
Email from Fellows Planning dated 14th September 2021
Letter Fellows Planning dated 29th September 2021

Reason: To ensure provision of a satisfactory development.