

- 3.1 The proposal is for a mixed use development comprising the demolition of existing buildings (shop, 1no. flat, workshop, associated compound and 2no. dwelling houses) and construction of 18no. new build flats and 3no. shop units (planning class A1) with associated bin store, cycle store, vehicle parking and landscaping.
- 3.2 Vehicular access to the residential part of the site is proposed via West Lane at the

north eastern corner of the site adjacent No.3 West Lane.

- 3.3 The existing site development area totals 1,730sqm. The replacement building proposed is 2.5 storeys in height with a total floorspace of 1,576. The A1 commercial floor space would comprise a total floor area of 202 sqm, a reduction of -256sqm than the existing provision. The residential floor space proposed totals 1,374sqm and increase of 1,122 than existing.
- 3.4 The planning application is supported by a comprehensive set of plans and includes the following documents:
- Design and Access Statement;
Parking Strategy
Viability Assessment
Environmental Risk Assessment ,
Ecological Assessment,
Biodiversity Checklist.
- 3.5 The plans have been amended since submission, including elevational details to improve the urban design of the development.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS3	(Skills and Employability)
CS7	()
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

Supplementary Planning Documents -

Borough Design Guide SPD (Adopted Dec 2011)

Housing SPD (Adopted July 2011)

Parking (Adopted July 2016)

5 Statutory and Non Statutory Consultations

Building Control

Possible fire brigade access issues as it may not be possible to achieve the 45m to each point in the flats.

Window openings on the west elevation closest to the boundary should not exceed 1m² in area (unprotected areas).

The timber effect cladding on the west elevation should be 30 minutes fire resistant (unprotected areas).

A public surface water sewer is located on/near the site. Southern Water will require consultation.

Comment - *the planning agent has been made aware of this consultation response and SW have been consulted.*

Planning Policy & Urban Design

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough.

Policy Context

In principle the policies of the Local Plan support the proposed redevelopment of this site. It is within the identified urban area where further residential development is acceptable (CS17).

The site is also located within an identified Local Centre (West Town) and part of the current use is commercial/retail. The proposal maintains ground floor commercial uses facing Station Road which will continue to support the vitality and viability of the local centre in accordance with Policy CS4.

Parking Provision

I have concerns about the level of parking proposed. Based on the plans submitted (and assuming unallocated parking to particular dwellings) the 18No. unit scheme should provide 22 spaces (just 19 proposed). This falls short of the adopted and emerging targets for parking and also fails to provide any parking for workers of the commercial unit. It is recognised that the parking strategy proposed would not fall under the definitions of either allocated or unallocated, and in real terms is probably somewhere between the two. Further evidence should be provided to justify the level of parking proposed.

Other

As the proposal is for 18 dwellings, 30-40% should be affordable in accordance with Policy CS9. I cannot see any evidence that this has been considered in the information submitted by the applicant, nor any information to suggest that it has been omitted on viability grounds. Consequently the proposal does not comply with this policy.

Infrastructure

The proposal will need to comply with all aspects of policies CS20, DM11 and DM12.

Community Infrastructure Levy

Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the Borough.

Also, the SRMP contribution will be payable in accordance with policy DM24.

Conclusion:

The principle of this development is supported by the Local Plan subject to the provision of affordable housing. More information regarding parking is also required

Comment - *The onsite parking provision has been raised with the applicant and a parking strategy has been submitted. Following discussions with the LPA's Development Engineer, the applicant has agreed that a parking arrangement will form part of a legal agreement to manage the unallocated parking on site. Affordable housing provision has been subject to an assessment by an independent assessor (see section 7)*

Economic Development

Support the application so long as a binding agreement is entered into for an employment and skills plan.

Education Department

No comments

Hampshire Highways

No comments

Development Engineer

The limit of the Adopted Highway is the line of bollards that passes through the "shell design". The shell design was partly built on the private forecourt of the shop forecourt with the permission of the owner. The block and layout plan show the red line on the front face of the kerb but the Design and Access Statement shows the red line on the back of the footway.

The application is for 18 Flats and three shops and 19 unallocated parking spaces are shown along with cycle facilities. 20% of the parking spaces have charging points (if required) None of the spaces are shown as disabled spaces. It is normal to require 6% of the parking to be disabled i.e. one space.

The amount of parking is based on non allocation of spaces and has been justified within the Parking Strategy Document but the attention of the Planning Authority is drawn to paragraph 7.2 which states "The solution is to allocate parking spaces to households rather than to properties.

This simply means that a parking space is available for the exclusive use of a household upon request,

The local road network is protected by TROs and therefore there can be no highway reason for refusal. I leave it to the Planning Authority to determine the effect on the local public amenity due to the amount of parking provided.

Comment - *The submitted parking assessment justifies the levels of on site parking as the provision is unallocated the agent has been made aware of the LPA concerns with regard to any form of allocation and the parking arrangement will form part of a legal agreement to be agreed.*

Housing Needs Manager

This proposal would need to comply with Core Strategy policy CS9. 2 and provide 30-40% affordable housing **on-site**; this would equate to a minimum of 5 units (rounded up from 4.5), taking into account the **net** number of new dwellings being proposed which is 15. This number of units would trigger the obligation. Despite this requirement the applicants have made no mention of affordable housing provision to comply with policy, and furthermore, within section 4 of the Community Infrastructure Form, have stated that no affordable provision is proposed.

Demand for affordable housing remains high in the Havant borough; currently there

are 1963 households registered on Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 622 are waiting for two bedrooms. Many of these are looking to down size which would in turn free up larger affordable homes that can be used more effectively by providing accommodation for families.

Should this application be approved and proceed to final development it will help to improve the supply of this very limited resource and at the same time help towards the overall housing numbers required by the Borough.

The homes will provide much needed accommodation in a popular and very desirable location with good links to transport, health, education and amenity facilities.

The sizes of the units would appear to meet the ranges described in the HQI standards. A small number of the units meet the standards described in the current Nationally Described Space Standard to which affordable housing providers will be benchmarked by the Homes and Communities Agency.

1 and 2 bed apartments would be the preferable affordable provision in order to meet the needs of the borough. The proposal does include a small sized 3 bed apartment but lack of private space to the unit would render it unsuitable for a family which conceivably could consist of 3 or 4 children. It is possible that the apartments could be designated for more mature applicants, say over 55's with a size criteria determined by any Registered Provider, and in this case the inclusion of a lift would be of benefit for those residents with some mobility issues. In addition some of the ground floor properties could be made suitable for wheelchair users as a number have their own individual entrances.

Principle of Development: Housing would support this development in principle, but agreement MUST be reached regarding Affordable Housing Policy

Comment - *Since this consultation response was submitted the viability assessors have found that the scheme offers no capacity for affordable housing provision and the Housing Officer has agreed with their findings and is satisfied that this scheme will not contribute towards the Boroughs affordable housing requirement.*

Waste Services Manager

No concerns

Landscape Team

The updated drawings are in accordance with recent discussions and I have no comments to add. It may be appropriate to condition landscape materials.

Comment - *The submitted specification will be conditioned as part of the approved plans conditions and a further condition applied to require all external works to be completed prior to the occupation of any unit.*

Crime Prevention

Concerns with the following design elements, in summary:

Recesses to flat access

Access to flats from eastern elevation

Flat 1 access to be direct from Station Road

Flat 1 and 2 northern windows accessible from car park

Flat 3 gable end window

Benches at front

Access to cycle store from within fabric of the building

Parking

Lighting to external areas

Comment - *The agent to the application has responded and has revised the scheme accordingly where possible*

Public Spaces Development Manager

No comments

Southern Water

Exact position of pipes and sewers needs to be determined by the applicant

Comment - *The agent to the application has been made aware of this matter and has advised the consideration has been taken when designing the scheme.*

Traffic Management

HBC draft policy states that where mixed use, residential and commercial developments are proposed, the parking requirements for each element should be calculated individually, although, where appropriate, the Council will consider the shared use of parking between residential and commercial elements where it can be demonstrated that the relevant standards are met.

The draft HBC parking requirement for the residential use of this development is for 34 car spaces (1.7 of which should have disabled space dimensions) or 23 shared, plus commercial use at 1 per 20m² min

Within the submission seeking to justify a reduced level of parking provision the proposal is to provide only 19 car spaces. Only one of which has disabled dimensions. It is noted that this is only 7 more parking spaces than are currently available on site. In addition, no provision has been made on site for parking associated with the commercial element of the development and instead it is proposed that this will be catered for by the nearby off street car park. However, this existing car park is already well used during the day and no account appears to have been taken, (or indeed any survey undertaken to determine) the current available capacity of this car park during the day.

Whilst it is true that the local road network is protected by TROs in close proximity to the development, nearby Hamfield Drive has lengths of kerb line which are unprotected and where parking could cause obstruction and access issues for residents/deliveries. A TRO in this road would be required to deal with any potential issues resulting from the lack of parking provision

proposed. As a result the traffic team request that provision is made to request the sum of £3,000 from the developer to allow a Traffic Regulation Order (TRO) to be processed on the nearby road network at some future date

Comment - *This requirement forms part of the S106 for the application.*

Environmental Health - Residential and commercial team

I have read through the documentation provided by the applicant and have no objection to the development. I would however ask that the following condition and Informatives be added to any approval that may be granted.

Condition 1:

The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that 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.

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

Regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Regarding Dust Control:

You are hereby requested to ensure that dust mitigation measures are put in place, to prevent any potential dust nuisance from occurring during the demolition, excavation, clearance and construction phases of the development.

This is in order to protect the occupants of nearby residential properties from dust pollution.

Regarding light pollution:

You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the proposed building, is so positioned so as not to cause nuisance.

This is in order to protect the occupants of nearby residential dwellings from light pollution.

Environmental Health - Contamination

Contamination

It is noted that the Constructive Evaluation Ltd. Phase 1 Environmental Assessment (Ref:15.8909, Jan '16) identifies tangible environmental risks from on site sources (made ground) and off-site sources (liquid free- or dissolved-phase contamination migrating with groundwater).

Site investigation is recommended, and an outline scope is included. The investigation scope proposes target locations & depth for trial holes, provides an indicative number of samples & suite of target determinants, and makes provision for adapting the investigation scope based upon conditions encountered. Both made ground & natural soils are targeted, and groundwater sampling is included in the contingency arrangements.

These recommendations are considered to be appropriate to the identified potential sources and the scheme under application, and I would recommend that the proposed investigation and ancillary arrangements are secured by condition.

Recommended conditions

(1) - *Investigation & remediation*

(2) - *Verification*

It is not considered necessary to include an informative on the encountering of unexpected contamination, as the report submitted in support of this application makes appropriate recommendations in this regard.

Drainage

The application states that the site will not contribute to off-site flooding risk, however the proportion of hard-cover across the site is likely to be increased under these proposals relative to the existing, which may in turn increase runoff rates. No detailed surface water drainage strategy is provided, and it is not clear whether parking bays / paved areas will utilise permeable paving solution, or incorporate any storm water storage/attenuation and associated flow control.

In the absence of any other relevant or overriding comment from other consultees, I would recommend that the following condition be applied in order to ensure that the proposed means of disposal of surface water is appropriate to the site conditions.

(3) - Surface Water Drainage

Engineering/Drainage

No observations

Environment Agency

No comments

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: 20

Number of site notices: One

Statutory advertisement: Yes

Number of representations received: 12

Summary:

- over intensive use of the site, height and palette of materials out of keeping with visual amenities of the area
- in combination with other new development the proposal will negatively impact the highway network
- overbearing, loss of light and overlooking to existing residential properties
- increase in noise levels
- concerned about highway safety as footpaths along Station Road and West Road.
- insufficient on site parking provision, surrounding public car parks are already full
- car parking spaces are too narrow *the car parking spaces meet the adopted car standards*
- no storage for refuse and recycling is shown *the Waste Team are satisfied with the refuse provision as shown on the ground floor plan.*
- retail outlets should be conditioned not to be for food as there is already a large number within the area *the units are for A1 retail use and this is considered to be an acceptable use class consistent with local and national objectives for a strong, competitive local economy.*
- concerns re the benches shown on plans *these have been subsequently*

removed from the scheme in response to the designing out crime comments

- *lack of space for servicing the servicing for these units is consistent with the servicing available for other units within the local centre*
- *where will construction traffic park lack of construction traffic parking would not be a reason to refuse the application to redevelop this site. There is space for some construction parking within the site during the development phase. The LPA's Development Engineer raises no concerns to this regard*

Comment: All the points raised are considered within section 7 except those with officer comments in italics next to the issue raised.

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) Nature of Development
- (iii) Impact on the Character and Appearance of the area
- (iv) Residential Amenity
- (v) Access and Highway Implications
- (vi) Drainage
- (vii) Environmental Effects
- (x) Crime Prevention
- (xi) Contribution Requirements

(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.

(ii) Nature of Development

7.3 The current application is for full planning permission. In respect to the retail, residential floorspace and proposed density the following factors have been considered;

- The density of residential development
- The mix of dwelling sizes and tenures
- The design and layout of the residential
- The form and location of the A1 retail floorspace

The density of residential development

7.4 The application seeks 18 No. dwellings which equates to approximately 104 dwellings per hectare. Core Strategy policy CS9 states that planning permission will be granted for housing proposals which (amongst other matters) '*Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form*'.

7.5 Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As a guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density – Minimum of 60 dwellings per hectare

Medium Density – Minimum of 45 dwellings per hectare

Low Density – Up to 45 dwellings per hectare

Under this assessment the density of development can be considered to be within the High Density category.

- 7.6 Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process'*
- 7.7 The NPPF states that *'To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density.* The proposed density of 104 dph is considered to be an appropriate density and, whilst the general density of residential areas adjoining the site is lower, the proposal is considered to be well related to both the housing requirements and nature of the West Town Local Centre and wider area.

The Mix of Dwelling Sizes and Tenures

- 7.8 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should *'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities'*. The submitted scheme provides a mix of 1-bed and 2-bed units and one larger 3-bed unit and it is considered that these units will provide a good contribution to the housing need within this area.
- 7.9 The submitted details include a viability report that seeks to demonstrate that it is not financially viable for the scheme to provide any affordable housing provision. This report has been independently assessed by an external assessor and they have agreed that the scheme does not have the capacity to make provision for affordable housing. The LPA's housing officer has also agreed with the findings of the assessors report and therefore no affordable housing provision is being sought for this site.

The Design and Layout of the Development

- 7.10 The layout reflects the irregular nature of the site, the mixed use nature of the proposal and the need to create sensitive relationships with the adjacent residential properties. Access into the site for the residential development is via West Lane as existing, with the commercial development to continue to be accessed off Station Road. The plans indicate a degree of landscaping including tree planting and this will provide a setting for the development.
- 7.11 This common areas of the site would be maintained by the management company and this forms part of a S106 agreement.

The form and location of the A1 retail floorspace

712 The A1 space is to be located on the ground floor, will front Station Road and will turn the corner into West lane. These units would be accessed off Station Road. The proposed units replace the existing A1 floor space and the inclusion of these units within the West Town Local Centre is actively supported by Economic Development and adopted planning policy for the enhancement of Local Centres.

(iii) Impact on the Character and appearance of the area

7.13 The layout and design for the scheme has been informed by the position of the site on a prominent corner of West Town Local Centre. At pre-application stage, the opportunity for a strong architectural form immediately at this corner to act as an eye-catching landmark was encouraged. Detailed negotiations have taken place with the applicants in order to improve the urban design qualities of the scheme as originally submitted, with particular regard to the character of the building and the elevational treatments. The proposed curved building elevation, that turns the corner of Station Road into West Lane, is a strong feature of this building and is a good quality design solution to create the necessary landmark to this prominent aspect of the Local Centre. The materials to be used have been altered through the submission of amended plans and the metal cladding as initially proposed to the elevations has been replaced with a more traditional timber cladding. The choice of brick elevations fronting West Lane, a predominantly residential streetscene, is more in keeping with the nature of this road; the vernacular that shifts from the mixed commercial /residential nature of Station Road to a quieter residential within this part of West Town.

7.14 The retention of an active frontage at ground floor level with large glass fronted units, is to be encouraged. This will contribute to the vitality and vibrancy of the local centre and the flats above will assist to create a significant building, enhancing this corner of the Local Centre without being overly dominant or out of keeping. The corner allows for a more substantial form of development than the surrounding buildings and it is considered that this scheme achieves the aim of producing a land mark building without being an overdevelopment this site. As such, the proposal is considered to enhance the existing street scene and to have a positive impact on the character and appearance of the area as viewed from Station Road and West Lane in accordance with policy CS16 of the Local Plan.

(iv) Residential and Neighbouring Amenity

7.15 With regard to existing residential amenity, the main impacts are considered to relate to the following areas:

- Whether the proposed scheme would constitute overdevelopment of the site and would have an overbearing impact on existing properties in terms of mass/bulk and proximity to existing residential properties,
- Would the development be likely to lead to unacceptable overlooking, loss of light?
- The likely impact from noise and disturbance from the proposed retail floorspace and intensity of the residential provision within the site.

These potential impacts are addressed below:-

7.16 The site is bounded to the west by existing residential properties in Station Road, to

the south by residential properties of West Lane and to the east, on the opposite side of West Lane, by further housing. The properties adjacent to the site boundary on the eastern side of West Lane are positioned such that their rear elevations face onto West Lane with the rear gardens adjacent to the road. However, the proposed development would be set some distance from the proposed units and would exceed the minimum set out in the Council's Design Guidance, and therefore this relationship is considered to be acceptable.

- 7.17 The existing residential properties to the south in Station Road to the west of the site and in particular No.42 which adjoins the site boundary has primary elevations facing north and south and there are no windows positioned within the side elevation of the proposed scheme that would cause direct and unacceptable levels of overlooking. As such, the impact is not considered detrimental to amenity and an acceptable relationship can be achieved.
- 7.18 In relation to concerns about overlooking and overbearing to the dwellings to the rear, (north of the site), the separation distances proposed between existing and proposed dwellings accord with the Borough Design Guide and it is considered that an acceptable relationship between dwellings is achieved. Light surveys have also been submitted by the applicant to support the separations distances proposed by the scheme.
- 7.19 With regard to noise from the intensification of the use of the site and from the retail units within the site, it is considered that the development generally provides distance from surrounding dwellings and that the site already has an established commercial use. It is not considered necessary to impose hours of use condition upon the proposed retail units as the use is restricted to A1 which is a use unlikely to generate smell and noise at unsociable hours and furthermore such a use accords with the nature of the Local Centre. If noise does occur this would naturally fall under Environmental Health jurisdiction to monitor in any case.

(v) Access and Highway Implications

- 7.20 Parking levels have been assessed by the applicant's Transport Consultant and are deemed adequate for the development as evidenced within the Technical Note. This parking strategy has been reviewed by the LPA's Development Engineer who considered the findings to be adequate. However, the Development Engineer has raised concerns with regard to the statement within the Parking Strategy the describes the spaces being allocated to households. He considered that for the scheme to be acceptable in terms of the onsite parking provision that the spaces must all be unallocated. Therefore, it is necessary to require a parking management arrangement to be submitted and agreed as part of a S106.
- 7.21 The lack of parking provision for the A1 units is consistent with the existing situation and acceptable within the Local Centre. It is not considered that the scheme is contrary to the requirements of the adopted parking SPD and the arrangement can be justified as acceptable with regard to the minimum levels as recommended. The Development Engineer does not raise concerns with regard to the footpath along station road or the impact of the scheme on the highway infrastructure.

(vi) Drainage

- 7.22 The Environment Agency Flood Risk Map shows the development site is located in

Flood Zone 1. The NPPF Technical Guidance states that developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems. As such, a condition should be applied to require details of the means of all surface water disposal.

- 7.23 Southern Water have provided consultation response and state that the applicant must make contact with southern water in order to arrange for a formal connect to the foul drainage system and for a capacity check to be carried out by Southern Water. The necessary works can be requisitioned from Southern Water by the developer under separate legislation.

(vii) Environmental Effects

- 7.24 The consideration of the potential for urbanization and development around the Solent coastline to have adverse effects on the features of European Sites is being researched through the Solent Disturbance and Mitigation Project, initiated through the Solent Forum. In order to mitigate against the effects of residential development the Solent Disturbance and Mitigation Project seeks appropriate contributions to measures to mitigate the potential impacts. The required contribution of £176 per dwelling is the subject of a legal agreement.

Land Quality

- 7.25 Due to the current commercial use of the site, the Council's Environmental Health Officer has been consulted on the application and has raised no objection but has requested that conditions are imposed to require a Land Contamination Assessment.

(x) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

- 7.26 The residential element of the development is liable for CIL; additionally a S106 has been completed in respect to the following matters:-

- (i) Parking Arrangements
- (ii) A contribution in respect to the Solent Recreation Mitigation Partnership;
- (iii) Traffic Regulation Order
- (iv) Monitoring and Administration Fee

8 Conclusion

- 8.1 The submitted plans provide for a satisfactory form of development which achieves an acceptable impact on the character and appearance of the area, and the amenities of neighbouring properties. Technical requirements such as parking and drainage matters, and land contamination issues, have been appropriately addressed at this stage, with conditions recommended where necessary. Relevant ecological interests have been taken into account also.

- 8.2 In summary, the proposed development is considered to comply with the Local Plan Core Strategy, other adopted SPDs and the NPPF. As such the recommendation is for permission subject to a Section 106 Agreement and planning conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00060 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.

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

Proposed Site Plan drwg.no 110-B received 17 March 2016
Proposed Location and Block Plan drwg.no 100-D received 17 March 2016
Proposed Elevations North and East drwg.no 126-A received 17 March 2016
Proposed Elevations South and West drwg.no 125-A received 17 March 2016
Proposed Ground and First Floor Plans drwg.no 115-A received 17 March 2016
Proposed Second Floor and Roof Plans drwg.no 116 received 20 January 2016
Proposed Perspective Views drwg.no 191-B received 20 January 2016
Proposed Perspective Views drwg.no 191-C received 20 January 2016
Proposed Perspective Views drwg.no 191-D received 20 January 2016
Design and Access Statement received 25 February 2016
Parking Strategy received 20 January 2016
Viability Assessment received 5 May 2016
Environmental Risk Assessments received 20 January 2016
Ecological Assessment received 20 January 2016
Biodiversity Checklist received 20 January 2016

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), 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 may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation based on the proposals outlined within the "Constructive Evaluation Phase 1 Environmental Risk Assessment" (Ref: 15.8909);

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 identified receptors.

2) The results of an appropriate risk assessment based upon (1), 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.

3) 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 (2) are complete,

identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy

[2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be

present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site.

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with Condition 3 (3) above shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met.

Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”). The long-term monitoring and maintenance plan shall be implemented as approved.

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

- 5 Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall include a schedule of operational and preventative maintenance for surface water drainage structures as may be required for the proper operation of the system to its design flow rates. The system design shall account for the principles of water quality management (design principles, CIRIA C753), and shall avoid installation of

infiltration drainage in ground adversely affected by contamination. Parties responsible for observing the maintenance plan shall be clearly identified within the plan, and the plan shall be implemented as approved.

Reason: To ensure appropriate surface water management measures are implemented in order to mitigate any contribution to downstream surface water sewer flooding, and to prevent surface water systems acting as a vector for pollution or mobilising agent likely to driving significant migration of any contamination that may be found to be present on site. This condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM10, DM17 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework 2012.

- 6 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and the amenities of adjoining properties, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The soft landscaping scheme shall be completed in full accordance with the approved details prior to the occupation of the last dwelling. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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

- 8 The car parking, servicing and other vehicular access arrangements along with all external works shown on the approved plans hereby permitted shall be fully completed and made fully available for use prior to the occupation of the first residential unit.

Reason: In the interests of highway safety and the amenities of the area having due regard to policy CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

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

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

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be

kept available and used only as such.

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

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

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