

Outline application for construction of 5640 sqm of retail warehousing and 2305 sqm of flexible employment within Classes B1(c), B2 and B8 together with details of means of access including a footpath/cycleway link to Park Road South. Permit 23/12/04.

05/68908/002

Application for approval of reserved matters relating to erection of 464 sqm commercial unit for B1/B8 use taking access from Selbourne Road. Permit 10/03/05.

05/68908/003

Approval of reserved matters for erection of 638 sqm of B1/B2 use utilising new access to Brockhampton Lane. Permit 09/06/05.

05/68908/009

Construction of restaurant together with associated parking and landscaping. Permit 16/03/06.

APP/11/01270

Change of use from mixed B1 and B8 use to A1 retail with new part glazed front facade to east and part south elevation. Refused 10/10/11 on grounds of loss of employment floorspace, impact on vitality of town centre and inadequate servicing arrangements. Subsequent appeal withdrawn.

APP/12/00752

Demolition of existing buildings on site and erection of a single structure (for Class A1 use) extending to 4289sqm (GEA) at ground floor and up to 3328sqm (GEA) at first floor, with associated access, parking and servicing. Permit 20/06/13 subject to a S106 Agreement.

3 Proposal

- 3.1 This application is made under S73 of the Town and Country Planning Acts and seeks to substitute a revised set of drawings for those approved under APP/12/00752. As before, the application seeks full planning permission for the demolition and clearance of all buildings on the 1.47ha site, and the construction of a new building to be used for Class A1 retail purposes. The new building will extend to 4289 sqm gross floorspace at ground floor level with 3328 sqm gross floorspace provided at first floor (mezzanine) level.
- 3.2 The new building is proposed to be located within the eastern half of the site, to take advantage of the greater depth available in that part of the site, and with a building alignment and overall scale and appearance echoing that of the existing Solent Retail Park building adjacent to the east. The service yard for the new building is proposed to the north, with access off Brockhampton Lane opposite The Tanneries Industrial Estate. The main customer access to the new development is proposed off the existing mini-roundabout junction on Selbourne Road which currently serves the Pizza Hut premises, with 240 car parking spaces provided on the southern and western sides of the building. Egress from the site is available either via the Selbourne Road mini-roundabout junction, or via an exit-only point onto Brockhampton Lane close to its junction with Solent Road.
- 3.3 As part of the development the proposals incorporate modifications to the existing highway alignment along the residential part of Brockhampton Lane which will have the effect of reducing the carriageway width, but also providing a turning head for users of this spur of the road.

- 3.4 In essence the amendments made to the previously approved plans:
- (i) alter the detailed design of the building to more closely accord with the scale of the existing Solent Retail Park site, and introduce a more dominant entrance feature at the south western corner;
 - (ii) introduce a loading platform and high level gantry to the north western rear elevation to accommodate the servicing and plant requirements of one of the intended occupiers (M&S);
 - (iii) revise the detailed car parking and pedestrian/cycle routes through the site. The resultant provision equates to 231 car parking spaces (compared to 240 in the approved scheme); with a reduction also in cycle provision.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS21	(Developer Requirements)
DM10	(Pollution)
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

AL3	(Town, District and Local Centres)
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Listed Building Grade: Not applicable.

Conservation Area: Adjacent Brockhampton Conservation Area

5 Statutory and Non Statutory Consultations

Environment Agency

No response received; however the EA did not object to previous application APP/12/00852 subject to conditions.

Economic Development

No response received; however the Economic Development team were conditionally supportive of previous application APP/12/00852

Development Engineer

New layout links the entrance to the building better with the highway (Solent Road). Reduction in car parking and cycle parking spaces should be justified. Need to ensure that existing (Phase 1) and proposed parking (Phase 2) can be used by the public without restriction on the store they can visit and that the parking restrictions are the same in terms of hours and length of stay.

Comment: *The original planning permission APP/12/00852 was approved without any requirement for a parking strategy; this revised submission is not considered to be*

materially different in terms of the nature and scale of development and as such it would be unreasonable to require such a strategy under the minor revisions now sought. The cycle parking provision meets the standards of the Core Strategy; the very modest reduction in car parking provision (<4%) compared to the original approval, with no new floorspace being involved and the site now confirmed as part of the town centre in policy terms, is not considered likely to give rise to harm to the operation of the highway network.

Environmental Health

No objections subject to the imposition of conditions as per the original consent to control details of extraction/ventilation equipment in close proximity to residential properties.

Landscape Team

No major issues other than long runs of car parking without trees to break it up.

Comment: *The landscaping strategy for the site is very similar to that originally approved. Whilst a long run of car parking exists in particular to the Solent Road frontage, the opportunity for soft landscaping still represents an improvement in visual terms over the previous industrial character of the site. Long runs of car parking are also evident in the immediate street scene at Solent Retail Park (Phase 1) and Tesco.*

Crime Prevention -Major Apps

Cycle parking within Service yard should be within lockable stores; cycle parking within main car park should be segregated from main car park and only open to north (retail unit) side to reduce opportunities for theft.

Planning Policy

This proposal appears to be for a change in external design and site layout to the previously approved building, with no change to the already approved use or degree of floorspace provision. I do not therefore consider there to be any fresh principle policy implications.

Southern Water

No objection.

Hampshire Fire & Rescue

Access for fire fighting should be in accordance with Approved Document B5 of the Building Regulations; additional water supplies for fire fighting may be necessary.

Hampshire Highways

I have reviewed the submitted 'Proposed Site and Ground Floor Plan' and can confirm that it is inline with our combined design check approval and the original planning application.

HCC parking standards were withdrawn as of April 2014. It is therefore the responsibility of Havant as the Planning Authority to determine the level of parking and comment on any proposed changes.

Hampshire Biodiversity Information Centre

Site within 50m of a Solent Wader and Brent Goose Strategy site.

Comment: *The site has been previously intensively developed for a variety of industrial purposes. The retail redevelopment proposed is not considered to have any greater impact on nearby sites than the historic uses.*

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: 42

Number of site notices: Four

Statutory advertisement: 05/09/2014

Number of representations received: None

7 Planning Considerations

- 7.1 This application is a S73 application seeking revisions to the design and layout of a retail development granted planning permission under APP/12/00852 and still capable of implementation, and will result in a fresh permission. Whilst the proposed revisions are relatively modest, for the sake of comprehensiveness the planning considerations relevant at the time of approval of the earlier scheme are rehearsed below with relevant updates to reflect the nature of the revised scheme applied for and any change in policy/context for the development. With this in mind, and 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) Retail and employment issues
- (iii) Effect of development on the character of the area
- (iv) Effect on the amenity of neighbouring properties and Conservation Area
- (v) Highway issues
- (vi) Environmental considerations

- (i) Principle of development

- 7.2 The application site lies within the built up area of Havant, within the main town centre boundary, and in an area characterised by a range of commercial development together with the spur of residential properties along Brockhampton Lane that forms part of the Brockhampton Conservation Area. The site comprises previously developed land, and formerly contained a range of employment premises of varying ages and designs. The application seeks to provide for a comprehensive redevelopment of the site which will result in the provision of a modern building with car parking and access provision rationalised compared to the previous arrangements.
- 7.3 In general terms, such redevelopment of an existing urban site is in accordance with Policy CS17 of the Local Plan, and the application can be seen as a significant economic development proposal which is expressly encouraged by the NPPF and the Council's strategic policies to promote economic growth in the Borough. However, consideration must be given to the land use principles involved in this case, and these are explored below.

(ii) Retail and employment issues

- 7.4 Since approval was first given for the redevelopment of the site under APP/12/00852 the Council's Allocations Plan has been adopted, and this confirms the location of the site within the revised town centre boundary. Policy AL3 of the Allocations Plan expressly supports the provision of main town centre uses within town centres and lends considerable support to this proposal.
- 7.5 APP/12/00852 secured a commitment by the developers to the delivery of a signage strategy not only to relate to the site itself, but also the adjacent Retail Park (also within the applicant's ownership) in order to maximise connectivity to the town centre - this was achieved by way of a S106 requirement which needs to be carried forward. Restrictive conditions are also required in respect of the amount of convenience goods floorspace that is created at the site in order that the original retail impact assessment's findings (upon which the APP/12/00852 conclusions were based) are appropriate to the development that is undertaken at the site; and to limit the subdivision of the premises to accord with the limits already in place at the Solent Retail Park. In addition it is considered appropriate to prohibit the letting of the unit in the first instance to any of the existing retailers in the town centre (again according with the terms on which consent was granted for the development of Solent Retail Park).
- 7.6 In accepting the principle of use of this site for retail purposes under APP/12/00852 regard was also had to the implications of Policies CS2 and DM3 of the Local Plan, which safeguard existing employment sites such as those which formed part of the application site and which normally require vigorous marketing to be undertaken prior to the release of these sites for other purposes. Whilst the application would deliver an enhanced retail offer to Havant, and is itself anticipated to create 130 jobs, it was important to consider the jobs and businesses that were existing on site and the implications of the development for these business enterprises.
- 7.7 Work undertaken by the Economic Development team previously suggested that the number of jobs previously on site broadly equated in number to those proposed to be created by the new development. Whilst the planning system cannot directly secure the relocation of existing businesses to new premises - which is a matter subject to market forces - in the case of Solent Road it is important to see the proposals at this site as part of a package of proposals that have come forward from the applicants and which have also seen successful proposals emerge for the redevelopment of both the ICTS site and the Solent Trade Park site nearby. In the case of the latter, this includes the provision of alternative business premises for two of the companies which have relocated from the application site - Havant Motor Factors and EMP Tooling - and the development of modern, fit-for-purpose business premises in the locality will provide the best possible opportunity for other existing local companies to successfully relocate in the Borough.
- 7.8 A Skills and Employment Plan will be required for the new development, which will maximise the opportunity for local people to take advantage of the job creation secured through the development, both at construction and occupation stage.

(iii) Effect of development on the character of the area

- 7.9 The site previously featured a variety of built forms with the eastern part of the site developed in tandem with the adjacent Solent Retail Park within the last 10 years, whilst the buildings on the western part of the site dated back to the 1960s. The

buildings housed a variety of unrelated land uses including a motor factors, dry cleaners, motor mechanics, general B1/B2/B8 employment uses and a Pizza Hut restaurant. There was little coherence in the design and layout of the various units and consequently the site as a whole presented a somewhat disjointed appearance to the character of the area.

- 7.10 The application proposes that all of these buildings will be replaced with a modern contemporary structure which will reflect the front and rear building lines of the adjacent Solent Retail Park building and which will be consistent with its overall scale. Through the use of similar materials for the building itself, the means of enclosure to the service yard and Brockhampton Lane frontage the new development will clearly share a close 'family resemblance' to the built form of the existing Retail Park. Furthermore, with a car park and landscaping presence onto Solent Road that is reflective of both the existing Retail Park and Tesco's layouts, the overall site layout is considered to be legible to visitors and will regularise the architectural and landscaping treatment of this part of Solent Road.
- 7.11 The detailed layout and design of the site is considered to appropriately acknowledge the adjoining land uses. To the east, the design of the store presents a glazed frontage to the south east corner of the building, reinforcing the visual links to the Retail Park and town centre beyond, with provision also made for a signage zone and pedestrian link across Selbourne Road to facilitate connectivity to the town centre. To the west, the site layout incorporates a pedestrian walkway leading to a crossing point and refuge over Brockhampton Lane, thus enabling easy pedestrian access to the medical centre beyond. To the north, the service yard will be accessed via the existing industrial section of Brockhampton Lane opposite The Tanneries, thus reinforcing the existing character of this part of the road. Within the service yard is proposed to be located a high level gantry to contain the extraction/ventilation equipment required in connection with the prospective occupation of the unit by M&S.
- 7.12 The layout of the car park incorporates adequate provision for landscaping to soften the hard surfaced character of this part of the development, and also allows for lighting and cycle parking as appropriate within the layout.

(iv) Effect on the amenity of neighbouring properties and Conservation Area

- 7.13 The development site is bounded by commercial development, in the form of retail and employment premises, on its southern, eastern and part northern frontages, and the direct impact of the development here is likely to be felt in terms of its general character (discussed at (iii) above) and highway/traffic generation alone (discussed at (v) below). To the west of the site lie the residential properties at Nos. 6 - 26 Brockhampton Lane, with a further spur of residential properties (No.27 onwards) to the south west on the other side of Solent Road. Both sets of properties lie within the Brockhampton Conservation Area, and the impact on the amenity of these properties in conservation and residential amenity terms needs to be taken into account in determining the application.
- 7.14 The new building is sited a considerable distance (c. 25m) from the boundary of the nearest residential property (No.6 Brockhampton Lane) and with eastern garden depths of Brockhampton Lane properties typically in excess of 20m the siting of the new building is such that, despite its size, it is unlikely to appear overbearing. The removal of the existing industrial buildings on the site - which lay closer to the residential properties than the new building - offers the prospect of an improvement to the immediate outlook of these neighbours and the setting of the Conservation Area.

The boundary of the application site facing the Conservation Area is proposed to be treated with a 1.8m - 2m high wall with flint panels and landscaping behind, and this is considered to be an appropriate treatment. Furthermore, the alignment of this residential section of Brockhampton Lane is proposed to be narrowed in part, providing a more domestic setting for the properties opposite.

- 7.15 At the time the Solent Retail Park was developed a requirement was imposed regarding the closure of Brockhampton Lane to through traffic, in order to prevent servicing traffic to the new development from adversely affecting the residential amenity of these properties. That closure has now taken place, but has not to date had a formal turning head incorporated within the available highway layout. The current application makes provision for this turning head, which should have the effect of facilitating access to the residential properties for residents and visitors.
- 7.16 It must be acknowledged that the layout of the site provides for egress from the car park for customers onto the southernmost part of Brockhampton Lane, and given the higher rates of traffic flow that can be expected from a retail unit as compared to the existing industrial units, this is likely to increase noise and disturbance from private motor vehicles to the properties opposite over and above the existing situation. However, the layout of the site is such that all servicing traffic will take the Solent Road/Selbourne Road route to the servicing yard, and with the removal of the existing industrial buildings servicing traffic as a whole will no longer need to access the residential part of Brockhampton Lane.
- 7.17 In terms of issues of noise and smell, the high level gantry for extraction/ventilation equipment proposed to the north western corner of the building lies over 18m from the nearest residential property and is considered acceptable by the Environmental Health officer subject to conditions controlling the actual equipment to be installed.
- 7.18 Taken together, it is concluded that the proposals for the site offer an opportunity to improve the residential environment and Conservation Area setting of the adjacent Brockhampton Lane properties.

(v) Highway issues

- 7.19 The original application was supported by a Transport Assessment which assessed the transport implications of the development in terms of its impact on the local highway network, the access arrangements to the site, and the parking and servicing provision. The current application does not alter the amount of floorspace
- 7.20 Vehicular access to the site is principally proposed via the Selbourne Road/Solent Road junction, whereby staff and servicing vehicles will continue through to Brockhampton Lane whilst customers will access the site using the existing four-arm roundabout which also serves the Solent Retail Park. A total of 231 car parking spaces are available for users of the development, as well as provision for cycle and motorcycle parking. Egress from the site for customers will be either via the same route, or from an exit-only left turn onto Brockhampton Lane close to its junction with Solent Road.
- 7.21 A number of modifications are proposed to the existing layout of the residential section of Brockhampton Lane adjacent to the site. In addition to the creation of the new egress, it is proposed to reduce the width of Brockhampton Lane to 4.8m, which is considered to be a more appropriate width for its principal residential function, with consequential changes to the layout of the junction and traffic island at the junction

with Solent Road. A new turning head for this part of the road would be provided just to the west of the existing closure point. Close to the junction of the realigned Brockhampton Lane with Solent Road a new pedestrian refuge would be created on the 'desire line' of pedestrian traffic crossing Brockhampton Lane on the way to the health centre to the west.

- 7.22 The original Transport Assessment analysed the implications for traffic generation arising from the development in terms of its impact on the key transport corridors and junctions leading to the site - these being the Solent Road/Tesco junction; the Park Road South/Solent Road junction; the Solent Road/Selbourne Road junction; the Selbourne Road/site access junction; the Brockhampton Lane/Solent Road junction; and the Park Road South corridor and its junction with the A27.
- 7.23 Comments received from the Highways Authority would indicate that the Brockhampton Lane egress and provision of a new pedestrian refuge to this road has been accepted, and the alignment is capable of being provided satisfactorily. The parking provision is considered to be acceptable in the context of the site's location as a town centre site.

(vi) Environmental considerations

- 7.24 The application submitted under APP/12/00852 was accompanied by a number of technical reports which addressed the implications of the development for flood risk, air quality and land contamination issues. Both the Environment Agency and the Council's Environmental Health officers examined the submitted information and concluded that the development is acceptable in these terms subject to the imposition of appropriate conditions, which are again incorporated in the recommendation below.

8 Conclusion

- 8.1 This revised application for the comprehensive redevelopment of the site of a range of former employment premises represents a significant economic development proposal which, in the context of Local Plan policies can be supported in terms of its impact on retail and employment issues. The design and layout of the new building is appropriate, having regard to adjoining built forms and land uses, and should result in an improvement in the outlook of nearby residential properties and the setting of the Conservation Area. Environmental considerations were appropriately addressed on the original application through the provision of a number of specialist reports.
- 8.2 It is therefore recommended that permission be granted for the revised proposals the subject of this application, subject to the conditions imposed on the original APP/12/00852 consent (a draft decision has been shared with the applicant). The original S106 for the APP/12/00852 development secured the following measures, and these are to be re-secured in this case through a linking S106:
- (i) a signage strategy for both the application site and the adjoining Solent Retail Park, including provisions for implementation of the agreed signage;
 - (ii) prevent the letting of the retail unit in the first instance to any of the existing retailers in the town centre;
 - (iii) an Employment and Skills Plan for the construction and occupation phases of the development.
 - (iv) a financial contribution of £96,600 towards the adopted Hampshire County Council Transportation Contributions Policy; and
 - (v) the provision of a Full Travel Plan together with Hampshire County Council's monitoring and approval fees.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00862 subject to

(A) The linking S106 Agreement being completed as per paragraph 8.2 above; and

(B) The following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development approved by this planning permission (other than demolition of buildings) shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action (if applicable).

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above a Secondary A Aquifer, and the Lewes nodular chalk formation (a principal aquifer) and in the vicinity of the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies. This condition is in line with paragraphs 109 and

121 of the NPPF and Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 3 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in any approved remediation strategy required pursuant to Condition 2(3) above, and the effectiveness of that remediation has been submitted to and approved, in writing, by the local planning authority. Should such a report be required it shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies above a Secondary A Aquifer, and the Lewes nodular chalk formation (a principal aquifer) and in the vicinity of the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies. This condition is in line with paragraphs 109 and 121 of the NPPF and Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above a Secondary A Aquifer, and the Lewes nodular chalk formation (a principal aquifer) and in the vicinity of the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies. This condition is in line with paragraphs 109 and 121 of the NPPF and Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA), ref.no. 1456-R2 and dated August 2012, approved under Planning Permission APP/12/00852 hereby varied, and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 7.26m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed,

in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is supported by Paragraph 103 of the National Planning Policy Framework (NPPF) which states Local Planning Authorities (LPA) should ensure flood risk is not increased elsewhere, and Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 No development (other than demolition of buildings) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year 20% critical storm will not exceed the run-off from the existing site following the corresponding rainfall events. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site. This condition is in line with paragraph 103 of the National Planning Policy Framework (NPPF) and Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 Construction of the development shall not take place until a programme for the suppression of dust during the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

Reason: In the interests of residential amenity and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 No development hereby permitted (other than demolition of buildings) shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard against undue damage to existing trees and other vegetation at and in the vicinity of the site and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 Construction of the building hereby approved shall not commence until plans and particulars specifying the finished levels (above ordnance datum) of ground levels surrounding the building in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 10 No development hereby permitted (other than demolition of buildings) shall commence until plans and particulars specifying the final alignment, width, gradient and type of construction proposed for all new and altered accesses to serve the retail unit (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.

Reason: To ensure that they are constructed to satisfactory standard and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

- 11 No development hereby permitted (other than demolition of buildings) shall commence until a specification of measures to be undertaken to prevent damage to the existing maple tree shown for retention on the northern boundary of the site throughout implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times which such implementation is in progress. Any such tree which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than 3 metres height when planted.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11.2 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 12 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials have been submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 13 No development hereby permitted (other than demolition of buildings) shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

- 14 No development hereby permitted (other than demolition of buildings) shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 15 No development hereby permitted (other than demolition of buildings) shall commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

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

- 16 No development hereby permitted (other than demolition of buildings) shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. 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 CS11, CS12, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 17 The construction of the retail unit hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of the relevant unit. Unless otherwise agreed in writing with the Local Planning Authority the assessment

shall demonstrate that the development will attain a minimum standard of 'very good' BREEAM rating. The development shall be carried out only in accordance with the details the subject of the assessment.

Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 18 A waste management policy for the retail unit shall be submitted to and approved in writing by Local Planning Authority prior to its occupation. Such policy shall provide a clear statement explaining the method of waste management which will be used throughout the site activities i.e. Disposal of trade waste, disposal of office waste, location of waste storage facilities.

Reason: To prevent contamination to land and watercourses, and to minimise odour nuisance and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 19 No works or ancillary operations associated with the construction of the development which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times

Monday to Friday – 0800 hours - 1800 hours.

Saturday – 1000 hours - 1600 hours

Unless in association with an emergency, or in connection with a continuous construction procedure that cannot be interrupted, or with the prior written approval of the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from noise disturbance, and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 20 Any proposal relating to the installation and operation of potential noise creation equipment (manufacturing plant, refrigeration units, air conditioning, extract ventilation equipment and so forth) shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place.

N.B. Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

Reason: In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the residential character of the area, and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 21 Any proposal relating to the installation and usage of odour causing processes and / or odour suppression equipment (e.g. extract ventilation equipment) related to processes shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place

Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 22 Vehicular access for customers to the site shall only be taken from Selbourne Road.

Reason: To accord with the terms of the application as amended, and in order to protect the amenities of the adjacent Brockhampton Lane properties, which lie within a Conservation Area, and having due regard to Policies CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 23 The retail unit shall not be occupied until the related space for the loading, unloading and parking of cars, motorcycles and cycles has been provided within the relevant site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 24 Construction of the covered cycle parking areas hereby approved shall not commence until details of the final design, appearance and materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area and to secure adequate cycle parking provision at the site, and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 25 Notwithstanding the provisions of any Town and Country Planning Use Classes Order, the total amount of gross floorspace used for the sale of convenience goods in the retail unit hereby approved shall not exceed 1,486 sqm without the prior written approval of the Local Planning Authority.

Reason: To accord with the terms of the application approved under Planning Permission APP/12/00852 hereby varied, to safeguard the vitality and viability of the town centre, and to secure the adequacy of the associated vehicular parking provision and having due regard to the National Planning Policy Framework and policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011.

- 26 No separate or self contained unit or franchised area of floorspace of less than 465sq.m. (5,000sq ft) shall be created by the division or sub-division of the floorspace.

Reason: To accord with the terms of the application approved under Planning Permission APP/12/00852 hereby varied, and in order to ensure the vitality and viability of the existing Havant Town Centre is not undermined by the nature of retail uses permitted on this site and having due regard to the National Planning Policy Framework 2012.

- 27 Construction of the development shall not commence until such time as details of the access works on Solent Road and Selbourne Road as indicated in principle on drawing '14080-24 Rev C' and the works on Solent Road and Brockhampton Lane as indicated in principle on drawing '1209-PL12 Rev I' have been submitted to and approved in writing by the Local Planning Authority. There shall be no occupation of the site for the purposes of the planning permission until the approved details have been constructed to the written satisfaction of the Local Planning Authority.

Reason: To ensure safe and suitable access to the site and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

- 28 A Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority in writing before construction commences. This should include; lorry routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The agreed details shall be fully implemented before the development is commenced.

Reason: In the interests of highway safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

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

Drawings submitted in connection with the current application:

Proposed Site & Ground Floor Plans Drawing No.1209-PL25 revision D
Proposed Elevations Drawing No.1209-PL14 revision S

Documents forming part of original Planning Permission APP/12/00852:

- Planning Statement, August 2012
- Design and Access Statement, August 2012
- Transport Assessment, including Framework Travel Plan, 6 August 2012
- Retail Assessment, August 2012
- Flood Risk Assessment and Drainage Strategy, August 2012
- Air Quality Assessment, 10 August 2012
- Noise Impact Assessment, 15 August 2012
- Environmental Investigation Report, August 2012
- Statement of Community Involvement, August 2012
- Rapleys Response to Policy Comments, dated 7 November 2012
- DTA Response (including appendices with revised Framework Travel Plan) to HCC comments, dated 20 November 2012
- DTA further response and LINSIG modelling evidence, dated 7 December 2012

Reason: - To ensure provision of a satisfactory development.

