
Site Address:	Former Council Depot, Harts Farm Way, Havant		
Proposal:	Application for removal of Condition 13 of Planning Permission APP/10/00737.		
Application No:	APP/13/00592	Expiry Date:	12/09/2013
Applicant:		Team:	Team 1
Agent:	Mr J Sayer PWP Architects Ltd	Case Officer:	Sally Smith
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is an vacant overgrown site cleared of buildings. The site is boarded up and secure to prevent encroachment and unauthorised use. The site is advertised for sale through SEEDA. The site lies adjacent to main A27 dual carriageway and the commercial premises along Harts Farm Way. It is an identified employment site in the Local Plan in an area dominated by employment uses and has good communication links to the A27 junction.
- 1.2 The site has been vacant for several years and is in a relatively poor condition pending the opportunity for redevelopment.

2 Planning History

APP/10/00737 - Extension of time to implement 02/52646/016 for New business and industrial development with new access from Harts Farm Way. Permit 13/6/11

APP/13/00911 - Reserved matters application for plot 1 and discharge of conditions 4,7,8,9,10, and 12 of APP/10/00737. Current

APP/13/1145 - Discharge of condition 6 of APP/10/00737. Current

3 Proposal

- 3.1 The proposal is to remove condition 13 which requires:

Not more than 25% of the gross floorspace hereby approved shall be used for principal B8 (storage and distribution) use unless agreed otherwise in writing by the LPA.

Reason: *In the interest of maximising employment and having due regard to policies CS6 and DM3 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 4.*

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS6	(Regeneration of the Borough)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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

5 Statutory and Non Statutory Consultations

Planning Policy - Policy CS2 of the Havant Borough Local Plan states that the council will seek to flexibly accommodate new employment floorspace.
The Employment Land Review identifies the site as being in the Broadmarsh industrial area; an area suitable for B2 and B8 uses. In addition, the forthcoming HBLP (Allocations) identifies the site as being suitable for a mix of B2 and B8 uses.

The proposal seeks to remove condition 13 which restricts the use of B8 uses on the site to 25%. Given the need to accommodate employment floorspace in the Borough in a flexible manner and the approach taken in the ELR and Allocations Plan, there is no policy objection to the removal of this condition.

Regeneration & Development - Supportive of the application.

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: 24

Number of site notices: One at frontage of site

Statutory advertisement: 12/07/2013

Number of representations received: None

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) Employment considerations

(i) Principle of development

7.2 The proposal is in respect of removing a condition on a current planning permission. The principle of the development itself is therefore acceptable subject to considering the policy considerations in respect of the proposal to remove the restriction in respect of the proportion of B8 that may be within the development.

(ii) Employment considerations

7.3 The response from Planning Policy explains how the approach to employment provision has altered to be more flexible since the original planning permission was granted and the Economic Development response is supportive. On this basis there is no objection to removing the condition.

8 Conclusion

8.1 The proposal is considered acceptable. CIL is not applicable. It is proposed to reissue the decision APP/10/00737 updated in respect of the timing and reasons for the conditions.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00592 subject to the following conditions:

1 The development hereby permitted shall be begun either before expiration of 5 years from the date of 23rd June 2011 (the decision date of APP/10/00737), or before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of 23rd June 2011 (the decision date of APP/10/00737).
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3 No phase of the development hereby permitted shall commence until plans and particulars specifying the detailed proposals for the following aspects of the same have been submitted to and approved in writing by the Local Planning Authority or otherwise agreed in writing by the Local Planning Authority as part of a phased development of the site:

(i) **The reserved matters:**

- (a) The layout, scale and appearance of all the buildings;
- (b) The means of access thereto from an existing or proposed highway (including pedestrian, cycles, and vehicles);
- (c) Landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;

(ii) Other matters:

- (d) The layout of the development including the positions and widths of roads and footpaths;
- (e) The finished levels (above ordnance datum) of both the ground floor of the proposed buildings(s) and the surrounding ground levels;
- (f) Access facilities for the disabled;
- (g) The layout of foul sewers and surface drains;
- (h) The manner of treatment of existing water courses and ditches;
- (i) Landscaping including an accurate plan showing the position, type and spread of all existing trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring the tree(s) to be retained to a satisfactory condition; and also details of any proposals for the felling, lopping, topping or uprooting of any tree;
- (j) Landscaping including the arrangements to be made for the future maintenance of landscaped and other open areas;
- (k) The alignment, height and materials of all walls and fences and other means of enclosure;
- (l) Hardsurfacing proposals including surfacing materials;
- (m) The provision to be made for the parking, turning, loading and unloading of vehicles;
- (n) The provision to be made for the storage and removal of refuse from the premises;
- (o) The provision to be made for street lighting;
- (p) The provision to be made for external lighting;
- (q) The measures to be taken to prevent damage to existing trees (and hedgerows) throughout implementation of the development;
- (r) The areas to be used for contractors' vehicle parking and materials storage during (site clearance and) construction of the development;
- (s) A phased programme for implementation of the development;
- (t) The provision to be made for the parking of cycles.
- (u) The provision to be made for CCTV.
- (v) The provision for bat access points within the development.
- (w) Details of footway/cycleway provision to serve the site.

Reason: In order to secure a satisfactory, safe and sustainable form of development and to ensure that the completed development provides an acceptable layout having regard to the National Planning Policy Framework and development plan policies.

be the area of the archaeological interest) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: The site is of archaeological significance and it is important that the opportunity should be afforded to excavate the site before development commences and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No part of the development (other than site investigations and remedial works, the demolition and clearance of the site, provision of service and infrastructure works including works by statutory undertakers, construction to base course of any access/egress and estate roads and completion of the stream diversion and pond alterations/formation) shall commence without the written approval of the Local Planning Authority until such time as the off site highway improvements for the roundabout junction between the A27 westbound off slip and Harts Farm Way and for the Bedhampton Roundabout have been carried out to the satisfaction of the Local Planning Authority and the Highway Authority.

Reason: In the interests of highway safety and having due regard to policies CS16, CS20 and DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development shall take place until the developer has carried out adequate investigation to assess the degree of contamination of the site and to determine its water pollution potential. The methods and extent of the investigation shall be agreed with the Planning Authority before any work commences. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Planning Authority.

Reason: To prevent pollution of the water environment as the site may be contaminated due to the previous use and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development approved by this permission shall be implemented until a detailed design for the proposed relocated route of the watercourse that crosses the application site has been agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate conveyance of water past the site, prevent pollution of the environment and to ensure re-creation of the biodiversity of the current watercourse corridor and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence on each phase until a timetable for the implementation and a scheme for the provision of foul drainage works for that phase have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details and timescale approved.

Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development hereby permitted shall commence on each phase until a timetable for the implementation and a scheme for the provision of surface water drainage works for that phase have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details and timescale approved. No soakaway shall be constructed in contaminated ground.

Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof waters shall not pass through the separator.

Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 The method of piling foundations for each phase of the development shall be carried out in accordance with a scheme to be submitted to and approved in writing by the Planning Authority prior to that phase of the development commencing.

Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of the underlying aquifer and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 12 No development shall commence until detailed proposals for the protection/diversion of the public sewer that crosses the site have been submitted to and approved in writing by the Local Planning Authority. If diversion of the public sewer is proposed and approved no construction works shall commence until the diversion of the sewer has been completed.

Reason: To secure the protection/diversion existing sewers and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 13 The construction of the buildings shall not commence until such time as a Site Travel Plan has been submitted to and approved in writing by the Local Planning Authority; the approved plan to be implemented within 3 months of the occupation of the first buildings.

Reason: In order to encourage the use of alternative modes of transport and reduce dependency on car use and having due regard to policies CS16, CS20, DM11, DM12 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 14 The development, hereby permitted, shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which Planning Permission APP/10/00737 was granted or which are

subsequently submitted to, and approved by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To ensure that the development is completed satisfactorily in all respects and is in accordance with conditions 1-13 above.