
Site Address: Land at Waterloo Park, Elettra Avenue, Waterloo
Proposal: Outline planning application with all matters reserved apart from access for development within Class E (light industrial, retail, café and restaurant, leisure / gym), B2, B8 and B8 trade counters.
Application Type: Outline Application
Application No: APP/24/00777 Expiry Date: 27/01/2025
Applicant: Hargreaves Properties Limited
Agent: Mr Pearce Case Officer: Steve Weaver
Harris Lamb
Ward: Waterloo

Reason for Committee Consideration: Large Scale Major Application

Density: N/A

Development Manager Recommendation: **GRANT OUTLINE CONSENT**

Executive Summary

The application site relates to a vacant parcel of land that sits adjacent to the Brambles Business Park and which, prior to demolition of the former buildings, was previously in employment use. Land to the east of the application site has been redeveloped with the construction of a Lidl Supermarket and McDonalds restaurant.

The application site is identified in the adopted Allocations Plan Policy WA2 (BD54) for development falling within the definition of Economic Development within the NPPF. Outline planning permission APP/18/01072 for the erection of Class B1(c) / B2 /B8 development and Class B8 Trade Counter use, Class A1 Retail, Class D2 Leisure and Classes A3 and A5 Drink / Food Establishments was granted on 15th October 2021; however this permission has now lapsed.

Full planning permission APP/21/00399 has also been granted for part of the site for the construction of a discount foodstore (Aldi), a drive through coffee shop (Costa Coffee) and a drive through restaurant (KFC) with associated car parking, a service yard, landscaping, means of access and associated infrastructure. This permission is still extant.

Following these previous consents for development on the site, the current proposals seek to establish outline permission with all matters reserved apart from access, for development within Class E (light industrial, retail, café and restaurant, leisure / gym), B2, B8 and B8 trade counters.

The proposed development would bring the site back into economic use and would support economic growth in compliance with the adopted Allocations Plan Policy WA2 (BD54). The proposal is considered to accord with the sequential and impact tests in retail terms as set out in the NPPF and NPPG, and in Policy CS4 of the Local Plan (Core Strategy) 2011. Whilst detailed proposals relating to reserved matters are not before the Authority for consideration, it is considered that the development could be delivered in a manner which would not unduly affect the character and appearance of the wider area, nor the amenity of adjoining land uses.

In terms of impact on the highway network, subject to re-securing the mitigation measures secured under APP/18/01072 and APP/21/00399 by S106 Agreement and

conditions, the proposed development is considered to be sustainable in transport terms and would not have an unacceptable impact on highway safety; nor would the residual cumulative impacts on the road network be severe.

Flood risks affecting the site have been taken into account in the development proposals, and appropriate surface water and foul drainage designs are considered capable of being delivered at the detailed design stage. Contamination and pollution risks can be addressed by planning conditions.

The site has been appropriately assessed in terms of its potential for ecological interest, whilst the requisite Biodiversity Net Gain (BNG) uplift will be secured through planning conditions and S106 Agreement, informed by the detailed designs coming forward at reserved matters stage.

In assessing the proposal against the adopted Local Plan and the National Planning Policy Framework (NPPF) it is considered that the development represents sustainable development. The application is therefore recommended for approval, subject to a S106 Agreement and planning conditions.

1 Site Description

- 1.1 The Land at Waterloo Park site forms a parcel of land of some 4.04 hectares bounded by Elettra Avenue, Hambledon Road and Silverthorne Way. It sits adjacent to the Brambles Business Park, 1km north west of Waterlooville Town Centre. The land is a brownfield site - in 1982 planning permission was granted to Marconi for 28,300sqm of light industrial and research and development uses with ancillary buildings. Marconi was subsequently purchased in 2000 by BAE Systems and the site continued in use for a number of years as the BAE Systems Technology Park before the majority of the buildings on the site were demolished following the granting of prior approval in 2013.
- 1.2 The primary access into the site is by way of a roundabout on Elettra Avenue. This route also serves a recently completed Lidl foodstore and adjacent McDonalds Drive Thru restaurant (see below for history). Elettra Avenue runs from Hambledon Road along the northern and western boundaries of the site, connecting to Silverthorne Way along the southern boundary and in turn back to Hambledon Road along the eastern boundary of the site. There are two other existing vehicular accesses into the site on Silverthorne Way, located immediately to the east and west of the remaining BAE building on the southern boundary of the site, albeit that these are not currently in use.
- 1.3 Mature trees, hedging and a grass verge line the north-west, west, south-west and eastern edges of the site. Further soft landscape exists around the edge of the parking area in the north-west area of the site. There are no Tree Preservation Orders on the site.
- 1.4 There are industrial units to the south and west of the site, with offices and industry to the north as well as other commercial uses, including sui generis uses such as car dealerships. A mix of residential and industrial units lies to the east of Hambledon Road opposite the site. A Sainsburys supermarket is located approximately 200 metres to the south east, whilst a range of other retail warehousing units are located around the supermarket.
- 1.5 The part of the site forming this application falls predominantly within Flood Zone 1, although the south west corner lies within Flood Zone 2. An existing 1800mm diameter public surface water sewer crosses the site from the north-east to the south-west.

2 Relevant Planning History

- 2.1 APP/21/00399 - Full application for erection of discount foodstore, drive through coffee shop and drive-through restaurant with associated car parking, service yard, landscaping, means of access and associated infrastructure. Permit 04/10/2024.
Officer comment: *This permission relates to the north western part of the site the subject of the current proposals.*
- 2.1. APP/18/01072 Outline planning application with all matters apart from access reserved for subsequent approval for the erection of Class B1(c) / B2 / B8 development and Class B8 Trade Counter use, Class A1 Retail, Class D2 Leisure and Classes A3 and A5 Drink / Food Establishments. Permit 15/10/2021.
Officer comment: *This permission has now lapsed.*
- 2.2 APP/16/00603 - Application to determine whether prior approval is required for the method of demolition of Block E and any proposed restoration of the site. Approved 11/07/2016.
- 2.2. APP/15/00773 Erection of restaurant/drive thru with associated parking, servicing, access and landscaping. Permit 09/10/2015.
Officer comment: *This permission has been implemented and now comprises the McDonalds Drive Thru restaurant.*
- 2.4. APP/15/00772 Erection of a foodstore (Class A1) with associated parking, servicing, access and landscaping. – Permit 26/04/2016.
Officer comment: *This permission has been implemented and now comprises the Lidl foodstore.*
- 2.3. APP/15/00770 Use of E block building for leisure (class D2) and/or non-food retail (class A1) purposes with associated car parking and other works. Permit 26/04/2016.
- 2.5. APP/15/00451 Application for full planning consent for the construction of a vehicular route through the eastern side of the site at the former BAE systems park. Permit 19/06/2015.
- 2.6. APP/13/00893 Outline application for demolition of the existing main building and a mixed-use employment, leisure and retail development comprising of Class C1 hotel, Class D2 cinema, 3No. Class A3 restaurants, Class A4 public house, Class A3/A5 drive-thru restaurant, Class A1 food store and retention of E Block for use as Class B1 offices or conversion to Sui Generis bowling complex, Class D2 health and fitness centre, and Class A3 restaurant. Application withdrawn prior to S106 being completed.
- 2.7. APP/13/00940 Application to determine whether prior approval is required for the method of demolition of the buildings within the BAE Systems Technology Park (with the exception of E Block and Beam Block buildings) and any proposed restoration of the site. Approved 16/10/2013 and implemented.
- 2.8. APP/12/00652 Outline application for demolition of "main building" and ancillary restaurant and redevelopment to provide business units (Class B1, B2 and B8), car showroom, drive thru restaurant, hotel and restaurant and associated parking with access from Elettra Avenue. Permit 31/07/2013.

3 Proposal

- 3.1 This is an outline planning application with all matters, apart from access, reserved for subsequent approval for the erection of premises falling within Class E (light industrial,

retail, café and restaurant, leisure / gym), B2, B8 and B8 trade counters. An illustrative masterplan is submitted with the application that demonstrates how the proposed floorspace could be arranged on site and that the site is capable of accommodating the amount of floorspace proposed. However, approval is not being sought for the masterplan and the detailed layout and configuration of the buildings and the quantum of floorspace proposed for each specific use will be determined at subsequent Reserved Matters stage(s). The illustrative layout therefore presents only one option of how the site could potentially come forward, with future submissions being dependent on market demand for specific uses.

- 3.2 The submission is supported by a Planning Statement, which outlines that the previous outline permission (APP/18/01072) set out at condition 19 the limits on the total amount of floorspace to be developed at the site, and also the total floorspace to be used within the different key uses, as follows:
Notwithstanding the provisions of any Town and Country Planning (Use Classes) Order, the development hereby approved should not result in more than 19,105 square metres of floorspace being created, of which not more than 2,787 square metres for B8 trade counter and 4,334 square metres for uses falling within Use Classes A1, A3, A5 and D2 of the Town and Country Planning (Use Classes) Order 1987 as Amended
Reason: In the interests of highway safety and in the interests of preserving the vitality and viability of Waterlooville Town Centre in accordance with policies DM13 and CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3.3 The current application seeks to replicate these controls on overall floorspace (Use Classes A1, A3, A5 and D2 now falling with Use Class E of the Use Classes Order).
- 3.4 The previous outline permission also contained a further condition 11 limiting the scope of the retail floorspace approved to essentially non-food retail, as follows:
Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories), home improvement products, carpets and floor coverings, fabric, furniture, soft and hard furnishings, floor coverings, household goods, homewares, decorative products, glassware, cookware, kitchen utensils, white and electrical goods, automotive and cycle parts, pet food, garden tools, arts and crafts materials, variety retailing, tents, camping, caravanning, leisure and outdoor activity equipment, toys and games, beauty products and medicines, baby products, seasonal items, ancillary items such as clothing and footwear, or related accessories for all of the aforementioned or the provision of ancillary café facilities, unless otherwise agreed with the Local Planning Authority.
Reason: In the interests of the viability and vitality of Waterlooville town centre in particular and having due regard to policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3.5 Since the granting of this consent, however, Planning Permission APP/21/00399 has been granted which allows for the development of an Aldi foodstore on part of the site with a gross external floor area of 1,908sqm. The applicants are therefore requesting that a further condition could be imposed on any new outline consent for the site to reflect this planning history, and allow for up to 1,908sqm of the retail floorspace applied for (4,334sqm) to be for food retail uses.
- 3.6 With regards the access to the site as applied for, the primary access is proposed to be from the existing roundabout junction off Elettra Avenue. The existing accesses into the site from Silverthorne Way are additionally proposed to be available to serve individual development plots if required or desired by occupiers. The intention is that these secondary access points will only serve parking or servicing areas associated with individual units and it is not intended to create a through route through the development.

- 3.7 As all matters apart from access are reserved for the future reserved matters submissions no detail is provided as part of the submission for approval in respect of siting, appearance, scale or landscaping. Notwithstanding this, the Design and Access Statement outlines indicative heights for the proposed B Class uses, comprising multi-level offices above warehouse accommodation. The indicative heights are 12 metres to the eaves and 15.5 metres to the ridge.
- 3.8 Overall, the application submission comprises:
- Planning application forms, notices and certificates of ownership
 - Site Location Plan
 - Illustrative Masterplan
 - Access drawings
 - Retail Impact Assessment and Site Sequential Test Report
 - Design and Access Statement
 - Phase 1 Ecology Survey and Report and BNG Calculation / Metric
 - Flood Risk Assessment / Drainage Strategy
 - Transport Assessment and the Framework Travel Plan
 - Phase 1 Ground Investigation
 - Air Quality Assessment
 - Tree Survey
 - Topographic Survey

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) 2011

CS14 (Efficient Use of Resources)

CS16 (High Quality Design)

CS21 (Developer Requirements)

CS4 (Town, District and Local Centres)

CS6 (Regeneration of the Borough)

DM10 (Pollution)

DM11 (Planning for More Sustainable Travel)

DM12 (Mitigating the Impacts of Travel)

DM5 (Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

DM6 (Coordination of Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

AL3 (Town, District and Local Centres)

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

WA2 (Waterlooville Mixed Use Allocations)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Tree Team

The latest application 24/00777 for this site includes a V4 tree survey highlighting boundary species and forms part of a proposed tree protection plan (TPP).

My advice on this application in terms of arb input would be to treat the site as a reserved matter when specifying the actual TPP and any proposed planting as at this outline stage we are not presented with actual site layout.

At this stage I raise no objection to the outline proposal.

Building Control, Havant Borough Council

Building Regulation consent will be required for this work

Please also note that a Southern Water Surface water sewer crosses this site see GIS so consultation with them will be required

No building design details so am unable to confirm Fire Authority access to building / solid waste storage provisions/ glazing provisions/ and flues or boundary restrictions

Chichester District Council

Chichester District Council has no comment to make on this application.

Communities Manager

Thank you for sending this application for review.

My only comment is to note how close the proposed development will be to Waterloo Horizons Leisure Centre, which will be looking to extend and improve its facilities which will include the gym.

Obviously, there is no detail as to what leisure and gym provision mean on this outline application but I'm sure Horizons will want to comment.

Overall and from the community team perspective, we would support any initiative that supports our residents to be more active.

Officer comment: *Leisure/gym uses are just part of the range of uses that the application is seeking outline permission for; it is anticipated that what comes forward from any grant of planning permission will be in response to market demand.*

Community Infrastructure, Planning Policy & Urban Design

CIL

This application is not CIL liable, but any subsequent full or reserved matters application with a retail use would be.

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

The amounts in the Charging Schedule are indexed according to the year in which the CIL liable permission is issued.

The subsequent application would need to be accompanied by:

* CIL Form 1: CIL Additional Information

* CIL Form 2: Assumption of Liability

Please note the current CIL Charging Schedule is under review.

S106

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site-specific obligations necessary):

1. HBC Monitoring Fees*

2. HCC Monitoring Fees
3. BNG - the Metric is being returned for review by the agent/applicant as the first page is incomplete. We also note the ecology report refers to two trees to be removed. This information should also be incorporated in the Metric resubmission
4. Site Specific Transport Improvements (HCC)
5. Highway Works (HCC)
6. Others arising out of consultee responses

*HBC monitoring fees

From 1 April 2024 (due to be increased 1 April 2025)

* £914 per non-financial head of term (outside the scope of VAT)

* 5% of cost per Havant Borough Council financial head of term (outside the scope of VAT)

Havant Borough Council monitors and discharges all Hampshire County Council Covenants on behalf of the County and the charges below also apply for each Hampshire County Council Head of Term.

These contributions are indexed in accordance with the CPI.

This site will need ongoing monitoring in respect of Biodiversity Net Gain, our scale of charges for this ongoing monitoring is from £3,327 to £4,711 (April 2025) depending on the level of technical difficulty.

Officer comment: *The discrepancy in the BNG metric regarding tree removal was resolved by the applicant with the Council's Ecologist.*

Councillor Gwen Robinson

No comments received.

Councillor Peter Wade

No comments received.

Councillor Ryan Brent

No comments received.

Countryside Access Team

HCC Countryside Service, the Highway Authority for Public Rights of Way, has no comment to make on this application.

County Archaeologist

The site is located on the southwest periphery of Waterloo. Large scale geophysical surveys have been conducted to the south and west of the site which have identified prehistoric field systems to the south and Late Iron Age settlement evidence found to the northwest following archaeological trial trenching.

Overall, therefore the area around the site is one of good archaeological potential.

However, the site itself has been extensively impacted by the previous development of the BAE site and therefore any archaeological features and/or deposits which may have been located here will have been removed or at least severely truncated by this development. On this basis, I do not wish to raise any archaeological issues.

Crime Prevention -Major Apps

No comments received.

Developer Services, Southern Water

Existing Southern Water Assets – General

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Proposed SUDS features

Southern Water would request that the consent is subject to the following condition: If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance

www.water.org.uk/sewerage-sector-guidance-approved-documents/.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here: <https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
 - Specify a timetable for implementation.
 - Provide a management and maintenance plan for the lifetime of the development.
- This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Officer comment: *The LLFA have recommended that a drainage condition is imposed that will control the detailed drainage design and also address future maintenance arrangements for the development. This is considered to address the issues raised by Southern Water in their consultation response.*

East Hants District Council

No comments received

Ecologist

Final comments (following the applicant's response to the initial comments):

The applicant has submitted a letter with further comment on ecological matters (Harris Lamb, 5 December 2024) which seeks to provide clarification on matters raised by me in my consultation response dated 22 November 2024. The clarifications relate to the extent of tree removals, reptile suitability and post-development compensatory habitats.

- I welcome the clarification on tree removals and am now satisfied that the submitted BNG Metric reflects the true situation. No further information is required on this matter.
- On the issue of reptile suitability, I acknowledge that the site is not optimal habitat for reptiles and that no animals were recorded in 2018. I am content that Reasonable Avoidance Measures are an appropriate way forward for addressing potential impacts to reptile species.
- I acknowledge the acceptance of a site-wide Ecological Mitigation, Compensation and Enhancement Strategy that will provide a comprehensive plan for ecological matters at the site, alongside a Biodiversity Gain Plan and Habitat Management and Monitoring Plan as required by BNG, the latter to be provided pre-commencement.

As with my previous consultation response, if you are minded to grant permission can I suggest that the following planning conditions are used to secure all ecological mitigation, compensation and enhancement measures.

Prior to the commencement of development activities, an Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, and compensation measures as detailed in the Ecological Impact Assessment (Harris Lamb, September 2024) unless otherwise agreed in writing by the Local Planning Authority. It shall include, but not necessarily be restricted to: full details of all measures to avoid and mitigate the potential impacts of development on ecological receptors (including artificial lighting); full details of all proposed on- and off-site ecological compensation and enhancement measures including location, area, composition, establishment and ongoing management, monitoring, and roles and responsibilities. Reason: to provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

The proposed development will result in the loss of all low and medium distinctiveness habitats on the site, comprising 3.04 units of Derelict or Vacant Land (brownfield vegetation), 0.04 units of Modified Grassland, 0.35 Hedgerow units, and 2.32 units of Mixed Scrub. No details of post-development habitats are provided – this is in accordance with the BNG process, although perhaps unhelpful for the Local Planning Authority. Given the brownfield character of the site (which is not a widespread and common habitat type) I would very strongly recommend that the developed site incorporates similar brownfield-type habitats within the proposed landscaping. These habitats – containing freely-draining, low-nutrient soils alongside sparse vegetation – are highly important for biodiversity and are relatively straightforward to create or replicate. These habitats can be provided via brown roofs or at ground level. The addition of standing water, ideally via seasonal shallow pools, can significantly add to the biodiversity value. This would require an imaginative, non-standard approach to formal landscaping areas. I would be happy to discuss this matter further if this is of

assistance. The applicant must ensure that post-development habitats accord with trading rules by providing habitats of the same or greater distinctiveness.

BNG measures must be secured for a minimum of 30 years. Details of how any proposed on-site or off-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan and Habitat Management and Monitoring Plan – this is a mandatory part of BNG, to be provided post-permission. It will be necessary for the applicant to ensure that any off-site BNG measures are either on land under their direct control or are secured through an off-site provider who is included on the national register. It will also be necessary for the applicant to indicate, following discussion with the LPA, which on-site BNG measures are considered to be 'significant' and therefore to be secured through legal agreement. All off-site BNG must be secured via legal agreement, to which the LPA will attach monitoring fees.

If you are minded to grant permission, can I suggest that BNG measures are secured by condition. The deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development.

Suggested wording is as follows:

A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Metric (Harris Lamb, September 2024) and must include:

- i. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;*
- ii. the pre-development biodiversity value of the on-site habitat;*
- iii. the post-development biodiversity value of the on-site habitat;*
- iv. any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;*
- v. any biodiversity credits purchased for the development; and*
- vi. any such other matters as the Secretary of State may by regulations specify.*

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- i. a non-technical summary;*
- ii. the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- iii. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
- iv. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- v. the monitoring methodology and frequency in respect of the created or enhanced habitat.*

Notice in writing shall be given to the Council when the:

- i. HMMP has been implemented; and*
- ii. habitat creation and enhancement works as set out in the HMMP have been completed.*

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Initial comments:

The application is accompanied by an Ecological Impact Assessment (Harris Lamb, September 2024) and a Biodiversity Net Gain Metric and associated condition assessments (Harris Lamb, September 2024). The Metric only contains details of the baseline and the postdevelopment losses: no detail is provided on post-development habitat creation or enhancement and it is not known at this stage how the applicant will achieve the required 10% net gain: this is procedurally correct, and details of post-development habitats can be secured through a Biodiversity Gain Plan. However, I would like to highlight that the Metric calculations do not appear to include the loss of two trees referred to within the submitted ecological assessment (section 5.5). The Metric should be updated to include the two trees.

The application site comprises a typical brownfield site containing areas of bare ground, hard surfacing, ruderal/annual flora, mixed scrub and modified grassland. A suite of ecological surveys have been carried out to assess the presence/absence and status of various protected and notable species. The site is considered to generally be unsuitable for most species. The site contains no buildings suitable for bat species, and two trees have been identified as offer potential for roosting bats. These trees were subject to detailed survey in summer 2024 and no roosting bats were observed. Bat activity surveys have recorded a diverse bat assemblage, although dominated by Common Pipistrelle. A series of off-site waterbodies have been assessed for Great Crested Newts, and no evidence that this species occurs has been recorded. Badgers and Hazel Dormice are considered absent.

I would welcome clarification on why no updating reptile surveys have been carried out. The previous reptile surveys were conducted in 2018: does this mean that the site has become less suitable for reptile species? The site appears to offer suitable habitat in my opinion, and is not completely isolated from surrounding areas containing potentially suitable habitat.

The ecological assessment contains a series of recommendations for mitigation, compensation and enhancement. These measures are sensible and suitable to the outline nature of the application. If you are minded to grant permission, can I suggest that a single, site-wide Ecological Mitigation, Compensation and Enhancement Strategy is secured by condition. This should include details of all ecological mitigation, compensation and enhancement measures and should be complimentary to other documents such as a landscape plan and lighting strategy, ensuring that measures are deliverable.

Prior to the commencement of development activities, an Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to an approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, and compensation measures as detailed in the Ecological Impact Assessment (Harris Lamb, September 2024) unless otherwise agreed in writing by the Local Planning Authority. It shall include, but not necessarily be restricted to: full details of all measures to avoid and mitigate the potential impacts of development on ecological receptors (including artificial lighting); full details of all proposed on- and off-site ecological compensation and enhancement measures including location, area, composition, establishment and ongoing management, monitoring, and roles and responsibilities.

Reason: to provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act

1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

The proposed development will result in the loss of all low and medium distinctiveness habitats on the site, comprising 3.04 units of Derelict or Vacant Land (brownfield vegetation), 0.04 units of Modified Grassland, 0.35 Hedgerow units, and 2.32 units of Mixed Scrub. The ecology report states that two trees are to be removed: the loss of these trees needs to be included within the Metric calculations. No details of post-development habitats are provided – this is in accordance with the BNG process, although perhaps unhelpful for the Local Planning Authority. Given the brownfield character of the site (which is not a widespread and common habitat type) I would very strongly recommend that the developed site incorporates similar brownfield-type habitats within the proposed landscaping. These habitats – containing freelydraining, low-nutrient soils alongside sparse vegetation – are highly important for biodiversity and are relatively straightforward to create or replicate. These habitats can be provided via brown roofs or at ground level. The addition of standing water, ideally via seasonal shallow pools, can significantly add to the biodiversity value. This would require an imaginative, nonstandard approach to formal landscaping areas. I would be happy to discuss this matter further. The applicant must ensure that post-development habitats accord with trading rules by providing habitats of the same or greater distinctiveness.

BNG measures must be secured for a minimum of 30 years. Details of how any proposed onsite or off-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan and Habitat Management and Monitoring Plan – this is a mandatory part of BNG, to be provided postpermission. It will be necessary for the applicant to ensure that any off-site BNG measures are either on land under their direct control or are secured through an off-site provider who is included on the national register. It will also be necessary for the applicant to indicate, following discussion with the LPA, which on-site BNG measures are considered to be ‘significant’ and therefore to be secured through legal agreement. All off-site BNG must be secured via legal agreement, to which the LPA will attach monitoring fees.

Following the clarification of the queries detailed above, and if you are minded to grant permission, can I suggest that BNG measures are secured by condition. The deemed condition states that a Biodiversity Gain Plan be submitted to and approved by the local planning authority prior to the commencement of development.

Suggested wording is as follows:

A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Metric (Harris Lamb, September 2024) and must include:

- (1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;*
- (2) the pre-development biodiversity value of the on-site habitat;*
- (3) the post-development biodiversity value of the on-site habitat;*
- (4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;*
- (5) any biodiversity credits purchased for the development; and*
- (6) any such other matters as the Secretary of State may by regulations specify.*

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (7) a non-technical summary;*

- (8) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (9) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (10) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (11) the monitoring methodology and frequency in respect of the created or enhanced habitat.

Economic Development

Havant Borough Council's Regeneration and Economic Development team are supportive of inward investment into Waterlooville. However due to the effort by the teams to regenerate Waterlooville high street specifically and attract footfall across all of the town centres across the borough, we would prefer for this activity to be taking place on Waterlooville high street.

We will of course work with the developer and end user to connect with community to create jobs for local people and upskills residents through an Employment & Skills Plan should planning permission be granted and the development proceed.

Engineering Services

Initial comment

Drainage:

As has been identified by BC, a sewer crosses the site with an easement, specific consent will be required from Southern Water. The open section of this route in the southern part of the site (adjacent to Silverthorne Way) has the capability to cause surface water flooding if the pipe or outlet river downstream becomes compromised.

Active Travel:

The Travel Plan needs to be updated with planned works in the Hambledon Road roundabout area which will provide improved active travel access into Elettra Avenue. A contribution to these works should be requested. There is scope for northbound bus services to be diverted off Hambledon Road via Silverthorne Way and Elettra Avenue to directly serve the development, this should be investigated with one or both bus companies.

Updated comment following submission of further information from the applicant regarding the Travel Plan, highway contributions and comments on bus services

The consultee response titled "CONSULTEE COMMENT - TRANSPORT PLANNING CONSULTANTS" is noted.

Environment Agency

The proposed outline planning permission will only be acceptable if the following planning conditions are included in any permission granted.

No development approved by this planning permission shall commence until such time as the following schemes have been submitted to, and approved in writing by, the local planning authority:

- *Finished Floor Levels are set no lower than 34.77m Above Ordnance Datum.*
- *Overland flooding in the southwest corner of the site shall be managed through the design and implementation of a swale feature, directing flood water to the previously constructed flood alleviation works.*
- *Ensure that the development will not result in any loss of floodplain storage over the*

lifetime of the development.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason(s)

- To reduce the risk of flooding to the proposed development and its future users.*
- To prevent any loss of floodplain storage and ensure that the risk to off-site areas is not increased.*

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to the site and off-site areas.

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.

Reasons

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Advice to LPA/Applicant

The site area for the proposed development is located largely within flood zone 1, with a section of the southwest area located within flood zone 2. As the proposed development vulnerability classification is categorised as less vulnerable, we are satisfied that an adequate site-specific flood risk assessment has been provided.

In Section 9.2.1 (i) of the FRA, the applicant has proposed a finished floor level of 34.77mAOD, whereby a freeboard allowance of 300mm has been applied above the 1 in 1000-year fluvial flood level for the site (34.47mAOD). We are satisfied with the identified freeboard allowance of 300mm used as a flood mitigation measure in this instance, provided from reliable flood models for this site.

Under Section 8.1.1 of the FRA, the table details potential surface water drainage techniques for this site, whereby swale features are identified within the table as 'suitable' and 'no initial constraints identified'. We highly recommend that the applicant considers the inclusion of a swale feature to direct overland flood water to the constructed flood alleviation works. This is supported within a previously approved outline application for the site (within the FRA and FRA addendum – ref: HA/2018/120854/01, APP/18/01072), where there was consideration to construct a swale feature to manage flood water if the capacity of the twin culverts on the site was exceeded. We consider the implementation of a swale to be an important flood alleviation feature for the development.

We request that the applicant demonstrate, in the detailed layout of the development at the reserved matters application stage, that there will be no loss of floodplain storage over the lifetime of the development. Also providing evidence that any loss of floodplain

storage does not increase flood risk elsewhere to off-site areas.

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Details and adequacy of flood proofing and other building level resistance and resilience measures.

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:
Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>
CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx
British Standard 85500 – Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

The site is in a inner source protection zone (confined). This refers to a source protection zone in the confined chalk, which occurs at significant depth beneath the site and is protected by a significant thickness of low permeability London clay which underly the site. From a controlled waters perspective this is not a particularly sensitive site in relation to shallow contamination. There is some head deposits noted, but these are not likely to support significant groundwater resources. Some connection to surface water also may exist. Though some potential source are described, no major sources of contamination have been directly identified.

Due to the limited sensitivity and the fact that no major sources have been identified, we would not require any additional investigations. A careful watching brief for potential contamination should be observed during site development.

We could not see any assessment of potential PFAS contamination. Depended on exact natures of activities on site, PFAS sources may exist, though we would not in the first instance believe this to be a major sources. Though we would advise some assessment of potential PFAS to be undertaken, to confirm if any watching briefs etc may be warranted.

As no soakaway are proposed, we have no comments or significant concerns with the surface water drainage proposals.

Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Environmental Health Manager, Community Group

Thank you for consulting the Environmental Protection Team on this application. Please note these comments relate to noise, light and odour only. Please accept this response as confirmation that we do not have any objections to the principle of the development. Potential nuisance type issues could be controlled through appropriate conditions.

Hampshire Fire & Rescue

HIWFRS understands that the consultation relates to an outline planning application with all matters reserved apart from access for development within Class E, B2, B8 and B8 trade counters.

I confirm that Hampshire & IOW Fire and Rescue Service (HIWFRS) has received your application, dated 16 December 2024. The inspector named above has considered the information provided and has made the following comments:

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access **to** the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings **within the site** will be dealt with as part of the building regulations application at a later stage). Access roads **to** the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High-reach Appliances

High reach appliances currently operated by the HIWFRS exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as

follows. Structures such as bridges, which a high-reach appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Water Supplies

Additional water supplies for fire fighting may be necessary. You should contact the Water Management Team, Hampshire & IOW Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (hydrants@hantsfire.gov.uk) to discuss your proposals.

Fire Protection

HIWFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression Systems (AWFSS) to promote life safety and property protection within the premises.

HIWFRS is fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Testing of Fire Safety Systems

HIWFRS strongly recommends that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter, their effectiveness should be reconfirmed periodically throughout their working lifecycles.

Fire-fighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises' occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Officer comment: *The access issues raised would be dealt with under separate Building Regulations legislation. The advisories can be relayed to the applicant as informatives on any grant of planning permission.*

Hampshire Highways

The Highway Authority have previously responded and recommended no objection to an outline planning application under reference APP/18/01072 and a full application under reference APP/21/00399 on the same parcel of land. No objection was recommended to these applications on the basis of the following being secured through Section 106 agreements:

- £60,000 contribution towards the Hambledon Road/Elettra Avenue Roundabout;
- £150,000 contribution towards a toucan crossing on Hambledon Road;
- Vehicular access from Elettra Avenue alongside pedestrian and cycle improvements at the Waterberry Drive/Elettra Avenue roundabout;
- Delivery of a cycle link from Hambledon Road to Waterloo Park to the south of McDonalds;
- Identification and delivery of pedestrian and cycle connections to the wider highway network as part of any future reserved matters applications; and
- Travel Plan.

The latest planning application combines the outline and full planning consent

into one, overarching outline application. It is noted that the parameters previously agreed remain the same here, namely the proposed land uses and associated floorspace, alongside the trip generation and distribution. Given the above, the Highway Authority is satisfied that the mitigation package for the development remains proportionate to its impact. As previously acknowledged, individual parcels of development will be expected to come forward with a view to holistically connecting pedestrian and cycle infrastructure within the site. Each site should be designed in a way that does not preclude safe and suitable access for those wishing to travel sustainably, both internally within the Waterloo Park development, and externally to offsite infrastructure. Whilst vehicular access to the full application site was previously agreed, it is noted that this does not feature as part of the current outline application. These matters will also need to be reviewed as part of any future reserved matter applications. Parameters previously secured within the S106 should be replicated within any future agreement e.g. date of indexation for the Hambledon Road/Elettra Avenue roundabout contribution.

The Highway Authority therefore recommends no objection to the proposed development, subject to the matters noted above being secured through a Section 106 agreement, alongside a site wide Construction Traffic Management Plan.

Landscape Team, Havant Borough Council

No landscape objections.

Local Lead Flood Authority HCC

Final comments (following the applicant's response to the interim comments):

The County Council has reviewed the following documents relating to the above application:

Technical note – April 2025

Having reviewed the additional information provided, we are satisfied with the principles of the drainage and have no objection to the proposals subject to more detailed information being provided by condition

1. No development shall begin until a detailed surface water drainage scheme for the site, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- d. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

2. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include maintenance schedules for each drainage feature type and ownership

Interim comments (following the applicant's response to the initial comments):

The County Council has reviewed the following documents relating to the above application:

Technical Note – Response to Lead Local Flood Authority Response –
BP Civils 04/12/24

Following review of the above document HCC as LLFA has the following comments:

We note that the master planning of this development appears to be at an early stage and few details have been provided in support of this outline planning application. The LLFA previous response was provided using the best knowledge and information submitted by the applicant as part of the planning application at the time of responding. The applicant has provided further explanation in support of the submitted drainage strategy but no additional information has been provided.

The LLFA are unable to assess the viability of the surface water drainage strategy with the level of information that has been provided.

We accept that it is not possible at this stage to produce a detailed drainage design for the site given the proposed site layout has not been confirmed. Detailed drainage information is not required for an outline planning application. For the LLFA to support an outline application we must be satisfied that it will be feasible to produce drainage design that meets the required standards. A simple drainage layout plan is required indicating the proposed location of the surface water drainage network outfall, potential locations for surface water attenuation features and a description of the attenuation features proposed, with basic drainage level information to demonstrate a feasible drainage design is possible for the site. Simple hydraulic calculations are required demonstrating a suitable storage estimate and that post-development runoff rates provide 50% betterment on predevelopment runoff rates for 1:1, 1:30, 1:100 + climate change.

The site is in a catchment priority area as set out in the Hampshire Catchment Prioritisation - Lavant Catchment Management Plan Catchment Approach to Flood Risk Management | Environment | Hampshire County Council . Lavant Priority Area Policy 7 states best practice for major brownfield development “that a 50% betterment of surface water run-off rates is demonstrated for the surface water management features of any proposed development”. The LLFA are unable to support this application as the proposed drainage strategy does not meet the requirements of our policy with respect to proposed discharge rates.

We note the response in the above document regarding areas of surface water flood risk. It is not clear at this stage whether buildings or changes in ground level are proposed in these areas. The LLFA position is that if flood risk areas (from any source) are identified, it must be demonstrated that the proposals can be delivered without encroaching on these areas.

We note that Southern Water have been consulted on this application. Exceedance flow plans, water quality assessment and drainage maintenance plan can be prepared at detailed design stage and the LLFA accept that these can be submitted as part of a reserved matters application. The LLFA can propose suitably worded planning conditions to be included in any granted permission.

We require this further information before we can make a decision on whether to recommend to the Local Planning Authority that planning permission is granted.

Initial comments:

The County Council has reviewed the following documents relating to the above application:

- Flood Risk Assessment & Drainage Strategy ref: D2263/FRA1.1

In order for us to provide a substantive response, the following information is required:

The proposals are to discharge surface water at a controlled rate into the Southern Water surface water sewer which connects to the main river just beyond the site boundary. Given the proximity of the main river, we would be willing to accept this as 'discharge to watercourse' however Southern Water should confirm that this is acceptable.

The development and associated works will be within 8 meters of the main river network, and therefore liaison with the Environment Agency is likely to be required and additional permissions may be needed.

The proposed surface water drainage strategy is unclear. Further information is required to explain the strategy and the proposed restricted discharge rate. The strategy states: "it is proposed to provide surface water attenuation on site to ensure runoff does not exceed existing 1 in 30 year discharge rates" but it is not specific on whether this restriction only applies to the 1 in 30 storm or to all storms up to the 1 in 100 +cc storm. The LLFA would look for restriction to the respective greenfield runoff rate where possible and where not possible, at least 50% betterment of existing brownfield runoff rate at each return period.

A drainage strategy drawing with supporting calculations at the relevant return periods are required.

The EA flood map for rivers and flood map for surface water identify an area in the South West corner subject to flood risk. The proposals should not encroach on areas of flood risk and ground levels in these areas should not be raised. The outline masterplan included in the submitted documents implies a building is proposed in this South West Corner. The area of flood risk should be taken into consideration when deciding site layout. If the flood risk areas are deemed inaccurate, modelling will be required before changes can be accepted. If development is proposed in these areas without modelling, flood compensation areas will be required and details on how the topography will be altered to ensure new development is not at risk. Modelling may also be required to support this.

Further information may be required in relation to water quality which needs to be assessed in accordance with the simple index approach.

An exceedance flow plan would be required showing the post development overland flow routes.

A maintenance schedule will need to be produced to address both maintenance requirements and responsibilities.

The final 2 points could be addressed by condition but the previous elements need to be addressed before we can recommend that permission is granted.

We require this further information before we can make a decision on whether to recommend to the Local Planning Authority that planning permission is granted.

Planning Policy

Policy Status

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the borough.

It should also be noted that the Council is progressing a Waterlooville Town Centre Masterplan Supplementary Planning Document. In addition, it should be noted that the Council has published an updated Employment Land Review which supports the Council's Building a Better Future Draft Local Plan.

The following Adopted Local Plan policies are of particular relevance:

- CS4 Town, District and Local Centres
- CS6 Regeneration of the Borough
- CS14 Efficient Use of Resources
- CS16 High Quality Design
- CS21 Developer Requirements
- DM3 Protection of Existing Employment and Tourism Sites
- DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses
- DM6 Coordination of Development
- DM10 Pollution
- DM11 Planning for More Sustainable Travel
- DM12 Mitigating the Impacts of Travel
- AL3 Town, District and Local Centres
- Havant Borough Parking SPD (July 2016)

Background

The development site is part of a wider application called BAE Systems Technology Park within the adopted Local Plan.

The site has been sectioned into three, and each of the three areas within the site have been granted planning permission.

The first part of the site APP/15/00773 was granted planning permission for a drive-thru restaurant and food store. The second part of the site was granted outline planning approval APP/18/01072 in 2021 and consisted of Class B1(c) / B2 / B8 developments and Class B8 Trade Counter use, Class A1 Retail, Class D2 Leisure and Classes A3 and A5 Drink / Food establishments land. This outline application was for the access and use of the site with all other matters reserved. In 2021, planning permission for the erection of a discount food store, drive through coffee shop and drive through restaurant was granted on the north west part of the site (APP/21/00399).

This application site excludes the area granted planning permission under APP/15/00773 but includes the rest of the land which totals 4.04 hectares.

Principle of Development:

The site lies within the urban area as defined by Policies CS17 and AL2 of the Local Plan which seek to concentrate new development within the five urban areas of the borough and within site allocation reference BD54 (Land at BAE Systems Technology Park) as defined by Policy WA2 of the Allocations Plan.

As set out in the Building a Better Future Draft Local Plan, the Council is seeking to be more specific in terms of identifying appropriate land uses for the site by trying to direct class E uses towards Waterlooville Town Centre boundary.

The Employment Land Review Study (2024) has identified a need for c140,000 sq m of industrial floorspace in the Borough. Currently based on the most conservative scenario the Borough has a 14 year supply of industrial floorspace. Waterloo Park (Former BAE Systems) has been identified within the ELR as a viable location for B2/B8 uses. Given the strong viable demand and need for industrial space, the Council would like to see the focus of the site be used for B2/B8 uses. Class E uses should be focused within Waterlooville Town Centre in accordance with national and local planning policy, including the emerging Waterlooville Town Centre Masterplan Supplementary Planning Document.

Whilst the emerging Building a Better Future Draft Local Plan and the Waterlooville Town Centre Masterplan Supplementary Planning document do not have any weight at this stage in their preparation, they do represent material considerations. The policy position is therefore based the adopted Local Plan which allocates the site for mixed use development including economic development, hotel and leisure uses. On this basis, the development proposals broadly accords with the site's allocation.

Conclusion

The principle of development is therefore acceptable subject to other detailed considerations.

Portsmouth Water Company

Thank you for consulting Portsmouth Water on the above application. The catchment and environment team have reviewed the relevant documentation and have the following comments to make. Our comments are based on the review of the following documentation.

Site Setting

The site is situated within Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs, an essential water supply source for the city of Portsmouth and the surrounding area. The SPZ1c relates to subsurface activity only where the Chalk aquifer is confined and may be impacted by deep drilling activities. Subterranean activities such as drainage solutions, site investigation boreholes and/or piling may pose a risk to groundwater quality and our supply at the Havant and Bedhampton Springs.

Portsmouth Water's Position

The proposed works are situated in a sensitive groundwater catchment where subterranean works in this area have the potential to impact groundwater quality.

Portsmouth Water has no objection in principle to the proposed development. However, we request that the following planning conditions be attached to any planning permission granted, to be submitted to and approved by the Local Planning Authority,

in consultation with Portsmouth. Water.

Surface Water Drainage

No development shall take place until a surface water drainage scheme based on sustainable drainage principles and a comprehensive assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. The scheme shall subsequently be implemented in accordance with the approved details before any building within that phase is occupied.

Details of how the scheme shall be maintained and managed after completion shall also be included.

Reason - To reduce the risk of groundwater pollution and prevent the increased risk of flooding, both on and off site.

Foul Water Drainage

No development shall commence until such time as a scheme to dispose of foul water for that phase has been submitted to, and approved in writing by, the local planning authority in consultation with Portsmouth Water. The scheme shall be implemented in accordance with the timetable agreed as part of the approved scheme.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion.
- details of the sewage pipe work layout and specifications.

Reason - This is in order to manage the quantity of foul sewage and protect water resources. In accordance with position G8 of Groundwater Protection: Principles and Practice, the applicant must use the highest specification pipework and designs to minimise leakage.

Piling and Foundations

No piling or any other foundation construction using penetrative methods shall be carried out other than with the express written consent of the local planning authority in consultation with Portsmouth Water. The development shall be carried out in accordance with the approved details. The method statement should detail the equipment, methodology, grout, control measures and monitoring that will be implemented to ensure there is no increased risk to controlled waters or drinking water supplies.

Reason - Piling or any other foundation construction methods using penetrative methods could allow hazardous substances and non-hazardous pollutants to enter groundwater by for example, mobilising contamination and creating preferential pathways.

Thus, it should be demonstrated that any proposed piling;

- a) Will not result in contamination of groundwater. This is in accordance with National Planning Policy Framework paragraph 109.
- b) Nor any increased risk to drinking water supplies (including turbidity).
- c) Nor deterioration in the transmissivity of the aquifer

Construction and Environmental Management Plan (CEMP).

No development shall start on site until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Planning Authority in consultation with Portsmouth Water detailing all pollution mitigation measures to be adopted during the construction phase. This should include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages.

Reason- Fugitive emissions from the site during construction could pose a significant threat to groundwater and therefore the local public water supply source.

Land Contamination

If, during development, contamination not previously identified is found to be present at the site then the local planning authority must be notified immediately. No further development (unless otherwise agreed in writing with the local planning authority in consultation with Portsmouth Water) shall be undertaken in that phase until the developer has submitted and had approved a site investigation, risk assessment and remediation strategy report, detailing how to mitigate the contamination identified. The remediation strategy approved by the local planning authority shall be implemented in full before development in that phase recommences.

Reason - To ensure that risks from land contamination to drinking water supplies are remediated.

Recommendations

Water Efficiency

Portsmouth Water encourage local planning authorities to consider higher standards of water efficiency in new developments, with all new homes being built to a minimum standard of 100 litres per person per day. Planning policy can help to ensure long-term sustainability and management of water supplies, which is likely to reduce the need to take less water from the environment to protect local streams and rivers and the wildlife which rely on them.

For developments that can demonstrate meeting high standards of water efficiency of no more than 100 litres per head per day, Portsmouth water offer an incentive of a 50% discount on the Infrastructure charge. Based on a development of 200 properties with an occupancy of 3 people per property, there will be a minimum saving of 15,000 litres per day. The guide would benefit covering the importance of water efficient developments and to recommend this for all new dwelling

Officer comment: *The water efficiency recommendation is not relevant to the current proposals as no new dwellings are proposed.*

Scottish and Southern Energy (Major Apps)

No comments received.

SE Hants Clinical Commissioning Group

No comments received.

Southern Electric plc, Network Investment Team

No comments received.

Winchester City Council

Thank you for consulting Winchester City Council on the above application.

Please ensure that any transport assessment takes account of the additional traffic that would be generated by the West of Waterlooville Major Development Area adjacent to the site.

No further comments.

Officer comment: *The Highways Authority have confirmed that the parameters agreed in previous applications for the site remain the same in the current proposals, namely the proposed land uses and associated floorspace, alongside the trip generation and distribution.*

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: 48

Number of site notices: 4

Statutory advertisement: 08/11/2024

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon amenity
- (iv) Impact on highways, including access and parking considerations
- (v) Flood Risk and Drainage
- (vi) Contamination and pollution
- (vii) Ecology and Biodiversity Net Gain
- (viii) Sustainable Construction
- (ix) Financial contributions and S106 obligations

(i) Principle of development

7.2. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. Significant weight is placed on the need to support economic growth and productivity.

7.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan*

unless material considerations indicate otherwise." In the current case, the application site is identified in the adopted Allocations Plan policy WA2 (BD54), for development uses falling within the definition of economic development within the NPPF, including leisure uses and a hotel subject to viability.

- 7.4 Paragraph 91 of the NPPF advises that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. It also states that main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 7.5 Paragraph 92 further clarifies that *"When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored."*
- 7.6 Paragraph 96 advises that the decision maker to aim to achieve healthy, inclusive and safe places which promote social interaction; are safe and accessible; and enable and support healthy lifestyles.
- 7.7 Paragraph 98 further states that decisions should provide the social, recreational and cultural facilities and services the community needs. Planning decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.
- 7.8 Paragraph 131 addresses the need for the creation of high quality buildings and places being fundamental to what the planning and development process should achieve stating that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*
- 7.9 Paragraph 135 requires decision makers to ensure that developments will function well and add to the overall quality of the area; that they are visually attractive; and that they are sympathetic to local character and history; seek to establish a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.10 The National Planning Practice Guidance (PPG) specifies that the NPPF sets out two key tests that should be applied when planning for town centre uses, which are not in an existing town centre and which are not in accordance with an up-to-date Local Plan. These are the Sequential Test and the Impact Test.
- 7.11 Furthermore, as the proposal relates to the construction of a food store in an out of centre location, the process set out in Paragraph 3.39 (Policy CS4) of the Local Plan (Core Strategy) 2011 applies:
"All applications for the development of town centre uses and in particular new retail floor space outside designated centres will need to demonstrate in a robust and transparent manner the application of the sequential approach to site selection, an impact assessment and all other relevant tests set out in current government policies".

Sequential test

- 7.12 The site is allocated under Allocations Plan Policy WA2 (Ref: BD54) for uses defined as

Economic Development, Hotel and Leisure. At the time of the allocation of the site in the Allocations Plan in 2014 the NPPF defined economic development as those within the B use classes and main town centre uses, which included retail, leisure and hotels - although in the most recent iteration of the NPPF economic development is no longer defined as a distinct term. It is accepted, however, that a granting of permission would allow for the site to be marketed and developed in a manner that could encourage operators to invest in the site.

- 7.13 Under Policy WA2 (Ref: BD54) the site is defined as 'out of centre' for retail and 'edge of centre' for main town centre uses. Furthermore, as previously identified, the site has previously benefitted from outline planning consent for a mixed use development comprising commercial and food/drink establishments; and has an extant planning permission for part of the site which incorporates a discount foodstore, drive through coffee shop and drive-through restaurant.
- 7.14 The purpose of the sequential retail test is to ensure that new retail development is located as closely as possible to town centres, and to ensure as far as possible that new retail development would not have an untoward negative impact on the vitality of town centres. Paragraphs 91 and 92 of the NPPF (listed above) set out the requirements for the sequential test; whilst the National Planning Practice Guidance confirms that if there are no suitable and sequentially preferable locations, the sequential test is passed. Paragraph 92 of the NPPF specifically indicates that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.
- 7.15 In weighing the sequential test considerations the applicants advise:
"In light of the fact that part of the site has an extant planning permission for retail the application proposals are accompanied by a Retail Impact Study and Retail Sequential Site Assessment that looks at whether there are alternative suitable sites to accommodate the proposed retail element of the development within the Town. As the site has an extant permission and the sequential test submitted alongside that application was accepted by the Council previously it is contended that there still remain no other sequentially preferable sites that would be capable of accommodating the development."
- 7.16 It is noted that both the Economic Development and Planning Policy responses make reference to emerging policies of the Council which seek to encourage Class E uses to Waterlooville town centre. However it must be recognised that the emerging Building A Better Future Draft Local Plan and the Waterlooville Town Centre Masterplan Supplementary Planning document have only very limited weight as material considerations at this stage in their preparation when set against the established adopted Local Plan policy, and as such no objections have been raised by these consultees to the suite of uses proposed for the application site. Given this, and coupled with the extant Local Plan allocation and extant planning permission for retail development on the site, it is not considered that there are any sequentially preferable sites for the development proposed.

Impact test

- 7.17 The purpose of the impact test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. The test relates to retail and leisure developments (not all main town centre uses) in excess of 2,500 square metres which are not in accordance with up to date plan policies and which would be located outside existing town centres.
- 7.18 The application is accompanied by a Retail Impact Assessment which concludes out the following:

"In relation to the retail component (Class E(a)), we have assumed as a worse case that

the scheme would attract a comparison goods turnover of approximately £11.2m in 2029. The impact on the town centre would be less than 3% which is not considered to be materially harmful to its vitality and viability.

The only means by which the considerable loss of expenditure is retained locally is by improving the range, quality and quantity of retail space. No schemes are able to deliver this in the town centre. None have planning permission and none are currently planned.

As an edge-of-centre site it has the ability to generate linked shopping and other trips and would promote a more sustainable form of development, reducing the number and length of journeys to centres/facilities further afield. To this extent it is important that the town and borough as whole addresses the competition in neighbouring local authorities particular to Portsmouth and Chichester. The application proposal presents a suitable opportunity to improve provision and ensure that the centre meets the needs of existing and future residents. In this regard the fact that the Council has expanded the town centre boundary to include the Wellington Retail Park and Sainsbury's is a recognition that these types of development can make a positive contribution towards providing a more sustainable pattern of shopping"

- 7.19 Having regard to the impact test, it is again noted that no objections have been raised to the proposals by the Economic Development and Planning Policy teams.
- 7.20 In summary, having regard to the level of information provided by the applicant, it is considered that the principle of the development is acceptable and there are no other sequentially preferable locations to the application site. The proposed development is considered to broadly accord with the adopted Allocations Plan Policy WA2 (BD54) and it would bring the site back into economic use and would support economic growth.
- 7.21 Accordingly, the proposal therefore accords with the sequential and impact tests in retail terms as set out in the NPPF and NPPG, and in policy CS4 of the Local Plan (Core Strategy) 2011. In reaching this position it will be necessary for the current application to replicate the controls on overall floorspace, and the proportions that may be used for food and non-food retail uses, to accord with the position reached in respect of APP/21/00399.

(ii) Impact upon the character and appearance of the area

- 7.22 Paragraph 131 of the NPPF sets out a number of criteria which developments should achieve, including requirements for developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and to be sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.23 Policies CS11 and CS16 of the Core Strategy, supplemented by the Design Guide SPD, set out a range of criteria that new development should be able to demonstrate in order to protect the environment and heritage of the borough and secure high quality and appropriate developments - amongst these is that new development should ensure that the key landscape and built form principles integrate into the character and appearance of the area.
- 7.24 With respect to the current proposals, the only matters to be considered at this stage are access (vehicular), assessed in detail under (iv) below. The appearance, layout, landscaping and scale of the development would be agreed at the reserved matters stage.

Layout & landscaping

- 7.25 Although the precise layout would be agreed at a later stage, the site has mature

landscaped boundaries around parts of Elettra Avenue and Silverthorne Way, so the layout should allow for the retention and/or replacement of the valuable mature boundary trees. The development as shown on the indicative layout plan is proposed to be accommodated within the main body of the site, and the site access/egress plan submitted with the application allows for the existing vegetation around the site to be retained and/or replaced - as was the case with the detailed approval under APP/21/00399, which saw the loss of a group of low category trees along the western boundary compensated for by a new tree planting scheme.

- 7.26 Given the context of adjoining commercial development, and the extant permission under APP/21/00399, it is considered that the development proposed on the site could appropriately assimilate with the character of the area, including with the recently constructed Lidl and McDonalds. The proposal enables the site to be more efficiently used, whereas open areas of hardsurfacing currently dominate large areas of the site. The existing access point via Elettra Avenue is retained as the principal point of access to the site.
- 7.27 It is therefore considered that the layout and landscaping of the proposed development coming forward under subsequent reserved matters applications would be capable of according with policy CS16 of the Core Strategy and generally with the Council's Design Guide.

Scale

- 7.28 Although the precise scale would be agreed at a later stage, the application has included indicative plans indicating the likely scale of the proposed buildings. The proposed heights would seek to accommodate multi-level offices above warehouse accommodation where Class B8 uses come forward. In such cases the indicative heights would be 12 metres to the haunch and 15.5 metres to the ridge. Given the context of the site, whereby the adjoining commercial development is considerably lower in height (the Aldi foodstore approved under APP/21/00399 achieves a maximum height of 8.7m) this is a matter which will require careful analysis in future reserved matters applications in order to demonstrate that the development accords with policy CS16 of the Core Strategy and the Council's Design Guide.

Appearance

- 7.29 The appearance of the buildings is similarly not for consideration at this time and would be agreed at the reserved matters stage. The final design and appearance of the various units will be influenced by the nature of the end-operators. No specific operators have been put forward by the applicant at this time. Nevertheless, the site and its surroundings currently feature a range of commercial and employment buildings of varying designs, and in principle it is considered that the appearance of the proposed development coming forward under subsequent reserved matters applications would be capable of according with policy CS16 of the Core Strategy and generally with the Council's Design Guide.

(iii) Impact upon amenity

- 7.30 Paragraph 198 of the NPPF sets out that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In addition, Policies CS16, DM5 and DM10 of the Core Strategy seek to ensure that the amenity of neighbouring uses is not jeopardised by pollution generated from new developments.
- 7.31 The closest existing residential properties are located c.60m northeast of the boundary of the application site. Given their proximity, Local Plan (Core Strategy) Policies DM5 and

DM10 are relevant to this application. In detail, Policy DM5 states that the development of food, drink, and entertainment uses will only be permitted where adequate measures are incorporated to mitigate the impact of the preparation of hot food on nearby properties; that development should not cause any unacceptable disturbance to the occupiers of neighbouring properties; and that proposals should include adequate provision for the disposal, storage and collection of refuse and must not have a negative impact upon the appearance of the building itself.

7.32 With regard to the nearest residential properties, it is recognised that the application proposes a wide range of uses, including light industrial, general industrial, warehousing, retail, café and restaurant, and leisure / gym uses, some of which could have the potential to create noise and/or smell issues for the residential properties to the north east. However, it is considered that given the intervening Hambledon Road (B Class road), and the associated separation distances between the site and neighbouring properties, that this is a matter that can be adequately controlled in the detailed design and layout of the development at the Reserved Matters stage. It is noted that the Environmental Health Officer has commented that "*.....we do not have any objections to the principle of the development. Potential nuisance type issues could be controlled through appropriate conditions*" - such conditions would be applicable at reserved matters stage, when the nature and layout of uses can be assessed further.

7.33 In other respects the application is set within a commercial environment with Lidl and McDonalds located adjacent to the site, and with the wider immediate area being defined by retail and commercial uses, and significant road infrastructure. Given the wider site context, and the opportunity to secure mitigation of any impacts through conditions on reserved matters applications, it is not considered that the development would have an adverse impact on the amenities of any other neighbouring properties.

(iv) Impact on highways, including access and parking considerations

7.34 As the application is for outline permission with access as the only reserved matter being assessed, the internal road layout is not subject to detailed consideration because the design is only indicative at this stage.

7.35 Paragraph 116 of the NPPF sets out that: "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*"

7.36 Within this context, the NPPF identifies in Paragraph 117 that applications for development should:

- "a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations."*

7.37 Paragraph 117 of the NPPF goes on to state that: "*All developments that will generate significant amounts of movement should be required to provide a travel plan, and the*

application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored”.

- 7.38 The application is supported by a Transport Assessment which analyses the highway and transport implications of the development in the context of the permissions which have previously been granted for the site in outline (APP/18/01072) and full (APP/21/00399) and which secured a range of S106 obligations. It further assesses existing highway network conditions in the vicinity of Waterloo Park, traffic count data, road safety issues and accessibility to the site by non-car modes of transport.
- 7.39 The findings of the Transport Assessment are that the previous traffic counts undertaken for the earlier applications remain valid for the current proposals, which in highway terms represent a hybrid of the earlier outline consent (which featured no food retail element) and the full permission (which included food retail floorspace as is now proposed). In road safety terms, there have been no recorded collisions at the site access roundabout or on Elettra Avenue in the last 5 years. In terms of accessibility, the site is considered to be sustainably located with access to local bus stops within short walking distances serving Waterlooville, Havant and Denmead. The site is accessible from most parts of Waterlooville with most of the surrounding residential areas within a 2.0km walking distance. There are several off-road pedestrian and cycle routes within the vicinity of the site connecting users to other retail sites located to the south of the site, the town centre as well as residential areas. The Highways Authority have confirmed that the parameters previously agreed remain the same in the current proposals, namely the proposed land uses and associated floorspace, alongside the trip generation and distribution.

Access

- 7.40 Vehicular access to the proposed development is to be taken off the existing access road that has been constructed from the roundabout junction on Elettra Avenue.
- 7.41 The submitted proposals also envisage secondary access points could be provided from Silverthorne Way for staff parking and servicing, with no vehicular through route to the main site for customers. The detailed layout of any such secondary accesses would be provided at the reserved matters stage.
- 7.42 The previous planning permissions have established that some alterations are required to the Hambledon Road/Elettra Avenue/Milton Road roundabout in order to accommodate the additional traffic generated from the proposals, in particular in respect of the Elettra Avenue arm. Whilst the applicants have proposed their own improvement scheme, in previous applications, and given Hambledon Road's role as the main route for traffic flow, the Highway Authority were unwilling to accept this improvement scheme in isolation and instead agreed that a £60,000 contribution would be paid towards an improvement scheme which benefits the overall capacity of the roundabout. The current proposals maintain this approach, and the requisite contribution is a matter that will need to be secured within a S106 agreement in the event that permission is granted.

Walking and cycling links

- 7.43 The most recent full permission (APP/21/00399) secured enhanced pedestrian / cyclist facilities to the Elettra Avenue roundabout through white lining details and footway/cycleway works, and these have been re-presented in the current proposals. This will facilitate continuous cycle access into the site from the north and east, and a new footway linkage over Waterberry Drive to the west.
- 7.44 To the east, the full permission (APP/21/00399) secured a scheme to widen the footway to the south of McDonalds to provide a footway/cycleway. This is re-presented in the current proposals, and would provide a direct footway/cycleway connection into

Hambledon Road in the vicinity of a toucan crossing which was constructed in 2020. The construction of the crossing was undertaken in the knowledge of the earlier outline proposals relating to the site, and in the previous consents the applicants have committed to provide £150,000 towards the funding of the scheme as part of the mitigation package for traffic impacts. Given the reliance of the current proposals on this crossing point to mitigate those same impacts, the requirement to provide this funding through a S106 Agreement will continue to apply in the current case.

- 7.45 It is acknowledged by the applicant that any reserved matters applications will need to have regard to the delivery of footway/cycleway links within the site as it comes forward, and connecting to the west, south and east.

Travel Plan

- 7.46 A Framework Travel Plan has been submitted with the current application in line with the requirements of Paragraph 117 of the NPPF. This document is prepared on behalf of the developer to set the Framework for the travel planning for the proposed development, based upon which the end user or users will prepare their own bespoke Travel Plans to suit their operation and staff.
- 7.47 The Framework Travel Plan therefore acts as a guide for occupiers to produce a more detailed travel plan tailored to their organisation, which will outline specific measures and timescales for their implementation. Subsequent implementation of each detailed travel plan will commence on or prior to occupation of the relevant unit and shall be monitored and reviewed annually for 5 years, during which time the aim will be to achieve an ongoing reduction in car borne staff trips. To achieve this the Framework Travel Plan describes the occupier's objectives as being to promote the health, wealth and environmental benefits of cycling, walking and using public transport; to provide clear information to all employees and visitors on the alternative modes of travel to and from site; to enhance the safety and security of people travelling to and from site; to effectively manage the demand for staff car parking; and where possible to reduce the need to travel during peak hours.
- 7.48 The implementation and ongoing monitoring of the Travel Plan can be secured through a S106 Agreement.

Parking provision

- 7.49 Given the outline nature of the application, on site car and cycle parking requirements will be considered at the reserved matters stage. However, it is considered that given the proposed quantum of development and the proposed site area, that any subsequent reserved matters application should be able to provide car and cycle parking standards in accordance with the adopted Parking SPD, to include provision for EV charging points.

Conclusion

- 7.50 Taking all the highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and S106 and conditional requirements. Overall the impacts on the highway network are not considered to have unacceptable impacts on highway safety, nor would the residual cumulative impacts on the road network, following mitigation, be severe.

(v) Flood Risk and Drainage

Flood risk

- 7.51 The site lies largely within Flood Zone 1, the zone of least probability of flooding. An area

of the site in the south-west corner is designated as Flood Zone 2, and in such circumstances it is normally the case that a sequential and exception test be applied to development proposals to avoid, where possible, flood risk to people and property. However, Paragraph 180 of the NPPF sets out that *"Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again."* In the present case, Policy WA2 (Waterlooville Mixed Use Allocations) of the Allocations Plan 2014 allocates the site for the uses that are proposed within this application, and as such in accordance with the NPPF a further sequential test is not required to be undertaken for this application.

- 7.52 Furthermore, the type of development proposed falls within the "Less Vulnerable" flood risk vulnerability classification set out in Annex 3 of the NPPF and is regarded as appropriate in Flood Zones 1 and 2 and does not require the exception test to be undertaken.
- 7.53 Notwithstanding this, the Flood Risk Assessment and Drainage Strategy submitted with the application confirms that *"As the proposed planning application is to be outline, a site layout has not been developed, and will be subject to a reserved matters application at a later date. At that time, the proposed development shall be set out sequentially to avoid areas identified as being at risk of flooding, or by providing sufficient mitigation to the associated risks, if acceptable."* The indicative site layout submitted with the application demonstrates that the quantum of built development being applied for can be accommodated on the site outside of Flood Zone 2.
- 7.54 This is considered to be consistent with the advice set out in the NPPF in Paragraph 181 which states that:
Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;.....
d) any residual risk can be safely managed;...."
- 7.55 It is therefore concluded that the application takes appropriate account of flood risk issues affecting the site and would be consistent with the objectives of the NPPF in this regard and meet the requirements of Policy CS15 of the Core Strategy.

Surface water

- 7.56 With regard to the existing drainage arrangements at the site, there is an 1800mm diameter public surface water sewer crossing the site from north-east to south-west. The sewer discharges into a short section of open watercourse within the site curtilage and this is classed as a 'Main River'. There are twin 1200mm diameter culverts beneath Silverthorne Way and Tyak House to the south before the watercourse flows through an open channel away to the west. The watercourse becomes the River Wallington.
- 7.57 A 1050mm diameter surface water drain is also located at the south-western extent of the site, which discharges directly to an attenuation pond on the western side of Elettra Avenue. The pond is owned and operated by Southern Water and has a pumped outfall into the adjacent Main River. A topographic survey reveals that the existing site, which comprises impermeable hardstanding for 82% of the site area, currently discharges to this public sewer and attenuation pond network.
- 7.58 The application proposes that the site will continue to drain via these means, but that surface water attenuation on site will be provided as part of the detailed proposals coming forward under reserved matters applications. Such attenuation could be in the form of 'living roofs', basins and ponds, filter strips and swales, permeable surfacing and tanked

systems. Given that 82% of the site currently comprises impermeable surfacing, the employment of these techniques should result in a reduction in relation to existing brownfield runoff rates and a betterment over the existing situation.

- 7.59 Following clarification of details with the Lead Local Flood Authority (LLFA) as regards the existing and proposed drainage strategy, it has been demonstrated by the applicant that the use of storage tanks supplemented by permeable paving has the capability to deliver a 50% betterment over the current run off rates. The LLFA have confirmed that they are satisfied with the principles of the drainage strategy being put forward, and furthermore Southern Water have raised no objections to the application, subject to a condition regarding the detailed design of the drainage system. The Environment Agency's consultation response references the desirability of a swale feature within the detailed design, as well as the need to ensure that the development will not result in any loss of floodplain storage over the lifetime of the development. These details again will need to form part of the reserved matters designs for the site, and do not prejudice the granting of an outline consent at this stage.
- 7.60 It is therefore concluded that the application makes suitable provision for surface water drainage at the site and would be consistent with the objectives of the NPPF in this regard and meet the requirements of Policy CS15 of the Core Strategy.

Foul water

- 7.61 Existing public foul water sewers lie in Elettra Avenue to the west of the site; in Hambledon Road to the east of the site; and in Silverthorne Way to the south of the site. The application proposes that the foul water from the site will discharge to the Elettra Avenue and Silverthorne Way sewers, and no objections have been received from Southern Water to these proposals. A S106 application will need to be made to Southern Water under separate legislation in order to make the requisite connections once the detailed design of the development has been established.

(vi) Contamination and pollution

- 7.62 Paragraph 196 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks from contamination. With regards to potential contamination on the site, a Phase One Environmental Desk Study Report has been submitted in support of the application, which seeks to establish whether or not there are potentially unacceptable risks to sensitive receptors from potential contaminants that may be present in the soil and/or groundwater under the site. The report provides a review and summary of earlier reports relating to the site which have previously been reviewed by both the Environmental Health Team and Portsmouth Water. The report concludes that:

"Previous investigations have been completed at the site and no significant contamination issues were identified"; and

"Based on our review of the site location, history and previous works completed, we do not consider it likely that any significant contamination is present in underlying shallow soils. On the basis of the information we have reviewed, we consider the site will be suitable for the intended future commercial end use."

- 7.63 No objections have been received to the application from the Environmental Health Officer, whilst both the Environment Agency and Portsmouth Water have recommended conditions to secure a further site investigation, risk assessment and remediation strategy report to be submitted in the event that any contamination is encountered which has not previously been identified (i.e. that a watching brief is maintained on the site). It is therefore considered that the risks of contamination on the site have been appropriately

assessed.

- 7.64 In terms of the potential for construction activity at the site to cause pollution, Portsmouth Water have advised that the site is situated within Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs, an essential water supply source for the city of Portsmouth and the surrounding area. The SPZ1c sensitivity relates to subsurface activity only where the Chalk aquifer is confined and may be impacted by deep construction activities. As such, subterranean activities such as drainage and piling may pose a risk to groundwater quality and the supply at the Havant and Bedhampton Springs.
- 7.65 To that end Portsmouth Water have recommended a number of conditions in order to control detailed elements of the construction programme - these include the surface water and foul water drainage designs; piling methods; and the securing of a construction and environmental management plan setting out pollution mitigation measures. These conditions can be imposed on any permission, and would collectively safeguard the subterranean environment from the risk of polluting activities.

(vii) Ecology and Biodiversity Net Gain

- 7.66 Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 collectively require development proposals to protect and where possible enhance the borough's features of nature conservation importance, including protected species. Paragraph 187 of the NPPF states that planning decisions should minimise impacts on, and providing net gains for biodiversity.
- 7.67 The application is supported by an Ecological Impact Assessment to identify the features of ecological importance on site and provide an assessment of the potential impacts the proposed development could have on these features. As reviewed by the Council's Ecologist, the application site is considered to comprise a typical brownfield site containing areas of bare ground, hard surfacing, ruderal/annual flora, mixed scrub and modified grassland.
- 7.68 A suite of ecological surveys have been carried out to assess the presence/absence and status of various protected and notable species, as a result of which it has been found that the site is generally unsuitable for most species. The site contains no buildings suitable for bat species, and whilst two trees have been identified as offering potential for roosting bats, these trees were subject to detailed survey in summer 2024 and no roosting bats were observed. Some bat commuting/foraging was recorded indicating limited use of the hedgerows on the site for such activity, and in light of this it will be important that the subsequent lighting and landscaping designs for the site which emerge at reserved matters stage takes appropriate account of this species.
- 7.69 In other respects, a series of off-site waterbodies have been assessed for Great Crested Newts, and there is no evidence that this species occurs. Badgers and Hazel Dormice are also considered absent. With regards reptiles, previous surveys returned negative results and the Council's Ecologist has accepted that the site represents sub-optimal habitat for such species.
- 7.70 It is therefore considered that the application has taken appropriate account of the potential for protected species on the site, and has found no significant constraints affecting the principle of the development proposed. Subject to the submission of an Ecological Mitigation, Compensation and Enhancement Strategy as recommended by the Council's Ecologist the development would have an acceptable impact on ecological interests.
- 7.71 The application is accompanied by a Biodiversity Net Gain (BNG) Metric and accompanying BNG Condition Assessments. These have been reviewed by the Council's

Ecologist, who has commented:

"The proposed development will result in the loss of all low and medium distinctiveness habitats on the site, comprising 3.04 units of Derelict or Vacant Land (brownfield vegetation), 0.04 units of Modified Grassland, 0.35 Hedgerow units, and 2.32 units of Mixed Scrub. No details of post-development habitats are provided – this is in accordance with the BNG process, although perhaps unhelpful for the Local Planning Authority. Given the brownfield character of the site (which is not a widespread and common habitat type) I would very strongly recommend that the developed site incorporates similar brownfield-type habitats within the proposed landscaping. These habitats – containing freely-draining, low-nutrient soils alongside sparse vegetation – are highly important for biodiversity and are relatively straightforward to create or replicate. These habitats can be provided via brown roofs or at ground level. The addition of standing water, ideally via seasonal shallow pools, can significantly add to the biodiversity value. This would require an imaginative, non-standard approach to formal landscaping areas. I would be happy to discuss this matter further if this is of assistance. The applicant must ensure that post-development habitats accord with trading rules by providing habitats of the same or greater distinctiveness.

BNG measures must be secured for a minimum of 30 years. Details of how any proposed on-site or off-site habitat features are to be managed, maintained and secured for the required 30 years period can be provided within a completed Biodiversity Gain Plan and Habitat Management and Monitoring Plan – this is a mandatory part of BNG, to be provided post-permission. It will be necessary for the applicant to ensure that any off-site BNG measures are either on land under their direct control or are secured through an off-site provider who is included on the national register. It will also be necessary for the applicant to indicate, following discussion with the LPA, which on-site BNG measures are considered to be 'significant' and therefore to be secured through legal agreement. All off-site BNG must be secured via legal agreement, to which the LPA will attach monitoring fees."

- 7.72 Subject to BNG being secured through planning conditions and obligations within a S106 Agreement it is considered that the proposal would comply with the BNG legislation and would accord with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

(viii) Sustainable construction

- 7.73 Policy CS14 of the Local Plan (Core Strategy) states that non residential development over 500sqm must achieve BREEAM standard 'very good' unless it is clearly demonstrated that this would be financially or technically unviable. As such appropriate conditions are recommended to ensure that further details are submitted to ensure the buildings meet this required level.

(ix) Financial and other benefits - Community Infrastructure Levy (CIL) and legal agreement

- 7.74 As an outline application this development is not CIL Liable, however any subsequent full or reserved matters application with a retail use would be.
- 7.75 Having regard to the consultation responses received and the planning considerations set out above, the impacts of the proposed development on key infrastructure have been assessed, in particular with respect to highways and BNG. Mitigation for the potential impacts on infrastructure has been proposed by both the applicant and consultees and would be the subject of a S106 agreement. The following obligations are considered to comply with the tests set out by Regulation 122, which requires that obligations sought are (a) necessary to make development acceptable; (b) directly related to development;

and (c) fairly and reasonably related in scale and kind to the development. These obligations would secure the following matters:

- £60,000 contribution (index linked) towards the Hambledon Road/Elettra Avenue Roundabout improvements;
- £150,000 contribution towards a toucan crossing on Hambledon Road;
- Vehicular access from Elettra Avenue alongside pedestrian and cycle improvements at the Waterberry Drive/Elettra Avenue roundabout;
- Travel Plan details and monitoring
- 'Significant' on-site BNG provision, offsite BNG provision and monitoring fees.
- HBC & HCC monitoring fees

8 Conclusion

- 8.1 The application site is identified in the adopted Allocations Plan Policy WA2 (BD54) for development falling within the definition of Economic Development within the NPPF. Following previous consents for development on the site, the current proposals seek to establish outline permission with all matters reserved apart from access, for development within Class E (light industrial, retail, café and restaurant, leisure / gym), B2, B8 and B8 trade counters.
- 8.2 The proposed development would bring the site back into economic use and would support economic growth in compliance with the adopted allocations plan policy WA2 (BD54). The proposal is considered to accord with the sequential and impact tests in retail terms as set out in the NPPF and NPPG, and in Policy CS4 of the Local Plan (Core Strategy) 2011. Whilst detailed proposals relating to reserved matters are not before the Authority for consideration, it is considered that the development could be delivered in a manner which would not unduly affect the character and appearance of the wider area, nor the amenity of adjoining land uses.
- 8.3 In terms of impact on the highway network, subject to mitigation measures required by S106 Agreement and conditions, the proposed development is considered to be sustainable in transport terms and would not have an unacceptable impact on highway safety; nor would the residual cumulative impacts on the road network be severe.
- 8.4 Flood risks affecting the site have been taken into account in the development proposals, and appropriate surface water and foul drainage designs are considered capable of being delivered at the detailed design stage. Contamination and pollution risks can be addressed by planning conditions.
- 8.5 The site has been appropriately assessed in terms of its potential for ecological interest, whilst the requisite BNG uplift will be secured through planning conditions and S106 Agreement, informed by the detailed designs coming forward at reserved matters stage.
- 8.6 In assessing the proposal against the adopted Local Plan and the National Planning Policy Framework (NPPF) it is considered that the development represents sustainable development. The application is therefore recommended for approval.

9 RECOMMENDATION:

That the Development Manager be authorised to **GRANT OUTLINE CONSENT** for application APP/24/00777 subject to:

- (A) The completion of a S106 Agreement as set out in Paragraph 7.75 above;

(B) Agreement of pre-commencement conditions; and

(C) the following conditions (subject to such changes and/or additions that the Development Manager considers necessary to impose prior to the issuing of the decision):

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved. 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 3 years from the date of the grant of this planning permission.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 No development hereby permitted in any approved phase, except for site clearance, set up and remediation works, shall commence until plans and particulars specifying the detailed proposals for all of the following aspects of that phase of the same [herein called "the reserved matters" and "other matters"] have been submitted to and approved in writing by the Local Planning Authority.

(i) **The reserved matters:**

- (a) Appearance, to include external built form, architecture, materials, decoration, lighting, colour and texture;
- (b) Landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, formation of banks or other earthworks, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels; and also the intended timing of completion of the landscaping works
- (c) Layout;
- (d) Scale, to include height, width and length of each building.

(ii) **Other matters:**

- (e) The finished levels (above ordnance datum) of both the ground floor of the proposed buildings(s) and the surrounding ground levels;
- (f) The manner of treatment of existing water courses and ditches;
- (g) Tree protection 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;
- (h) The arrangements to be made for the future maintenance of landscaped and other open areas;
- (i) The alignment, height and materials of all walls and fences and other means of enclosure;
- (j) The provision to be made for the parking, turning, loading and unloading of service vehicles;
- (k) The provision to be made for the storage and removal of refuse from the premises;
- (l) The provision to be made for street lighting within the site;

The development shall be implemented in full accordance with the approved details.

Reason: To secure orderly development.

- 4 No development hereby permitted shall commence until a Phasing Layout Plan has been submitted to and approved in writing by the Local Planning Authority. The development of the site shall be carried out in accordance with the approved phasing plan. Any amendment to the approved phasing programme as phases are subsequently divided, subdivided or amalgamated must be first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a co-ordinated and comprehensive form of development in which interdependent elements of the overall development are planned for and timetabled. It also allows flexibility by means of updating of these phases and timetabling as detailed plans of the site emerge. This is important in delivering a high quality development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of any Town and Country Planning (Use Classes) Order, the development hereby approved shall not result in more than 19,105 square metres of floorspace being created, of which not more than 2,787 square metres shall be used for B8 trade counters and 4,334 square metres for uses falling within Use Class E of the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason: In the interests of highway safety and in the interests of preserving the vitality and viability of Waterlooville Town Centre in accordance with policies DM13 and CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The total amount of floorspace that shall be used for Class E food retail use shall be no more than 1,908 square metres.

Reason: In the interests of the viability and vitality of Waterlooville town centre in particular and having due regard to policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Notwithstanding the provisions of The Town and Country Planning (Use Classes Order), the floorspace hereby permitted shall not at any time be used for any purpose within the scope of Class E (offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), (except any Ancillary floorspace) without the prior written approval of the Local Planning Authority. This condition shall apply notwithstanding any Town and Country Planning (General Permitted Development) Order.

Reason: In the interests of highway safety and having due regard to policies DM11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 8 No development hereby permitted in any approved phase shall commence, apart from site clearance, set up and remediation works, until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. A technical summary highlighting any changes to the design from that within

the approved Flood Risk Assessment.

b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.

c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.

d. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision necessary to serve that phase of development in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No development approved by this planning permission shall commence until such time as the following schemes have been submitted to, and approved in writing by, the Local Planning Authority in relation to any phase:

- Finished Floor Levels are set no lower than 34.77m Above Ordnance Datum.
- Overland flooding in the southwest corner of the site shall be managed through the design and implementation of a swale feature, directing flood water to the previously constructed flood alleviation works.
- Ensure that the development will not result in any loss of floodplain storage over the lifetime of the development.

The schemes shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, 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 its future users and to prevent any loss of floodplain storage and ensure that the risk to off-site areas is not increased and having due regard to policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development shall start on site in any approved phase until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water detailing all pollution mitigation measures to be adopted during the construction phase. This shall include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages.

Reason: The proposal has the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply. This condition is therefore necessary having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 11 No development shall commence in any approved phase until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction. The development shall be carried out in accordance with the approved details.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 No development in any approved phase (excluding site clearance, set up and remediation works) shall commence until details of the proposed access works with supporting construction management plan (to include lines, widths, levels, gradients, cross section, drainage and lighting) required for that phase have been submitted to and approved in writing by the Local Planning Authority. The phase of development shall not be occupied until the agreed access works have been implemented in accordance with the approved details.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 No development in any approved phase shall commence until the final details of the cycle improvement scheme to the south of McDonalds as shown indicatively on drawing number 19325-08-GA3- Rev P have been submitted to and approved in writing by the Local Planning Authority. No development in any approved phase shall be occupied until the agreed cycle improvement scheme has been implemented in accordance with the approved details.
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 and the National Planning Policy Framework.
- 14 Unless otherwise agreed in writing with the Local Planning Authority, before the commencement of the development in any phase hereby permitted, written documentary evidence demonstrating that the development will achieve at minimum a level of 'Very Good' against the Building Research Establishment Environmental Assessment Method (BREEAM) Standard, in the form of a design stage assessment, shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011.
- 15 A Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Metric (Harris Lamb, September 2024) and must include:
(1) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat;
(2) the pre-development biodiversity value of the on-site habitat;
(3) the post-development biodiversity value of the on-site habitat;
(4) any registered off-site biodiversity gain allocated to the development and the value of that gain in relation to the development;
(5) any biodiversity credits purchased for the development; and
(6) any such other matters as the Secretary of State may by regulations

specify.

Reason: In the interest of securing biodiversity net gain (BNG) and having regard to the BNG hierarchy and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990. This decision is subject to a deemed pre-commencement BNG condition requiring a Biodiversity Gain Plan as required by legislation.

- 16 The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
- (1) a non-technical summary;
 - (2) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (3) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (4) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (5) the monitoring methodology and frequency in respect of the created or enhanced habitat.

Reason: In the interest of securing biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990. This is a pre-commencement condition as it relates to the deemed BNG condition requiring a Biodiversity Gain Plan as required by legislation and therefore goes to the heart of the permission.

- 17 Notice in writing shall be given to the Council when the:
- (a) Habitat Management and Monitoring Plan has been implemented; and
 - (b) habitat creation and enhancement works as set out in the Habitat Management and Monitoring Plan have been completed.

Reason: In the interest of securing and monitoring biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.

- 18 Unless otherwise agreed in writing by the Local Planning Authority, no phase of development hereby approved shall take place until:
- (a) the habitat creation and enhancement works set out in the approved Habitat Management and Monitoring Plan have been completed; and
 - (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interest of securing and monitoring biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.

- 19 The created and/or enhanced habitat specified in the approved Habitat Management and Monitoring Plan shall be managed and maintained in accordance with the approved Habitat Management and Monitoring Plan.

Reason: In the interest of securing biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.

- 20 Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

Reason: In the interest of securing and monitoring biodiversity net gain (BNG) and policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.

- 21 Prior to the commencement of development activities, an Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, and compensation measures as detailed in the Ecological Impact Assessment (Harris Lamb, September 2024) unless otherwise agreed in writing by the Local Planning Authority. It shall include, but not necessarily be restricted to: full details of all measures to avoid and mitigate the potential impacts of development on ecological receptors (including artificial lighting); full details of all proposed on- and off-site ecological compensation and enhancement measures including location, area, composition, establishment and ongoing management, monitoring, and roles and responsibilities.

Reason: To provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 22 Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings in any phase. The submitted details shall include maintenance schedules for each drainage feature type and ownership. Thereafter, the surface water drainage shall be maintained in accordance with the maintenance arrangements thus approved.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is maintained to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 23 Prior to the occupation of any phase of the development, the offsite pedestrian and cycle improvements as indicatively shown on drawing number 23520-1 shall be implemented and operational at all times unless otherwise first agreed in writing by the Local Planning Authority.

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 and the National Planning Policy Framework.

- 24 The development hereby permitted in any approved phase shall not be occupied until details of the parking allocation, including EV and cycle parking, for each building/unit have been submitted to and agreed in writing with the Local Planning Authority. The spaces shall be surfaced and marked out and allocated in accordance with the approved details prior to the bringing into use of the building/unit. 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.
- 25 With respect to the development in any approved phase, equipment shall be installed to suppress and disperse fumes and/or smell produced by cooking and food preparation for commercial sales, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the approved equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use of the relevant building in any approved phase. The development shall be carried out in accordance with the approved details.
Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.
- 26 No development hereby permitted in any approved phase shall be occupied until details of external plant and equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include acoustic performance. The equipment shall be installed prior to the use of the building(s) commencing, and shall thereafter be maintained and operated only in accordance with the approved details.
Reason: To protect the amenity of occupiers of nearby properties is protected and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 27 Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of the development in any phase hereby permitted, written documentary evidence proving that the development has achieved at minimum a level of 'Very Good' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to, and approved in writing by the Local Planning Authority.
Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011.
- 28 The implementation of the approved landscaping shall be completed in full accordance with the timing provisions approved under Condition 3 (i)(b). 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 29 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: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

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

Site Location Plan 24018-HNW-ZZ-ZZ-DR-A-1000-P01
Proposed Site Plan - Site Access & Egress
24018-HNW-ZZ-ZZ-DR-A-2101-P03
Preliminary Arboricultural Assessment (Barrell) September 2024
Tree Protection Plan (Barrell) – 15217-4
Ecological Impact Assessment (Harris Lamb) September 2024
Biodiversity Net Gain Metric (Harris Lamb) September 2024
Flood Risk Assessment & Drainage Strategy (BP Civils) D2263/FRA1.1 June 2024 as supplemented by Technical Notes dated 04/12/2024 & 15/04/2025
Transport Assessment (DTA) SKP/23520-01 Rev B dated 19th September 2024
Framework Travel Plan (DTA) SKP/23520-02 dated 19th September 2024
Retail Impact Assessment (MWA) July 2024
Sequential Test Report (Harris Lamb) September 2024
Planning Statement (Harris Lamb) September 2024
Design and Access Statement (HNW Architects)
24018-HNW-XX-XX-RP-A-0500 September 2024
Phase One Environmental Desk Study Report (Subadra) June 2024
Air Quality Assessment (Stantec) October 2024

Reason: - To ensure provision of a satisfactory development.

Appendices

- (A) Site Location Plan
- (B) Indicative Site Layout Plan
- (C) Site Access & Egress Plan
- (D) Existing Site Photos
- (E) Aerial View
- (F) Site Context