

# Supplementary Information

HAVANT BOROUGH COUNCIL  
PLANNING COMMITTEE  
THURSDAY, 15TH JUNE, 2023

Please note that the attached supplementary information was unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	
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| <b>6(a)</b> | <b>APP/22/00837 - Land at Cowplain School, Hart Plain Avenue, Waterlooville</b> | <b>1 - 10</b> |
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Proposal: Erection of a 64 bed care home (within Use Class C2) and 6No. dwellings (within Use Class C3) with associated works including access, parking and landscaping.

[Additional Documents](#)

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## HAVANT BOROUGH COUNCIL

PLANNING COMMITTEE 15 JUNE 2023

### Update report re APP/22/00837 – Land at Cowplain School, Hart Plain Avenue, Waterloo

**Erection of a 64 bed care home (within Use Class C2) and 6No. dwellings (within Use Class C3) with associated works including access, parking and landscaping.**

#### Report Updates

#### **6 Planning conditions**

Since publishing the Committee agenda, the following changes have been made to the recommended conditions:

Condition 2 (plans) – changes to reflect the latest revisions to the Landscape Proposals plan for the care home and Plans and Elevations to dwellings in Plot 2.

Conditions 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 22, 24, 28, 29, 30 and 32 - wording changed to clarify that the requirements of these conditions relate to each phase of the development approved, namely the care home or dwellings.

Conditions 7 (community use agreement) and 8 (drainage works)– subject to no objection from Sport England, these conditions to relate to the care home development only.

Condition 7 (community use agreement) – subject to no objection from Sport England, remove last sentence of the condition stating: “The development shall not be used otherwise than in strict compliance with the approved [*community use*] agreement.” This is because the agreement itself would not be related to the care home use or the care home land.

Condition 11 (soft landscape) – wording changed so that the implementation of the soft landscaping scheme takes place prior to the first occupation (rather than first occupation or first planting season following the first occupation).

Condition 19 (noise) – wording change to require the combined rating level of noise from all plants and machinery to be at least 5dBA (and not 10 dBA) lower than the existing background noise level (Environmental Health Officer was consulted on this amendment and raises no objection).

Condition 29 (public sewer protection) – wording change so that the condition applies to the care home only as there are no public sewers on the Plots accommodating the proposed dwellings.

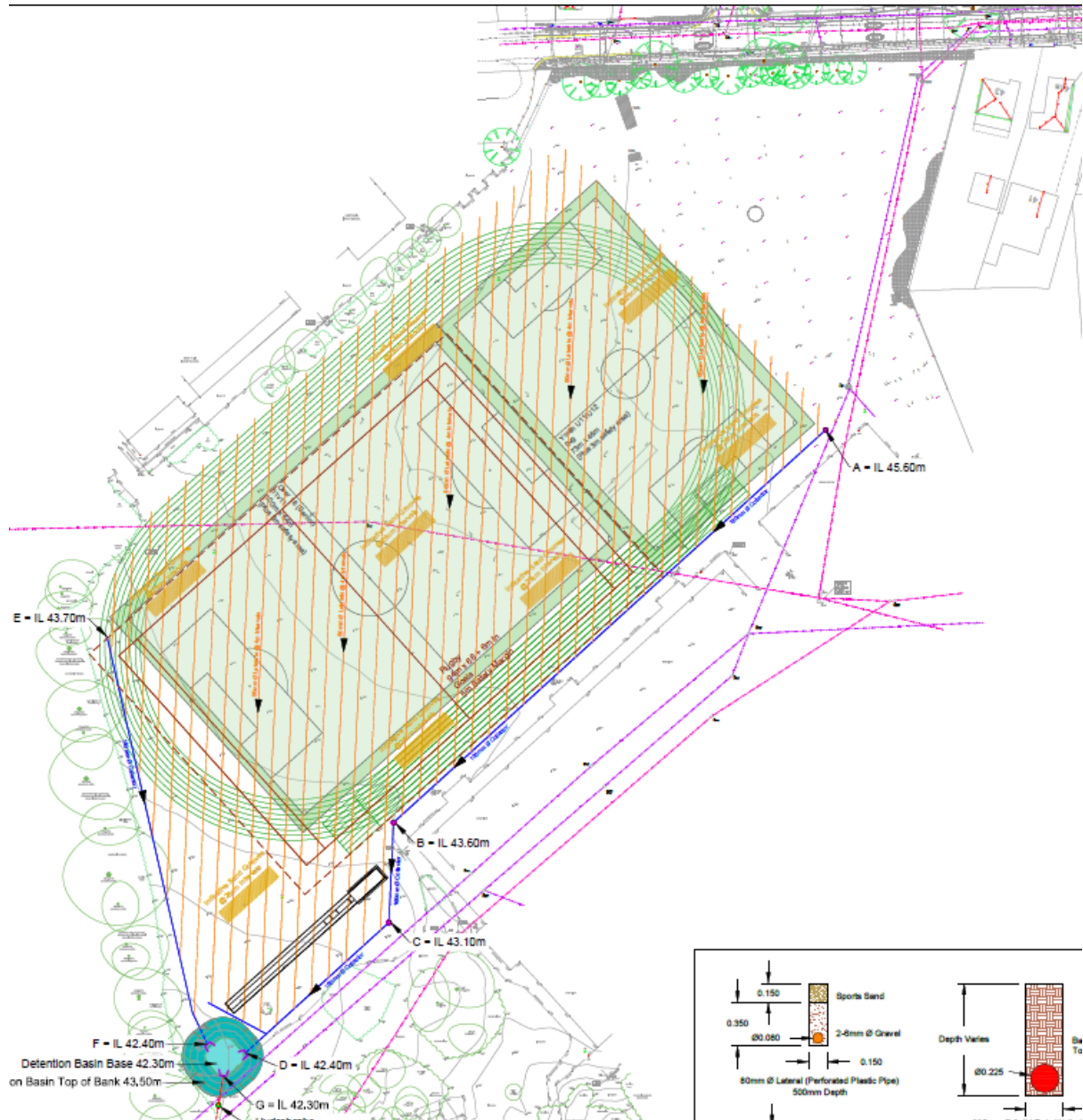
A full list of updated planning conditions is appended at the end of this Update Paper.

#### **Response to question from Site Viewing Working Party**

At the meeting of the Site Viewing Working Party held on 8 June 2023 it was resolved that the following information be provided to the Planning Committee:

(i) *The provision of sports facilities to the remainder of the site after development has taken place*

This request has been raised with the applicant's agent. In response a drawing number GMA0930.27-1 Rev5 has been submitted. The drawing shows the provision of two sports pitches and a long jump track, as below:



## Appendix

### A full list of updated planning conditions:

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

104C Landscape Proposals (care home)

105C Landscape Proposals (houses)

4528-WRD-XX-00-DR-A-0081 P05 Site Location Plan

4528-WRD-XX-00-DR-A-0200 P09 Proposed Ground Floor Plan

4528-WRD-XX-01-DR-A-0201 P08 Proposed First Floor Plan

4528-WRD-XX-02-DR-A-0202 P09 Proposed Second Floor Plan

4528-WRD-XX-03-DR-A-0203 P02 Proposed Roof Plan

4528-WRD-XX-ZZ-DR-A-0300 P09 Proposed Elevations

4528-WRD-XX-ZZ-DR-A-0305 P07 Proposed Street Scene

4528-WRD-XX-ZZ-DR-A-0204 P05 House Type 1 Plans & Elevations

4528-WRD-XX-ZZ-DR-A-0205 P03 House Type 2 Plans & Elevations

4528-WRD-XX-ZZ-DR-A-0500 P019 Proposed Site Plan

0503 P01 Proposed Overland Flow

PC2284-RHD-ZZ-XX-RP-R-004 Technical Note by Royal HaskoningDHV (RHDHV), 24 February 2023

PC2284-RHD-ZZ-XX-RP-R-0005 Technical Note Addendum by Royal HaskoningDHV (RHDHV), 19 May 2023

**Reason:** - To ensure provision of a satisfactory development.

3. Prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall include details of dwellings and other development to be implemented within each phase of the development / development parcel. The development of each phase shall only be implemented in accordance with the approved Phasing Plan. This Phasing Plan shall not be amended without the written consent of the Local Planning Authority.

**Reason:** In the interest of proper planning and to ensure that appropriate detail for each phase of the development is provided and agreed in a coordinated and planned way in line with Policies CS11, 14, and 16 of the adopted Core Strategy.

4. No development shall take place until the Council has received evidence that the required nutrient mitigation capacity has been purchased pursuant to the allocation agreement dated [to be inserted once agreement received] between (1) William Northcroft Butler and James Nicholas Butler (2) HN Butler Farms Limited and (3) [developer].

**Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a

duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

5. The development hereby permitted in any phase shall not be occupied until all agreed measures necessary to meet the approved water efficiency calculation (110 litres of water per person per day) for that phase have been installed.

**Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

6. At all times following occupation of the development in any phase hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development of each phase in perpetuity.

**Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

7. Prior to commencement of the care home development hereby permitted, a community use agreement to be prepared in consultation with Sport England shall be submitted to and approved in writing with the Local Planning Authority, and a copy of the completed approved agreement must be provided to the Local Planning Authority. The agreement shall apply to the school's sports and ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review.

**Reason:** To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy DM1 of the adopted Core Strategy.

8. The care home development hereby permitted shall not be commenced until the drainage works scheme for the playing fields, permitted by planning permission APP/22/00838 dated 23 March 2023, has been completed and made available for use.

**Reason:** To ensure the agreed mitigation for the loss of playing field at the site is implemented prior to the loss of playing field and to accord with Policy DM1 of the adopted Core Strategy.

9. Notwithstanding the submitted details, no development above ground slab level shall commence in any phase until a detailed schedule of materials and finishes to be used for all

external surfaces of the development hereby permitted in that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the schedule approved pursuant to this condition.

**Reason:** In the interests of the visual amenity in accordance with the aims and objectives of the National Planning Policy Framework, Policy CS16 of the adopted Core Strategy and the Council's Design SPD.

10. Notwithstanding the submitted details, no development works shall take place in any phase until details of levels, including finished floor levels for the buildings hereby approved in each phase, and the existing and proposed site contours, shall be submitted to and agreed in writing by the Local Planning Authority for that phase. The development of each phase shall only proceed in accordance with the approved details pursuant to this Condition.

**Reason:** In the interests of visual amenity having regard to Policy CS16 of the adopted Core Strategy, the Council's Design SPD and the National Planning Policy Framework.

11. No development above ground slab level shall take place on any phase of the development hereby permitted until a more detailed soft landscaping scheme for that phase has been submitted to and approved in writing by the Local Planning Authority.

The soft landscaping shall be carried out in accordance with the details approved pursuant to this Condition and implemented prior to first occupation of that phase. Any plants approved pursuant to this Condition which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure the appearance and setting of the development is satisfactory in accordance with Policy CS16 of the adopted Core Strategy, the Council's Design SPD and the National Planning Policy Framework.

12. No development above ground slab level shall take place on any phase of the development hereby permitted until details of hard landscaping scheme for that phase have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall be carried out in accordance with the details approved pursuant to this Condition and implemented prior to first occupation of the relevant phase of the development.

**Reason:** To ensure the appearance and setting of the development is satisfactory in accordance with Policy CS16 of the adopted Core Strategy, the Council's Design SPD and the National Planning Policy Framework.

13. Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

**Reason:** To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

14. No development for each phase, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) for that phase have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures in the AIAMS (Tree Retention, Loss and Protection Plan drawing 107) should be extended to include the hedgerow (H20) to the north of T23, T24, T25 and T26, which should also be subject to tree protection measures. The development shall thereafter be carried out in strict accordance with the agreed detail.

**Reason:** To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

15. Before the development of the care home commences, written documentary evidence demonstrating that the development will achieve at minimum 'Very Good' against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure the development contributes to sustainable construction having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16. Within 6 months of the care home first becoming occupied, written documentary evidence proving that the development has achieved at minimum 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 the Local Planning Authority for its approval.

**Reason:** To ensure the development contributes to sustainable construction having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

17. Development of each phase shall proceed in accordance with the ecological mitigation and enhancement measures as detailed in the Preliminary Ecological Appraisal (The Landscape Partnership, July 2022).

**Reason:** To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 of the Havant Borough Core Strategy (2011).

18. Before the development of each phase proceeds above slab level, a suitable scheme for the biodiversity enhancement measures for each phase shall be submitted to the local planning authority and approved in writing. In addition, the new buildings in each phase shall incorporate a minimum of six nesting features for Common Swifts. Development shall be carried out in accordance with the approved scheme and implemented prior to occupation.

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

19. The combined rating level of the noise from all plants and machinery shall be at least 5dBA lower than the existing background noise level at any given time of operation. The noise levels shall be measured or predicted 1m externally to any window at the nearest residential façade with the units mounted on suitable anti vibration isolators. Measurements and assessment shall be made according to British Standard 4142:2014.

**Reason:** To obtain required sound insulation and prevent noise nuisance to adjacent residential dwelling in accordance with Policy CS16 of the adopted Core Strategy.

20. No development above ground slab level shall take place on any phase of the development hereby permitted until a scheme of noise insulation/reduction has been submitted to and approved in writing by the Local Planning Authority for that phase. The scheme for each phase shall ensure that the noise level of 35 dBLAeq, 16 hour in living rooms and bedrooms during the daytime (0700 to 2300 hours) and 30 dBLAeq, 8 hour and 45 dBLAmax during the night time (measured with F time-weighting and between 2300 and 0700 hours) in bedrooms in accordance with BS8233:2014 shall not be exceeded. Where these levels cannot be met with windows open, appropriate acoustic ventilation shall be provided so that the room can be sufficiently ventilated. The acoustic performance of any



passive vent, variable speed mechanical air supply unit or whole house ventilation shall be sufficient to ensure that the noise level standards given above are not compromised.

**Reason:** In order to protect future occupiers against noise ingress in line with Policy CS16 of the adopted Core Strategy.

21. No development above ground slab level shall take place on the care home site until a scheme of all external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features in site that are particularly sensitive to the nearest receptors. All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter. No additional external lighting shall thereafter be installed without prior consent from the Local Planning Authority.

**Reason:** In the interest of residential amenity and to ensure the appearance and setting of the development is satisfactory in accordance with Policy CS16 of the adopted Core Strategy, the Council's Design SPD and the National Planning Policy Framework.

22. Before the development of each phase is first brought into use, the means of vehicular access to that phase shall be constructed in accordance with the details shown on the approved plans and no obstruction, structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans. Such visibility splays shall thereafter be retained for the lifetime of the development.

**Reason:** To ensure a suitable access and layout and to provide and maintain adequate visibility splays in the interests of highway safety, in accordance with Policy CS20 of the adopted Core Strategy and the National Planning Policy Framework.

23. The care home hereby approved shall not be brought into use until turning facilities have been provided in accordance with the details shown on the approved plans. The turning facilities shall be available for use by vehicles and kept free from obstruction throughout the lifetime of the development.

**Reason:** In the interests of traffic safety and to achieve a satisfactory layout in accordance with Policy CS20 of the adopted Core Strategy and the National Planning Policy Framework.

24. (a) Unless otherwise agreed in writing with the Local Planning Authority, no works for each phase pursuant to this permission shall commence until a Construction Environmental Management Plan (CEMP), to cover construction phases, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to details of: development site compound and hoarding, including details of storage of construction materials and equipment; 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; waste disposal; measures to ensure no materials, machinery, vehicles or works will encroach on the nature designated sites; cleaning of the wheels and bodies of vehicles leaving the site; construction vehicle routes and their management and control; site access management; parking and turning provision to be made on site, working hours & times of deliveries; loading/offloading areas; site office facilities; contractor parking areas; method statement for control of noise, dust and emissions from demolition/construction work; adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction. The Plan should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'.  
and

(b) The development of each phase shall be carried out in accordance with the CEMP approved pursuant to part (a) of this condition and shall continue for as long as construction works are taking place at the site, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interest of highway safety, ecology, to protect the amenity of nearby occupiers, to protect and manage environmental risks, to protect groundwater and therefore the local public water supply source in accordance with Policies CS11, CS16, CS20, DM8 and DM10 of the adopted Core Strategy and the National Planning Policy Framework.

25. The care home hereby approved shall not be brought into use until spaces have been laid out and provided for the parking of vehicles in accordance with the approved plans. These spaces shall thereafter be reserved for such purposes at all times.

**Reason:** In the interest of highway safety and in accordance with in accordance with Policy DM14 of the adopted Core Strategy and the Council's Car Parking SPD.

26. The care home hereby approved shall not be brought into use until cycle parking spaces have been laid out and provided for the parking of bicycles in accordance with the approved plans. These spaces shall thereafter be reserved for such purposes at all times.

**Reason:** To ensure adequate provision for and to promote and encourage cycling as an alternative to use of the private motor car in accordance with Policy DM14 of the adopted Core Strategy and the Council's Car Parking SPD.

27. The dwellings hereby approved shall not be brought into use until car parking spaces have been laid out and provided for the parking of vehicles in accordance with the approved plans and in line with the Council's Car Parking SPD. These spaces shall thereafter be reserved for such purposes at all times.

**Reason:** In the interest of highway safety and in accordance with Policy DM13 of the adopted Core Strategy and the Council's Car Parking SPD.

28. Development of each phase shall be undertaken in line with the recommendations and procedures contained in the Surface and Foul Water Drainage Strategy 5017735-RDG-XX-XX-DOC-C-9950 Rev. A (Ridge, 15/6/22), the revised calculations (Ridge, 25/1/23) and the Proposed Overland Flow (Ridge, 25/1/23).

**Reason:** To prevent the increased risk of flooding, both on and off site in accordance with Policy CS15 of the adopted Core Strategy and the National Planning Policy Framework.

29. Prior to commencement of the care home hereby approved, measures to be taken to protect the public sewers shall be submitted to the Local Planning Authority and agreed in writing in consultation with Southern Water.

**Reason:** In order to protect public sewers, in accordance with Policy CS21 of the adopted Core Strategy.

30. Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination (obviously contaminated, stained, discoloured or odourous soil/groundwater), items suspected to be possible unexploded ordnance-, or any significant buried waste material is encountered during groundworks; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development for each phase, EITHER of the following shall be submitted for that phase to the Local Planning Authority;

A) A written statement confirming that no suspected contamination was identified during development, OR;

B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.

**Reason:** There is a low probability of encountering discrete deposits of buried materials associated with historic air-raid shelters &/or the demolition of buildings previously present adjacent to development land. The dates that these features were present would suggest that deposits might include high risk materials such as asbestos which could pose an acute risk to future residential occupiers. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183-185 of the National Planning Policy Framework 2021.

31. No part of the care home hereby approved shall be occupied until refuse storage and collection facilities have been provided in accordance with the approved plans. The refuse store and collection facilities shall thereafter be permanently retained at all times.

**Reason:** To ensure appropriate appearance of the site, highway safety and to avoid detrimental impact upon residential amenity in accordance with Policy CS16, CS20 and DM7 of the adopted Core Strategy and the National Planning Policy Framework.

32. Before the first occupation of any phase of the development hereby approved details of the boundary treatment proposed for that phase shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the details thus approved for that phase.

**Reason:** To ensure that the development takes place in an appropriate way in accordance with Policy CS16 of the adopted Core Strategy, the Council's Design SPD and the National Planning Policy Framework.

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