

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
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PLANNING COMMITTEE AGENDA

Membership: Councillor Crellin (Chairman)

Councillors Branson, Howard, Hughes, Patel, Patrick and Mrs Shimbart (Vice-Chairman)

Standing Deputies: Councillors Linger, Payter and Stone

Meeting: Planning Committee

Date: 9 September 2021

Time: 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Gill Kneller
Chief Executive

31 August 2021

Contact Officer: Mark Gregory 023 9244 6232
Email: mark.gregory@havant.gov.uk

Public Attendance

Please note that the Hurstwood Room has very limited capacity to safely accommodate members of the public in a Covid secure manner. Please contact the named officer above if you wish to attend in person, otherwise we would encourage attendance virtually via the webcast on the Council's website.

Can Councillors Please Submit Any Detailed Technical Questions On The Items Included In This Agenda To The Contact Officer At Least 4 Hours Before The Meeting Starts.

	Page	
1	Apologies	
2	Declarations of Interests	
3	Site Viewing Working Party Minutes	To Follow
	To consider the minutes of the Site Viewing Working party held on 6 September 2021	
4	Matters for Deferment	
5	Applications for Development	1 - 4
Applications and other matters viewed by the Site Viewing Working Party		
5a	APP/20/01127 - Mill Rythe Holiday Village, 16 Havant Road, Hayling Island	5 - 48
	Proposal: Application for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown 'circular wildlife walkway'.	
	<u>Additional Information</u>	
5b	APP/21/00200 - 32 New Lane, Havant	49 - 176
	Proposal: Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure.	
	<u>Additional Information</u>	
Items for Information Only		
5c	Havant Thicket Update Report	177 - 178

GENERAL INFORMATION

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Internet

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Members of the public, County Councillors, and Non-Members of the Planning Committee may submit a written deputation to meetings of the Planning Committee provided that it relates to an item on the Agenda for a particular meeting.

If there has been a deputation within six months of any previous appearance on the same or similar topic (irrespective of whether or not the member(s) of the deputation might be different) then no such new deputation will be received until that time limit has expired. However, "same or similar topic" does not apply to applications for planning permission considered by the Planning Committee.

A copy of a deputation must be received by the Democratic Services Team not later than 48 hours before the start of the meeting (other than when the meeting is on a Monday, when notice has to be in by the previous Wednesday). Written deputations may be sent by email to the address set out below. When sending in a written deputation, please indicate, if you also wish to address the Committee.

A deputation from a member of the public, agent or a County Councillor may be no longer than 750 words (including footnotes). A deputation from a Havant Borough Councillor, who is not a member of the meeting, shall be no longer than 1,500 words (including footnotes). A deputation may not contain images or photographs.

All written deputations will be published on the Council's website at least 24 hours before the start of the meeting. There will be no opportunity to respond to a written deputation after it has been published, unless the response is to correct a technical error and is received 4 hours before the start of the meeting.

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By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

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HAVANT BOROUGH COUNCIL

Planning Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE DIRECTOR FOR REGENERATION & PLACE

Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Head of Planning will be reported **verbally** at the meeting of the Development Management Committee.

Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

HPS	Head of Planning Services
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

Implications

Resources:

None unless detailed in attached report.

Legal:

Details set in the individual reports

Strategy:

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

Risks:

Details set out in the individual reports

Communications:

Details set out in the individual reports

Background Papers:

Individual Applications with Case Officers

Simon Jenkins
Director for Regeneration & Place

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Site Address: Mill Rythe Holiday Village, 16 Havant Road, Hayling Island, PO11 0PB

Proposal: Application for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown 'circular wildlife walkway'.

Application No: APP/20/01127

Expiry Date: 09/04/2021

Applicant: Away Resorts Ltd

Agent: Mr M Taylor

Case Officer: Lewis Oliver

Avison Young

Ward: Hayling East

Reason for Committee Consideration: In accordance with the Constitution of the Council – the application proposes Large Scale Major Development

HPS Recommendation: **GRANT PERMISSION**

Executive summary:

The proposal is an amended application following a previous planning permission granted under APP/16/01237, which gave consent for the following:

Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site.

The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. As such the changes in this application are as follows:

- The demolition of chalet buildings A – K & M in addition to those proposed to be demolished under APP/16/01237.
- Retention and refurbishment of chalet building L (as identified on approved plan 3877-410 K) for staff accommodation comprising 8 units (in lieu of the 5 staff caravans granted APP/16/01237).
- The siting of 112 holiday lodges, in lieu of the 87 chalet units that were originally to be retained under APP/16/01237.
- The consequent extension of the area used for the siting of caravans eastwards into the west part of the existing pitch and putt area. As a result, the permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
- Cessation of the use of the pond for leisure fishing.
- Conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.

- The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
- The creation of a land bund and ecology ditch.
- Creation of additional open recreational open space resulting in 1.8ha of open space over the combined application site.
- Landscaping scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, along with research into previous proposals in similarly sensitive locations, resulting in the plans being significantly improved and amended to address concerns – in particular revising the design, layout and improving landscaping.

Additionally, specialist reports were recommissioned to address concerns over some key issues - including landscape impact, trees, ecology, highways, flooding and drainage.

The site is located in flood zones 1, 2 and 3, and the proposal extends out into the current pitch and putt course, which is in flood zone 3 - as a result a sequential and exception test is required in accordance with planning policy. The sequential test did not identify any suitable alternative sites, given the minor increase in the overall capacity of the existing site, together with the fact that there is no other land in the holiday village which would cater for this development, and it would not be appropriate to seek land outside the holiday village for such use as this would leave users separated from the facilities. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test. In terms of the exception test the development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.

Whilst recognising the ecological impacts arising from the proposal, the compensation proposals, comprising both on-site and off-site measures would result in a biodiversity gain from the proposed mitigation measures, compared to the current insecure and conflicting land uses of the site, and as such would provide significant ecological benefit. The wildlife area and would provide a valuable habitat for many species. The benefits of the mitigation measures should be felt within the adjacent designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs will benefit from the dedicated wildlife area, amongst the other enhancements.

In terms of landscape impacts, the longstanding presence of Mill Rythe Holiday Village is an established and accepted border to the Chichester Harbour AONB landscape character. The existing chalet accommodation buildings (mainly two storey) will be demolished and no longer perceptible from the Harbour, leading to an improvement in views from Chichester Harbour AONB. In conjunction with the sensitive design, layout and scale of the proposal, including the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district, it is considered that on balance the landscape impact, whilst altered, would conserve the character and setting of the AONB.

To conclude, in assessing the proposal (including associated evidence) against the adopted Local Plans and the National Planning Policy Framework (NPPF) it is considered that it meets the sequential test and represents sustainable development and is therefore recommended for permission.

1 Site Description

- 1.1 Mill Rythe Holiday Village is located along the east coast of Hayling Island just off Havant Road. The site is directly adjacent to the coastline of Chichester Harbour along the Mill Rythe estuary. Mill Rythe Holiday Village comprises an irregular shaped parcel of land which measures 13.9 hectares (34.4 acres) and has been in use as a holiday park since at least the 1940's and is laid out as an old fashioned catered holiday camp. Given the organic growth of the site it comprises of a series of different buildings of varying age and design arranged variously across the site, with large areas of open space around the site.
- 1.2 The holiday village is accessed from the A3023, which is the main arterial link between the A27 and Hayling Island Seafront. The majority of the site is located adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB), Site of Importance for Nature Conservation (SINC), Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA). The current pitch and putt golf course, which is located on the eastern half of the site, is located within the designations outlined above. The site is relatively flat and lies within flood zone 3, therefore a sea wall surrounds the site to the north, which is adjacent to the Mill Rythe estuary.
- 1.3 The current holiday park, which was brought out of administration by Away Resorts provides an extensive range of facilities for guests. It consists of the following buildings, land use, and facilities:
- 260 holiday chalets, with implemented permission for 31 additional static holiday caravans
 - Central facilities complex with offices, reception, ballroom, restaurant bar, indoor pool and hair/beauty salon
 - Separate pub-restaurant
 - Boating lake and playground
 - Outdoor pool with kiosk
 - Separate cafe
 - Extensive car and coach parking
 - Former Pitch & Putt Golf Course
- 1.4 In terms of the surrounding uses, the north of the park is bound by the Mill Rythe estuary forming part of Chichester Harbour AONB. The east and west of the park is surrounded by open fields with the 9 hole Tournembury Golf Course lying to the south. Residential development and the Mill Rythe Primary and Junior Schools are further to the west of the site which abuts the A3023 Havant Road.

2 Planning History

Relevant History:

APP/16/01237 - Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site.

Approved 5.5.17.

Officer comment: *This permission has been partially implemented with all of all the pre-commencement conditions having been discharged and the laying of 10 bases to facilitate the siting of 10 holiday lodge caravans.*

Wider site history:

APP/16/01193 - Use of land for Linear High Ropes Course., PERM,12/01/2017

APP/11/01080 - Change of use of part of the land for the siting of 31 static caravans (approved). Request to discharge conditions 4, 6 and 7 (received 27.5.16). Request to discharge condition No.s 3,5 and 8 (received 09.06.16). , PERM,07/06/2013

08/54406/024 - Internal alterations to and external refurbishment of "Dover" block, Mill Rythe Holiday Village, Hayling Island. Replacement of 24No. one bed short stay units with 8No. one and two bed medium stay flats., PERM,15/05/2009

00/54406/023 - Alterations to existing chalets including landscaping, UPVC cladding and internal layout changes., NPW,13/03/2003

99/54406/021 - Infill extension to east elevation of staff chalet block (south east of main building), PERM,14/05/1999

99/54406/022 - Infill extensions to east and west elevations of 'Norfolk' and 'Nutley' chalet blocks (on eastern side of site), WD,15/02/2000

98/54406/019 - Siting of new mobile home for additional staff dwelling to south east of Holiday Village, REF,26/11/1998

98/54406/020 - Siting of new mobile home for additional staff dwelling to south of Holiday Village, REF,26/11/1998

97/54406/017 - Renewal of temporary planning permission 92/54406/4 for the siting of 4 staff caravans, TPP,16/10/1997

97/54406/018 - Infill extension under existing roof canopy to one side of chalet block, PERM,03/02/1998

95/54406/015 - Outdoor all weather 4 lane bowls rink including floodlighting., PERM,26/10/1995

95/54406/016 - Two floodlights attached to piers of entrance archway to illuminate archway sign, REF,14/12/1995

94/54406/011 - Two Halogen floodlights mounted on existing columns t illuminate existing arch entrance sign., REF,15/09/1994

94/54406/012 - Extensions to York and Wells chalet blocks, PERM,15/11/1994

94/54406/014 - New bedroom accommodation; enlarged restaurant; improved indoor pool; sports hall; outdoor sports facilities; floodlights; car parking and landscaping, PERM,04/01/1996

93/54406/010 - Arched entrance sign letters on wrought iron work, PERM,07/03/1994

93/54406/008 - Extensions to provide glazed reception area concourse, ballroom extension and childrens amusement building, PERM,

91/54406/002 - New general manager's house and car port in south western corner of site., PERM,23/04/1992

92/54406/004 - Renewal of temporary Planning Permission 88/50376/2 for the siting of 4 staff caravans., ZHIS,21/10/1992

92/54406/005 - Double car port at General Managers house - Mill Rythe Holiday Village, ZHIS,08/03/1993

92/54406/006 - Retention of existing abseiling tower in northwest area of site adjacent to Chichester Harbour., PERM,

3 Proposal

- 3.1 The proposal is for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown 'circular wildlife walkway'.
- 3.2 The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. This is because the cost of refurbishing each individual unit within the chalets is higher than the cost of providing a replacement caravan. Further, the existing chalet buildings will require on-going maintenance and regular refurbishment. Whereas, when the holiday caravans become slightly outdated, the caravans still maintain a resale value and can be sold and subsequently replaced with an updated caravan with minimal cost and disruption to the business. As such the refurbishment of the chalets is, therefore, not viable and not in keeping with the Applicant's tried and tested business model.
- 3.3 Therefore, the Applicant seeks permission to replace all the remaining chalets (except for one) with caravans and provide for a modest increase in the total number of accommodation units, to create a more viable project to attract the necessary development finance. As with all holiday parks, Mill Rythe was closed during the Covid-19 lockdown between the end of March and beginning of July 2020. However, without the necessary funding in place to continue with the redevelopment as proposed, the Applicant has been unable to justify reopening and the park remains closed and will do for the foreseeable future.
- 3.4 Having regard to the above, the proposed changes, over and above those which have already been granted by APP/16/01237 comprises the following key elements:
 - (i) The demolition of chalet buildings A – K & M in addition to those proposed to be demolished under APP/16/01237.
 - (ii) Retention and refurbishment of chalet building L (as identified on approved plan 3877-410 K) for staff accommodation comprising 8 units (in lieu of the 5 staff

caravans granted APP/16/01237).

- (iii) The siting of 112 holiday lodges, in lieu of the 87 chalet units that were originally to be retained under APP/16/01237.
- (iv) The consequent extension of the area used for siting of caravan's eastwards into the west part of the pitch and putt area. As a result, the application proposes the permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
- (v) Cessation of the use of the pond for leisure fishing.
- (vi) Conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.
- (vii) The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
- (viii) The creation of a land bund and ecology ditch.
- (ix) Creation of additional open recreational open space resulting in 1.8ha of open space over the combined application site.
- (x) Landscaping scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

3.5 Combined with the implementation of APP/16/01237 on the remaining parts of the park, the proposed development seeks to increase the total number of units of holiday accommodation at the park from 291 to 309, an increase of 18 units of holiday accommodation.

3.6 The planning application includes the following documents:

- (i) Arboricultural Impact Assessment
- (ii) Ecological surveys, Ecological mitigation strategy and Habitat Regulation Assessment
- (iii) Flood Risk Assessment
- (iv) Landscape and visual impact assessment
- (v) Planning Statement
- (vi) Transport Statement
- (vii) Nutrient Budget

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13 (Green Infrastructure)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS5 (Tourism)
DM10 (Pollution)
DM3 (Protection of Existing Employment and Tourism Sites)
DM4 (Static Holiday Caravan Development)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

DM23 (Sites for Brent Geese and Waders)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E14 (The Local Ecological Network)
E15 (Protected Species)
E16 (Recreation impact on the Solent European Sites)
EX1 (Water quality impact on the Solent European Sites)
E17 (Solent Wader and Brent Goose feeding and roosting sites)
E18 (Trees, hedgerow and woodland)
E19 (Managing flood risk in new development)
E20 (Drainage infrastructure in new development)
E22 (Amenity and pollution)
DR1 (Delivery of Sustainable Development)
IN1 (Effective provision of infrastructure)
E1 (High quality design)
E3 (Landscape and settlement boundaries)
KP6 (Langstone Technology Park)
E12 (Low carbon design)
IN3 (Transport and parking in new development)
C2 (Tourism)

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

Response awaited – update to be provided prior to, or at Committee meeting.

Building Control

No response

Chichester Harbour Conservancy

Objection – raises the following points (summarised):

The proposal for the increase in holiday units on previously used recreational land

would physically increase the developed area of the park resulting in the loss of a significant amount of the amenity area within the site. This would change the character of the eastern part of the site within the countryside area, creating a clearly tourism form of development in appearance which is an unwelcomed intensification of the activities with this countryside location and likely to increase activity beyond the boundary within the AONB with associated wild life disturbance on the fringe of the adjacent and visually important AONB protected landscape (contrary to 'AONB Planning Principle PP01: Chichester Harbour as a Protected Area' of the adopted Chichester Harbour Management Plan - April 2019).

- Lack of land use justification in close proximity to the AONB protected landscape
- Prominent impact to the AONB protected landscape
- Recreational wildlife disturbance within the AONB protected landscape
- Waste water sewerage systems capacity is not proven
- Nitrogen nutrient increase requiring mitigation measures not provided

Officer Comment – *This matter is considered in detail in paragraphs 7.24-7.31 below.*

Coastal Engineering

No objection – subject to careful consideration of flooding impacts as outlined in the Environment Agency response.

Community Infrastructure, Planning Policy & Urban Design

CIL

The original application (APP/16/01237) retained and refurbished Chalet Buildings, so there was no increase in this type of floorspace and added holiday caravans (not CIL liable).

This application is largely for holiday lodge caravans. We can confirm Caravans/Mobile Homes are not CIL Liable.

S106

The Design and Access supporting APP/16/01237, which has been partially implemented stated 'There are currently 260 No. chalets and 2 No. caravans with approval to construct a further 29 No. caravan bases.' Therefore the application need not be considered further in respect of the Solent Recreation Mitigation Strategy and Nutrient Neutrality. The need for a S106 could arise out of further consultee responses, for example covering ecological matters.

Councillor Leah Turner - Hayling East

No response

Councillor M Wilson - Hayling East

No response

Councillor R Raines - Hayling East

No response

Countryside Access Team

No objection subject to a planning condition to secure the provision of signage to warn vehicle drivers of the need to give way to users of the Right of Way.

County Archaeologist

No objection

County Ecologist

Initial response

In summary, I am not yet convinced that the partial loss of a SINC and SPA/Ramsar supporting habitat have been sufficiently justified. I am unclear exactly how the proposed mitigation and enhancement measures to the retained SINC/SWBGS site will offset the impacts in terms of their function to the SPA/Ramsar and SINC designation. NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated and are acceptable.

Response following the submission of further information:

Some additional detail has been provided by the applicant's agent (letter from Michaela Kekerri of Avis Young, dated 21 April 2021) and this includes an amended Habitats Regulations Assessment (Middlemarch, March 2021) and a Winter Bird Survey report (Middlemarch, April 2021). This additional information is welcome, as is the commitment to fulfilling the avoidance and mitigation measures as requested by Natural England and myself. Overall, I am content with the information provided and consider that the best approach is to secure ecological mitigation, compensation and enhancement measures through conditions.

Crime Prevention -Major Apps

No response

Southern Water

No objection subject to conditions as to how the development would be facilitated within the existing network capacity, and details as to the arrangements for foul sewerage are provided.

Officer comment: *A standard "per unit" tariff payment will be made to Southern Water to carry out any necessary upgrades, for the additional 18 units to be provided in this scheme. The applicant will fund the costs of these new connections and make payments directly to Statutory undertakers, this is a matter is dealt with under other legislation, and as such it would not be appropriate to use planning conditions that secure network capacity dealt with under the Water Industry Act.*

Economic Development

No response

Environment Agency

No objection – subject to conditions:

Environmental Health Manager, Community Group

No Objection - I have reviewed the application documents alongside the responses of relevant consultees. I note that others have requested specific conditions in respect of SuDS and approval of a Construction Management Plan. The proposed conditions will be adequate to address any pollution control concerns that Environmental Health might have, and I have no additional comments to add.

Hampshire Highways

No objection - Having reviewed the documentation submitted in support of the above planning application Highways Development Planning is satisfied that the proposal would have no detrimental impact on highway safety or operation.

Hampshire Wildlife Trust

No response

Landscape Team, Havant Borough Council

Further information required, which can be secured through conditions:

We require an extensive landscape strategy is included within the application to afford more detail regarding hard and soft landscape proposals and how these fit within the local landscape character. Given the site proximity to Chichester harbour AONB, we suggest there is an emphasis on native plant species and that any proposed tree planting is carefully specified and placed to contribute viable legacy specimens for the future. Retaining the character of the AONB is essential and the increase in caravans could have a negative impact unless a mitigation strategy is implemented.

In order to reduce the visual impact of the landscape character as a result of the increased numbers of caravans we would like to have an agreed pallet of colours that diffuses the caravans into the natural form and works in harmony with the landscape.

With the number of people using the caravan park increasing we would also like to see an extensive management plan associated with the adjoining SINC. We would also like to suggest the creation of footpaths within the SINC to reduce the footfall damage to vegetation within this area and information boards to educate people the impacts of negative behaviour.

Officer Comment – *This matter is considered in detail in paragraphs 7.24-7.31 below.*

Local Lead Flood Authority HCC

No Objection subject to conditions

Natural EnglandInitial response:

As submitted, the application could have potential significant effects on Chichester and Langston Harbours Special Protection Area (SPA). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A Construction Environmental Management Plan
- A costed management plan for the Solent Wader & Brent Goose site H40/Mill Rythe Holiday Park Site of Importance to Nature Conservation (SINC)
- A Habitat Regulations Assessment and Appropriate Assessment

Response to additional information

No objection – subject to conditions -

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission.

Solent Recreation Mitigation Strategy – no objection subject to mitigation

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Nutrient Neutrality – no objection subject to mitigation

Natural England is aware that your authority has adopted a position statement, to ensure that development achieves nutrient neutrality through the agreed site specific nutrient budget. Specifically, mitigation measures for this development involve the use of a specific on-site avoidance measure as well as the use of Warblington Farm as a specific off-site mitigation measure.

The nutrient budget calculated for this development, with an equivalent net increase of 18 dwellings is 36.40 kg/TN/yr. As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation for this scheme would be £45,195.40.

Provided that the applicant is complying with the requirements of the Interim Strategy for 36.40 kg/TN/yr and that the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Loss/Degradation of Supporting Habitat- no objection subject to mitigation

A financial contribution (£64,098.00) has been agreed to address the partial loss of supporting habitat as a result of the development. It is noted that this will be secured through the legal agreement and Natural England agrees with this approach.

For the remaining area of the Low Use site (H43) a fully costed management plan, to be included within a Landscape and Ecological Management Plan (LEMP) is to be submitted prior to the commencement of development on site, in order to rule out impacts to the SPA and SPA functionally linked land. This should set out how management will be secured, monitored and enforced in perpetuity (normally 80 years), the council should also consider appropriate step in rights.

Provided that a fully costed management plan, included within a LEMP, is secured by a pre-commencement condition and submitted to and approved in writing by the district ecologist, Natural England raises no further comments.

Construction Impacts- no objection subject to mitigation

It is noted that a CEMP will be secured with any planning permission to address impacts from construction work on supporting habitat. The CEMP should identify the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent designated sites and its functional land. The CEMP should include measures to prevent noise, lighting and visual disturbance. Provided a CEMP is submitted to and approved in writing by the district ecologist and secured by condition, Natural England raises no further comments.

Nutrient Team, Planning Policy

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/20/01127.

Open Space Society

No response

Planning Policy

Though the site is located outside the urban area in the context of the ALP and emerging HBLP, the proposals would involve the redevelopment of a large brownfield site, and retain the site in tourism uses and deliver improved facilities. Generally, the development proposals would make a positive contribution to the importance of tourism industry to the island, and generally support the Core Strategy and emerging Local Plan's vision in terms of contributing to the retention and enhancement of tourism provision on the island. On this basis, there is no objection in principle provided it can be demonstrated that the development proposals are acceptable in environmental terms.

Public Spaces

No response

Royal Society for the Protection of Birds

No response

Tourism South East

No response

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

Urban Design

No response

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: 30

Number of site notices: 3.

Statutory advertisement: 29/01/2021

Number of representations received: 5

Summary of issues raised by objection letters (summarised):

- Adverse impact on the character and setting of the AONB, including extensive lighting, impacting on dark skies and overdevelopment of the site.
- Concerned about impact on foul sewerage system, and pollution into Harbour
- Adverse impact of the amenities of neighbouring properties
- Adverse impact on ecology of the area by building on a SINC
- Concerned that restrictions should be placed on the units to ensure that they do not become permanent dwellings

7 Planning Considerations

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations).
- 7.2 The Council's assessment as competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to recreational pressure, water quality, loss/degradation of supporting habitats and construction impacts. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. The third is a package of measures relating to loss of Special Protection Area (SPA) supporting habitat. The fourth is a package of measures relating to construction impacts. Natural England were consulted on the findings of the HRA.

Recreational Pressure

- 7.3 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water Quality

- 7.4 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study 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. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures

to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment for this application.

- 7.5 Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

Wintering Birds

- 7.6 The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS) and the submitted Havant Borough Local Plan. Whilst on-site avoidance and mitigation would generally be prioritised, it is accepted that the loss of some sites already used by wintering birds, but which are available on an insecure basis, can be mitigated for off-site. Such mitigation would be provided through a financial contribution. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For Low use sites, such as here the principle of mitigated loss through a financial contribution is acceptable. The applicant has agreed to provide a mitigation package of £64,098. This is in line with the methodology of the SWBGS. This element of the mitigation package will need to be secured through legal agreement.
- 7.7 For the remaining area of the Low Use site (H43) a fully costed management plan, to be included within a Landscape and Ecological Management Plan (LEMP) would be submitted prior to the commencement of development on site, in order to rule out impacts to the SPA and SPA functionally linked land. Without the security of the mitigation being provided through a condition, a significant effect would remain likely. As long as the agreed mitigation measures are secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.
- 7.8 Monitoring will be required to make sure that the management activities are proceeding and to identify any necessary changes to management to continue achieving the management objective. Furthermore, further winter bird monitoring will take place followed by annual site visits to monitor management actions.

Construction impacts

- 7.9 There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species. Control measures will be included in the Construction Environment Management Plan (CEMP), these include controlling matters such as minimising idling by machinery, locating construction compounds in less noise sensitive areas of the site and maintaining machinery to further reduce these noise levels. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, has been suitably avoided and mitigated. As such, no

likelihood of a significant effect remains on this issue.

Appropriate Assessment conclusion

7.10 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England advised that they concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.

7.11 In other respects, having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact on tourism facilities
- (iii) Impact upon the character and appearance of the area and on the setting of the AONB
- (iv) Impact on ecology
- (v) Impact upon residential amenity
- (vi) Flood risk and drainage
- (vii) Impact on highways
- (viii) Impact on archaeology
- (ix) Contamination
- (x) Contribution requirements and legal agreement

(i) Principle of development

7.12 Mill Rythe Holiday Village is an established holiday centre, with the principle of redeveloping and modernising this site to retain it in holiday use already being established under the approved and implemented Planning Permission APP/16/01237. That said, it is accepted that Planning Permission APP/16/01237 did not increase the number of permitted units of accommodation then at the holiday village; nor did it extend the siting of caravans further east on the pitch and putt area. It is, however noted that a small extension of the accommodation eastwards onto a small area of the existing pitch and putt course was approved under the previous scheme, which was within the AONB and SINC.

7.13 Policy CS5 of the Core Strategy indicates that the council will protect all existing tourist facilities and accommodation that are fit for purpose, whilst recognising the need for flexibility in order to respond to an evolving tourist and day visitor market. The Core Strategy vision recognises that Hayling Island continues to be at the heart of the important tourism industry and recreational activity in the borough. Hayling Island is separated from the mainland by Chichester and Langstone Harbours and is surrounded by a variety of national and international designations which contribute to the attractiveness of its environment.

7.14 However, the tourism of Hayling Island is very seasonal, and the Core Strategy policies support the retention and enhancement of tourism and tourist facilities accordingly. These are considered in detail below. The site is located outside of the

urban area boundary as defined by Policies CS17 and AL2. Policy CS17 seeks to concentrate development within the urban areas of the borough and prioritises development on previously developed land provided it is within the urban area. The policy states that development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy. Though the site is within the non-urban area, the NPPF encourages the effective use of land by reusing land that has been previously developed if it is not of high environmental value.

- 7.15 The NPPF also indicates that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of existing tourist and visitor facilities in appropriate locations. In this respect, Policy CS5 states that appropriate development proposals that safeguard and improve existing tourist facilities, hotels, holiday centres and caravan parks will be supported. The Applicant Away Resorts purchased Mill Rythe Holiday Village out of administration and continues to make the site a more viable holiday business, taking into account the recent pandemic restrictions and viability.
- 7.16 The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. This is because the cost of refurbishing each individual unit within the chalets is higher than the cost of providing a replacement caravan. Further, the existing chalet buildings will require on-going maintenance and regular refurbishment. Whereas, when the holiday caravans become slightly outdated, the caravans still maintain a resale value and can be sold and subsequently replaced with an updated caravan with minimal cost and disruption to the business. As such the refurbishment of the chalets is, therefore, not viable and not in keeping with the Applicant's tried and tested business model.
- 7.17 Therefore, the Applicant seeks permission to replace all the remaining chalets (except for one) with caravans and provide for a modest increase in the total number of accommodation units, in order to create a more viable project to attract the necessary development finance. As with all holiday parks, Mill Rythe was closed during the Covid-19 lockdown between the end of March and beginning of July 2020. However, without the necessary funding in place to continue with the redevelopment as proposed, the Applicant has been unable to justify reopening and the park remains closed and will do for the foreseeable future.
- 7.18 In recent times the Holiday Village had become unviable due to the number of staff required to run the extensive entertainment and leisure facilities at the village, and the quality of accommodation which is now no longer fit for purpose in the current tourism market, having been based on the 'holiday camp' experience of the 1950's and 1960's. As such the applicant has undertaken to reorganising the site to provide more and more attractive, viable and lower maintenance accommodation, in combination with enhanced leisure facilities, in order to make the site attractive and desirable holiday environment for the current leisure market. In this context, the proposals would retain the site for tourism purposes and would result in improved tourism accommodation/facilities, which would have a positive economic benefit to the wider economy of the district through attracting more visitors to the area and therefore the proposals accord with Policies CS5 and DM3. This positive impact needs to be balanced against the impacts on the wider area, which is sensitive given its position in relation to the AONB and other designations, this is considered in detail below.

(ii) Impact on tourism facilities

- 7.19 As the proposals involves the use of land for the siting of holiday caravans, it is also of relevance to consider Policy DM4. The purpose of the policy is to ensure that static holiday caravans do not become permanent residential accommodation owing to their location away from local services or owing to their form and setting. The policy therefore only supports caravan development where it is to be used for holiday purposes and has a limited period of occupancy for a maximum of ten months per calendar year.
- 7.20 In the previous application discussions were undertaken with the applicant who had raised concerns that by applying a ten-month occupancy condition this would adversely affect the viability of the holiday village, although no actual financial information is submitted to support this concern. However, the agent for this application has submitted that if suitable holiday parks in the borough are not allowed to extend their season to meet customer demand in this way, those customers will take their holidays in those holiday locations that do allow holiday use during the winter period, putting the borough at a competitive disadvantage.
- 7.21 Following detailed consideration, it was considered necessary to assess this information given the changing trends within the tourism sector, against the reasons why the LPA would seek to apply such a restriction, which as outlined above, is to prevent the caravans becoming permanent residential accommodation. The former Good Practice Guide on Planning for Tourism (GPGPT), now withdrawn and replaced by the NPPF, which provides similar advice, recommended conditions to allow all year holiday use and prevent residential use of holiday caravans, subject to appropriate controls.
- 7.22 The former Guide records that tourism is increasingly a year-round activity and that such a spread of demand for self-catering accommodation is advantageous to local economies; but recognises that occupancy conditions are reasonable to preclude permanent residential use. In the previous application it was concluded that given the evolving nature of the tourism market, flexibility is required to respond to an evolving tourist and day visitor market. In that instance, given the background to the Holiday Village, and subject to suitable conditions which would limit the number of caravans permitted on the site and prohibiting their permanent occupancy, it was concluded that the development would not result in the creation of permanent residential dwellings and would address the reasons for such controls in Policy DM4. Given the current application is only for a further 18 units of accommodation compared to the previous approval, and given the previous consent and fall-back position, it would be unreasonable to require the additional units to have 10-month occupancy conditions.
- 7.23 The supporting text of policy DM4 also justifies the restriction on occupancy by balancing the impact on sensitive areas such as on the AONB and achieving high quality living accommodation, and this is considered in detail below.

(iii) Impact upon the character and appearance of the area and on the setting of the AONB

- 7.24 The existing built area of the holiday village is immediately adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The eastern area of the site which is currently a pitch and putt course is within the AONB. The majority of the existing buildings on the site are plain and utilitarian with no aesthetic or architectural merit, in which respect they are typical of many holiday style buildings of that time. The site is largely screened from the surrounding landscape by the mature boundaries

around the site. However, some of the buildings are visible from the public footpath, which is located to the north of the site on the opposite side of Mill Rythe estuary. The views from this point are mainly the top of the existing facilities buildings and two storey chalet buildings - any buildings that are single storey are largely screened by the extensive sea wall on the northern boundary. However, the complex is not considered to be unacceptably prominent, being set against the backdrop of the mature tree belts on the southern boundary of the site, and the wider sporadic development to the west, which consists of both residential development and Mill Rythe Junior and Primary Schools.

- 7.25 National Planning Policy states that great weight should be applied in respect of conserving and enhancing Areas of Outstanding Natural Beauty (AONB). The above is reflected in Core Strategy Policy CS12 which deals with the Chichester Harbour AONB. It states that development will be permitted where it carefully assesses its impact on the AONB, and its setting, is appropriate to the wellbeing and understanding of the area, and conserves and enhances the quality of the AONB.
- 7.26 Concerns have been raised from the Chichester Harbour Conservancy regarding the impact of the development on the AONB. Particular concern has been raised regarding the spread of development across the site, together with concern about the proposed materials to be used providing significant glare to the surrounding area. In this regard officers consider that it is relevant to consider that the development is a reconfiguration to an existing holiday village and not a completely new development, albeit that an element of the development does now extend onto the pitch and putt course, which is located within the AONB.
- 7.27 The Chichester Harbour AONB Landscape Character Assessment 2006, defines the character of the Mill Rythe Area as: *'Mill Rythe has a wide opening to the main harbour pool, but rapidly narrows and becomes more enclosed and sheltered in character as it splits into separate arms. At low tide it comprises mudflats and saltmarsh carved by tiny narrow channels. Trees, copses and hedgerows merge together in places to give the impression of a partly wooded shoreline and provide a setting for a scatter of harbour-side houses, and Mill Rythe Holiday Village on the coastal edge. Boatyards and Industrial sheds on Hayling Island at Yachthaven are prominent in some open views across the area. Despite this, it retains a largely undeveloped character.'*
- 7.28 As such the longstanding presence of Mill Rythe Holiday Village is an established and accepted border to the AONB landscape character. The existing chalet accommodation buildings (mainly two storey) will be demolished and no longer perceptible from the Harbour, leading to an improvement in views from Chichester Harbour AONB. In terms of wider views of the development the new caravans, which are identical to the previously approved development, will be lower (approximately 3.05m in height) than the existing two storey chalets and will be screened by the combination of the existing coastal embankment, new landscaping, and distance from wider viewpoints, including those from the harbour. The existing trees retained within the site as well as those within the surrounding landscape will continue to contribute to a backdrop of mature trees in views from the harbour. The proposed landscape planting will include native species which will be adapted to the coastal conditions, once this vegetation establishes it will lead to an improvement to the existing views of the site as it will contribute to the backdrop of woodland in views from the harbour, and therefore contribute to an improvement of the surrounding landscape character. As such whilst the development is spreading out across the pitch and putt course, this is balanced by the reduction of building height, through the demolition of the two storey chalet buildings and replacement by single storey static caravans. Furthermore, the proposed landscaping will provide additional planting and will add to the landscape

character with native species into the site to a greater degree than is currently present on the site.

- 7.29 To the north of the site, from the Public Right of Way, the changes would be glimpsed, due to the type and limited heights of the development. At this point the use of materials on the development is key, to ensure that the colour of materials is suitable. Chichester Harbour AONB planning guidelines sets out suitable colours, such as subtle, darker colours, to be used which are considered acceptable in the local rural context. The applicant has agreed to the use of the approved colours within this document, and therefore a condition is proposed in order to control the colours of the caravans, associated decking areas and any other paraphernalia involved in this development. It is acknowledged that there is a need for control over night sky pollution and that no lighting should be there unless necessary and justified accordingly. A condition would control external lighting on the site, considering the previously approved lighting scheme and would be subject to the agreement of the LPA.

Impact on trees

The application site has a number of trees, with a group of trees adjacent to the central facilities building being subject a Tree Preservation Order (TPO). The quality of the trees varies across the site. This application proposes to retain the majority of these trees, however some are proposed for removal. As part of the application, it is proposed to provide mitigation across the site, in the new proposed open space areas and within the new mitigation areas. These mitigation measures will be secured through a detailed Landscape and Ecological Management Plan (LEMP); which will include extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

- 7.30 In conclusion on this matter, the concerns expressed by the Conservancy and third parties regarding the potential visual impact of the development as viewed from the north from the Chichester Harbour AONB are acknowledged. However, the package of development proposed as part of this application, and in particular the demolition of most of the two-storey chalet buildings, would reduce the visual impact of the existing Holiday Village on the AONB. Mitigation measures are also proposed in respect of the new development in terms of its sensitive design and use of colours, layout and scale, coupled with the provision of significant new planting which features native species and will, in time, make a positive contribution to the landscape. Furthermore, the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district is supported by Policy CS12(2) of the Core Strategy. When taking these considerations together it can be concluded that, on balance, the landscape impact of the development proposals would continue to conserve the character and setting of the AONB.

(iv) Impact on ecology

Site of Importance for Nature Conservation (SINC) and Solent Waders & Brent Goose Strategy Site H43

- 7.31 The application is accompanied by an amended Habitats Regulations Assessment (Middlemarch, March 2021), Winter Bird Survey report (Middlemarch, April 2021), Ecological Mitigation Strategy (Middlemarch, November 2020) and a suite of ecological surveys have been carried out. Unlike the previous application (APP/16/01237), the proposal would result in the direct loss of part of Mill Rythe Holiday Village Site of Importance for Nature Conservation (SINC) and the contiguous

Solent Waders & Brent Goose Strategy Site H43, classified as a Secondary Support Area. These areas are currently used as a Pitch and Putt course, and feature a lake for leisure use for residents of the Holiday Village only, which currently creates conflicts between the recreational activities and ecology on the site.

- 7.32 As such the key considerations in ecological terms are the impact on these sensitive locally designated areas, and the application has had to address two separate issues - habitat loss (of a SINC and SWBGS site) and the impacts of increased visitor pressure both year-round for the SINC and during winter months for the SWBGS site.
- 7.33 Any loss of SINC habitat is contrary to Policy CS11 of the Havant Borough Core Strategy March 2011, and Policy E14 in the submitted Local Plan, unless it can be demonstrated that the value of the designation is retained and, where possible, enhanced in line with its original criteria for designation through avoidance and/or mitigation measures; or the benefit of the development can be shown to clearly outweigh the substantive nature conservation value of the site, and where the impact cannot be avoided nor mitigated, compensation is provided. A SINC is a non-statutory local nature conservation designation, that does not benefit from legal protection.
- 7.34 With regard to the loss of SWBGS site H43, this would comprise a loss of supporting habitat (functionally-linked land) for the adjacent Chichester & Langstone Harbours SPA/Ramsar. In addition to these direct impacts from habitat loss, there is potential for functional habitat loss of the remainder of site H43: increased proximity to development and consequent increases in human activity may render supporting habitat unsuitable for SPA/Ramsar bird species. The addition of new areas of human activity would be likely to result in increased recreational pressure (e.g. disturbance of bird species, damage to sensitive coastal habitats) on the adjacent designated sites.
- 7.35 The application proposes a package of ecological measures to address these issues, and to provide net-biodiversity gain, in accordance with policy E14 of the submitted Local Plan, which have been subject to detailed discussion with the Council's Ecologist and Natural England. They comprise the following:
- (i) The permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
 - (ii) Cessation of the use of the pond for leisure fishing.
 - (iii) Enhancement of the remaining SINC on the site in perpetuity, thereby preventing its further deterioration, through the conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.
 - (iv) The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
 - (v) The creation of a land bund and ecology ditch to increase ecological value of the site, which would create a natural boundary between the caravan site and wildlife area, to control disturbance and recreational pressure from holiday residents.
 - (vi) Creation of additional open recreational space resulting in 1.8ha of open space over the combined application site, including the demolition of Chalet Building M, with the resultant space left by this demolished building being retained as open space. The pockets of open/leisure space in the site have been carefully

designed to ensure that holidaymakers are never too far from an area of usable green space within the site to reduce recreation pressure on the managed wildlife area.

(vii) A detailed Landscape and Ecological Management Plan (LEMP); a scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237. In addition, this will secure details of the location, composition and ongoing management of all compensatory or enhancement habitat that is provided.

7.36 In accordance with the published SWBGS Guidance on Mitigation and Off-setting Requirements, the loss or partial loss of any Secondary Support Area, such as this should be *'off-set by the provision of suitable replacement habitats which are supported by an agreed costed habitat management plan and funding secured in perpetuity'* The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS) and the submitted Havant Borough Local Plan.

7.37 Whilst on-site avoidance and mitigation would generally be prioritised, it is accepted that the loss of some sites already used by wintering birds but which are available on an insecure basis - such as this case here with the permitted leisure uses comprising the pitch and putt course and pond - can be mitigated by a combination of both on-site and off-site measures. Off-site mitigation measures would be provided through a financial contribution, which is outlined above in paragraph 7.36. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For secondary support sites, such as here the principle of mitigated loss through a financial contribution is acceptable. The applicant has agreed to provide a mitigation package of £64,098. This is in line with the methodology of the SWBGS. This element of the mitigation package will need to be secured through legal agreement.

Bats

7.38 In terms of other ecological constraints, Bat surveys have identified several roosts within buildings on site, including a maternity roost of Soprano pipistrelles and two non-breeding roosts for Soprano and Common pipistrelles. The proposed works will impact these roosting locations, however the application is accompanied by detailed surveys so that the status of bats at the site is well understood. The Council's Ecologist has advised that the proposed mitigation, compensation and enhancement measures are acceptable. It is the responsibility of the applicant and their appointed agents to obtain the necessary European Protected Species mitigation licence and ensure that development activities accord with the conditions of any licence.

Reptiles

7.39 The area of grassland within the east of the site supports common lizards and slow worms in small numbers. The Council's Ecologist has advised that the submitted reptile mitigation, compensation and enhancement measures are acceptable.

7.40 In overall summary on this matter, whilst recognising the ecological impacts arising from the proposal, the on-site and off-site compensation proposals would result in a biodiversity gain from the proposed mitigation measures when compared to the current insecure and conflicting land uses of the SINC site. As such they would provide significant permanent ecological benefit. The wildlife area would provide a valuable habitat for many species, and the benefits of the mitigation measures can be expected

to be felt within the adjacent designated Solent coastal habitats - bird species associated with the Solent SPAs and the remainder of the SINC would benefit from the dedicated wildlife area, together with the other enhancements proposed, which would be controlled through appropriate conditions.

(v) Impact upon residential amenity

7.41 Given the layout and distances to neighbouring properties it is not considered that the development would have a significant adverse impact on the amenities of neighbouring properties. Concerns have been raised with regard to additional light pollution from the expansion of the site, and this matter can be dealt with by way of appropriate conditions.

(vi) Flood risk - Sequential Test, Exception Test and drainage

7.42 The site is located within Flood Zone 3. As such a Flood Risk Assessment (FRA) has been submitted with this application. The Flood Risk Assessment outlines that although the site is within an area at risk of flooding, it is well defended by sea defences and directly adjoins higher ground outside the zone at risk of flooding affording easy evacuation in the event of an extreme flooding event. The main risk of flooding comes from the overtopping or breaching of the Environment Agency owned sea defences in a 1 in 200-year event. The crest level of the defence is 3.8m Above Ordnance Datum (AOD).

7.43 The Sequential Test aims to direct development towards areas of lowest flood risk. This applies to all development proposals in Flood Zones 2 and 3 (as stated above, this site is within Flood Zone 3). The NPPF states that "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding".

7.44 The siting of caravans for holiday purposes is considered a 'more vulnerable' use as categorised by the Flood Risk Vulnerability Classification table contained in the NPPF. The National Planning Practice Guidance (NPPG) states that 'more vulnerable' uses (such as holiday caravans and chalets) may be acceptable in Flood Zone 3 subject to a Sequential and Exception test and the provision of a Flood Warning and Evacuation Plan.

7.45 The proposed development is an extension of the use of the existing site and business. In this regard, the National Planning Practice Guidance at paragraph 33 outlines that the Sequential Test should be applied pragmatically in circumstances such as these, by outlining that '*When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere.*' In this circumstance, matters of relevance are considered to be the minor increase in the overall capacity of the existing site; together with the situation that there is no other land in the holiday village which would cater for this development; and it would not be appropriate to seek land outside the holiday village for such use as this would leave users separated from the facilities. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test.

7.46 Moreover, as the site is within Flood Zone 3, the proposals must also demonstrate compliance with the "Exception Test". The NPPF states that for the Exception Test to be passed:

- "it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

Both elements of the test have to be passed for development to be permitted.

7.47 With regard to the first requirement, to demonstrate "wider sustainability benefits", the development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.

7.48 The second requirement to demonstrate that the development will be safe has been the subject of discussions between the applicant, Environment Agency (EA) and the Local Lead Flood Authority (LLFA) which has fed into the Flood Risk Assessment submitted with this application. In order to address the identified flood risk, the following mitigation measures are proposed to be undertaken:

- (i) Finished floor levels shall be set no lower than 650mm metres above ground level.
- (ii) All holiday lodge caravans shall be anchored to the ground in at least two places to prevent lateral displacement should a flood event occur.
- (iii) Flood Warning and Evacuation Plan shall be written for the site and all staff shall sign up to receive Environment Agency Flood Warnings.
- (iv) Surface water runoff from the application site will be managed through filter/infiltration trenches. Additionally, the infiltration trenches will discharge surface water into an adjacent ditch, which is hydraulically connected with Mill Rythe via an on-site pond located to the north-east of the site.
- (v) The information submitted by the applicant does not significantly change the way that surface water will be managed when you compare it with the information submitted and approved with the previous planning application APP/16/01237. This comprised combination of a traditional pipe network and various SuDS features to ensure surface water run-off from the impermeable areas of the development is properly managed.

In the event of planning permission being forthcoming, these mitigation measures will need to be conditioned to be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above will also need to be retained and maintained thereafter throughout the lifetime of the development.

Foul sewerage

7.49 With regards to foul sewerage arrangements the foul water drainage pipework for the revised layout has been proposed to be connected to the approved foul water drainage network under the previous planning application (APP/16/01237). The proposed additional 18 units is equivalent to a 36-population equivalent increase. Foul water from the proposed holiday lodges will be drained by a separate private foul water

drainage system. This foul water drainage system will discharge into the existing terminal/main foul water pumping station via the existing foul water drainage network or the new satellite pumping station.

- 7.50 Southern Water have requested that a condition is applied to how the development would be facilitated within the existing network capacity, and details as to the arrangements for foul sewerage are provided, for the additional 18 units. The additional flow from the proposed development will require a formal application to Southern Water under Section 106 of the Water Industry Act 1991, with a standard "per unit" tariff payment made to Southern Water to carry out any necessary upgrades for the additional 18 units to be provided in this scheme. The applicant will fund the costs of these new connections and make payments directly to Statutory undertakers - this is a matter which is dealt with under other legislation, and as such it would not be appropriate to use planning conditions to secure network capacity dealt with under the Water Industry Act. However relevant and reasonable conditions can be secured to ensure that foul sewage is adequately controlled.
- 7.51 Overall, therefore, whilst the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed infrastructure in terms of retail and employment opportunities. In addition, the EA and LLFA have raised no objection to this development and are content with the measures in place to ensure that the development is free from the risk of flooding and is sustainably drained (subject to conditions). With regards to foul sewerage an appropriate condition can be added to ensure the development foul sewerage can be accommodated, through a pre-commencement condition

(vii) Impact on highways

- 7.52 The application is supported by a Transport Statement (TS) to address the impact of the development on the highway network. The application proposes an additional 18 caravans, bringing the total on-site units up to 309 along with a number of facilities. No alterations are proposed to the existing access or the driveway which is 4.8m wide and therefore suitable for accommodating two-way traffic flow. It is noted that each caravan will be provided with its own parking space along with visitor parking spaces for those visiting or checking in.
- 7.53 As part of the extant permission, it was acknowledged that trips to the site are likely to be outside of the conventional peak hours, reducing the traffic impact of the proposed development at the busiest times of the day. The additional 18 caravans proposed would not increase the traffic impact of the site substantially and is therefore considered acceptable. As such it is considered that the proposal would not result in significant traffic generation over and above the existing and approved use and the development therefore is not considered to have a significant adverse impact on the safety or free flow of the highway network. The applicant has outlined in the Planning Statement that they would encourage residents to use means of travel other than the motor car during their stay.
- 7.54 A Public Right of Way (PRoW) exists along part of the access road from Havant Road, before the PRoW then leaves the access track to head south towards Tournurbury Lane. The applicant has been in discussions with the Highway Authority Rights of Way team, with regard to improving pedestrian safety and minimising conflict between vehicles using the track. An agreement has been reached between the applicant and Highway Authority to provide signage to warn vehicle drivers of the need to give way to users of the Right of Way, and this would be secured through a condition.

(viii) Impact on archaeology

7.55 Hayling Island is particularly rich in previously recorded archaeological activity and it is entirely possible that as yet unrecorded archaeological features and/or deposits exist within the site which is located just off the high ground on the eastern coast, with evidence for Bronze Age and later medieval activity immediately to the south. The site itself has been previously used as an Army camp before being developed into the current holiday centre. The previous application required an archaeological assessment to be undertaken and it was confirmed that in light of the results that no further archaeological work was merited and that archaeological matters had been appropriately dealt with. The County Archaeologist has raised no objection to this application.

(ix) Contamination

7.56 It is understood from historic mapping that the holiday park was likely to have been constructed in 1932. Since this date, a significant number of planning applications have been submitted and approved.

7.57 Beyond the above, there are numerous applications relating to the demolition, construction, and alteration of chalets and service buildings at the site. Given the number of phases of work, and the respective construction dates, there is a substantial risk of asbestos containing materials being present within the buildings demolished to date. Similarly, given the coastal location, and number of wooden structures, lead is likely to have been released to the site, and could be significantly elevated within made ground consisting of construction & demolition wastes (disposal to land would not have been uncommon practice during some of the periods of activity, whether as used in construction, or for the purpose of disposal).

7.58 The application represents a substantial redevelopment in addition to the previously permitted scheme and it is therefore considered both appropriate and proportionate to require that these risks are quantified, and if necessary, appropriately addressed. Given the scale of the site, the desk-based elements are considered to be especially important, and should aim to draw upon information resources beyond the standard environmental search providers (i.e. should draw upon site specific records).

7.59 It is noted that a previous The Environmental Health Officer has no objection to this application, subject to conditions to secure the appropriate assessment of contamination risk for the protection of future occupants, and sensitive environmental receptors (e.g. Chichester Harbour SSSI / SPA / SAC / RAMSAR).

(x) Contribution requirements and legal agreement

7.60 As set out above a number of issues need to be secured within the Section 106 legal Agreement, these are:

1. Nutrient mitigation
2. Solent Recreation Mitigation Strategy
3. Contribution towards Solent Waders and Brent Geese Strategy

4. Monitoring fees

8 Conclusion and planning balance

- 8.1 It is recognised there is a balance to be taken in determining this proposal. The development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.
- 8.2 The concerns expressed by the Conservancy and third parties regarding the potential visual impact of the development as viewed from the north from the Chichester Harbour AONB are acknowledged. However, the package of development proposed as part of this application, and in particular the demolition of most of the two-storey chalet buildings, would reduce the visual impact of the existing Holiday Village on the AONB. Mitigation measures are also proposed in respect of the new development in terms of its sensitive design and use of colours, layout and scale, coupled with the provision of significant new planting which features native species and will, in time, make a positive contribution to the landscape. Furthermore, the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district is supported by Policy CS12(2) of the Core Strategy. When taking these considerations together it can be concluded that, on balance, the landscape impact of the development proposals would continue to conserve the character and setting of the AONB.
- 8.3 Whilst recognising the ecological impacts arising from the proposal, the compensation proposals, comprising both on-site and off-site measures would result in a biodiversity gain from the proposed mitigation measures, compared to the current insecure and conflicting land uses of the SINC site, and as such would provide significant permanent ecological benefit. The wildlife area would provide a valuable habitat for many species. The benefits of the mitigation measures should be felt within the adjacent designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs and the remainder of the SINC would benefit from the dedicated wildlife area, together with the other enhancements proposed.
- 8.4 It is considered that the proposal has complied with the flooding Sequential and Exception Test, in that whilst the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms of economic and employment opportunities. In addition, the EA and LLFA have now raised no objection to this development and are content with the measures in place to ensure that the development is free from the risk of flooding and would be sustainably drained.
- 8.5 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging balance of sustainable development principles, the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01127 subject to:

(A) Completion of a Section 106 Agreement as set out in paragraph 7.60 above; and

(B) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

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:

Arboricultural Impact Assessment and plan MJC-20-0157-02 Rev: A Sheet 1, 2, 3 and 4

Bat surveys Report No: RT-MME-153320 Date: November 2020

Ecological Mitigation Strategy Report No: RT-MME-153231-03 Date: November 2020

Flood Risk Assessment & Drainage Strategy ref: 01C00816.

Landscape and Visual Impact Assessment 7th October 2020

Planning Statement

PRELIMINARY ECOLOGICAL APPRAISAL Report No: RT-MME-153231-01 Date: November 2020

Reptile survey Report No: RT-MME-153231-02 Date: November 2020

Transport statement - November 2020 V2.0

Site Location Plan - 3877-300 Rev:A

Proposed site plan 3877-410 REV R

Proposed bird hide 3877-411

Proposed bund and Ecology ditch cross section 3877-412A

Reason: - To ensure provision of a satisfactory development.

Submission of materials and samples

3 Notwithstanding the details shown on the approved plans no development shall commence unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, windows, and roofs of the refurbished buildings and for all caravans, including external walls, roofing, window/door frames and ancillary access or decking elements surfacing and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area, the adjacent AONB and the quality of the development, in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

Landscaping

- 4 No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
 - ii) Planting methods, tree pits & guying methods,
 - iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
 - iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
 - v) Manner and treatment of watercourses, ditches and banks,
 - vi) A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
 - vii) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
 - viii) Means of enclosure, in particular boundary walls and planting around properties and holiday caravans including their frontages, including any retaining structures,
 - ix) A timetable for implementation of the soft and hard landscaping works.
- The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF.

Lighting

- 5 Details of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate public realm, and conserve dark night skies of the AONB in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the NPPF.

Landscape and Ecological

- 6 No development shall commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. All LEMP measures shall be in accordance with those detailed within the Habitats Regulations Assessment (Middlemarch, March 2021) and the Ecological Mitigation Strategy (Middlemarch, November 2020) unless otherwise agreed in writing by the Local Planning Authority. The LEMP shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; costed management plan for the Solent Wader & Brent Goose site H43/Mill Rythe Holiday Park Site of Importance to Nature Conservation (SINC); details of the location, composition and ongoing management of all compensatory or enhancement habitat; location, type and number of all bat/bird boxes and other ecological enhancements; details of lighting. All ecological compensation/enhancement measures shall be installed/implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 7 No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP. The details shall also include:
- a) waste disposal measures to be implemented linked to any demolition, excavation, clearance and construction works on the site; and
 - b) Measures to minimise creation and impact of dust.
 - c) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). Details of noise monitoring of the construction and demolition work at sensitive locations,
 - d) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) should not be undertaken during the bird overwintering period (i.e. October to March inclusive).
 - e) Measures to visually screen the construction works from the sensitive areas;
 - f) Details of the ornithological watching brief necessary for any demolition and construction works during October to March.
- The CEMP shall be in accordance with the measures detailed within the submitted Habitats Regulations Assessment (Middlemarch, March 2021) and the Ecological Mitigation Strategy (Middlemarch, November 2020).
- Reason:** To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Highways

- 8 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highway Authority), the details shall include:
- (a) A programme of and phasing of demolition (if any) and construction work;
 - (b) The provision of long term facilities for contractor parking;
 - (c) The arrangements for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;
 - (e) Access and egress for plant and machinery;
 - (f) Protection of pedestrian routes during construction;
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

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.

- 9 Prior to the occupation of the development hereby permitted details of signage to warn vehicle drivers of the need to give way to users of the Right of Way,

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 and the agreed signage shall thereafter be retained at all times.

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

Control over use

- 10 The holiday caravans and chalets shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the holiday village shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that control over the development and that the caravans do not become separate residential dwellings in accordance with policy DM4 of the Havant Borough Local Plan (Core Strategy) 2011 and NPPF.

- 11 No more than 309 static caravans used for holiday accommodation shall be stationed on the site.

Reason: To ensure that control over the development and that level of development on the site, given its sensitive location in accordance with policies DM4, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and policies AL1 and AL2 of the Havant Borough Local Plan (Allocations) 2014.

Contamination

- 12 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation based on the proposals outlined within the ASI Ltd. Preliminary Ground Contamination Risk Assessment Report Ref: R17-12377/ds Aug 2017 Rev.1.0; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;
o appropriately considered remedial objectives,
o an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;

o clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Authority.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future employees & guests at the site, and/or to adjacent sensitive environmental receptors.

- 13 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 12 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future employees & guests at the site, and/or to adjacent sensitive environmental receptors."

Drainage and flooding

- 14 No development shall commence on site until details of a scheme for foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- i) Specify the responsibilities of each party for the implementation of the SUDS scheme
 - ii) Specify a timetable for implementation
 - iii) Provide a management and maintenance plan for the lifetime of the development. This will include the condition of the existing ditch, which will take surface water from the development site, should be investigated before any connection is made. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken. Evidence of this, including photographs should be submitted. In addition details of 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.
- The development shall be carried out in accordance with the approved details before any part of the development is occupied and shall be retained

thereafter.

Reason: To ensure adequate provision for drainage in accordance with the NPPF and in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 15 The development hereby permitted shall be carried out in accordance with the approved 'Flood Risk Assessment and Drainage Strategy' compiled by Avison Young dated December 2020) and the following mitigation measures detailed in the FRA:

i) Finished floor levels shall be set no lower than 650mm metres above ground level.

ii) All holiday lodge caravans shall be anchored to the ground in at least two places to prevent lateral displacement should a flood event occur.

iii) A Flood Warning and Evacuation Plan shall be written for the site and all staff shall sign up to receive Environment Agency Flood Warnings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, unless otherwise agreed in writing, by the Local Planning Authority.

Reason: The site is within flood zones 2 and 3 where development is sensitive to flood risk, as such without the protection measures outlined within the Flood Risk Assessment in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

Water efficiency

- 16 The development hereby permitted shall not be occupied until:

(a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and

(b) All measures necessary to meet the approved water efficiency calculation 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, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

- 17 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development 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. 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, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

Trees

- 18 No development, including demolition shall commence until the submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development has been submitted to and agreed in writing by the Local Planning Authority. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.

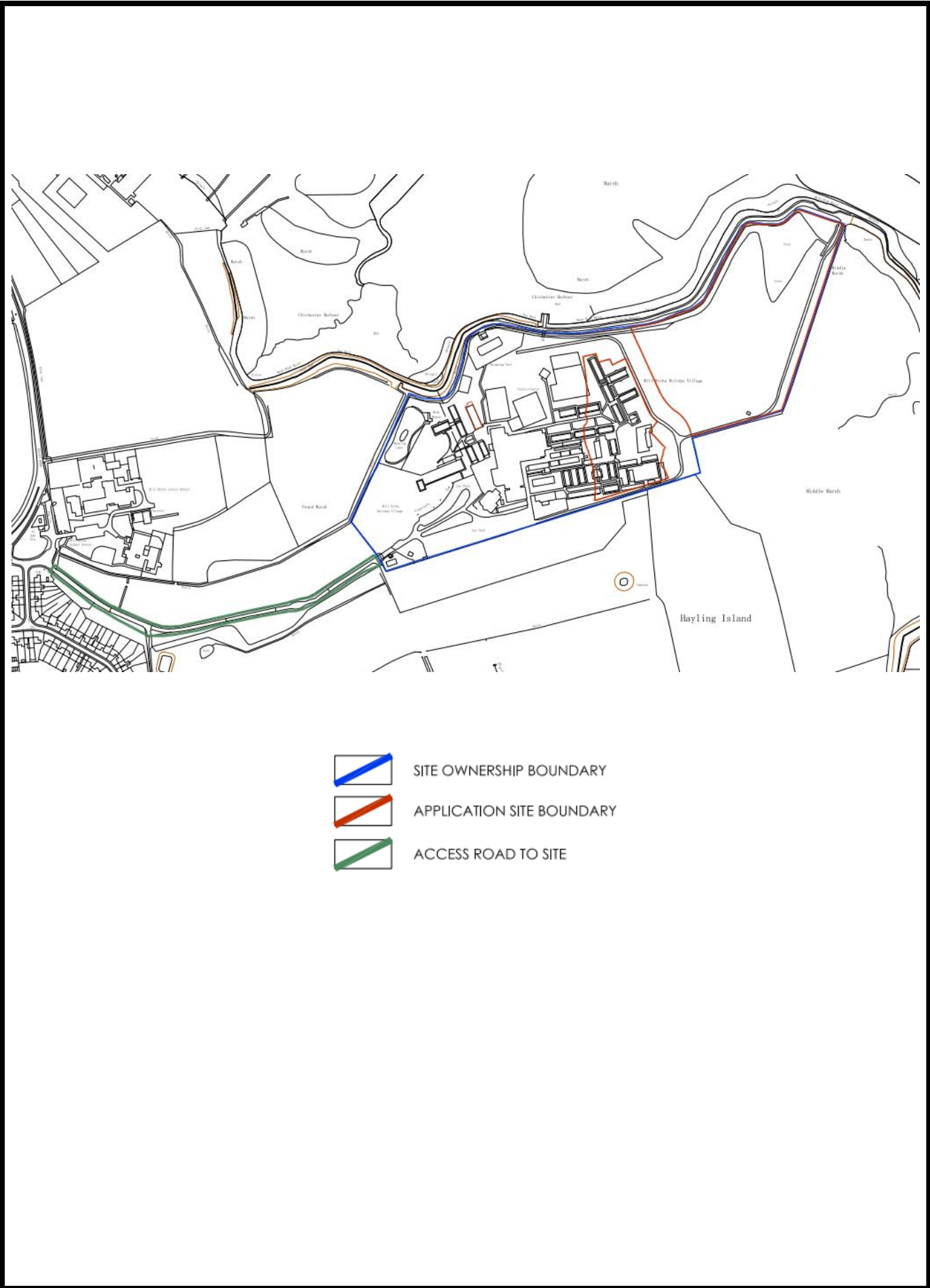
The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.

Reason: To preserve the amenity visual amenity of the locality in accordance with policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

Appendices:

- (A) Location Plan
- (B) Proposed site plan
- (C) Approved site plan from application APP/16/01237
- (D) Proposed Ecological landscape boundary section
- (E) Proposed bid hide elevations

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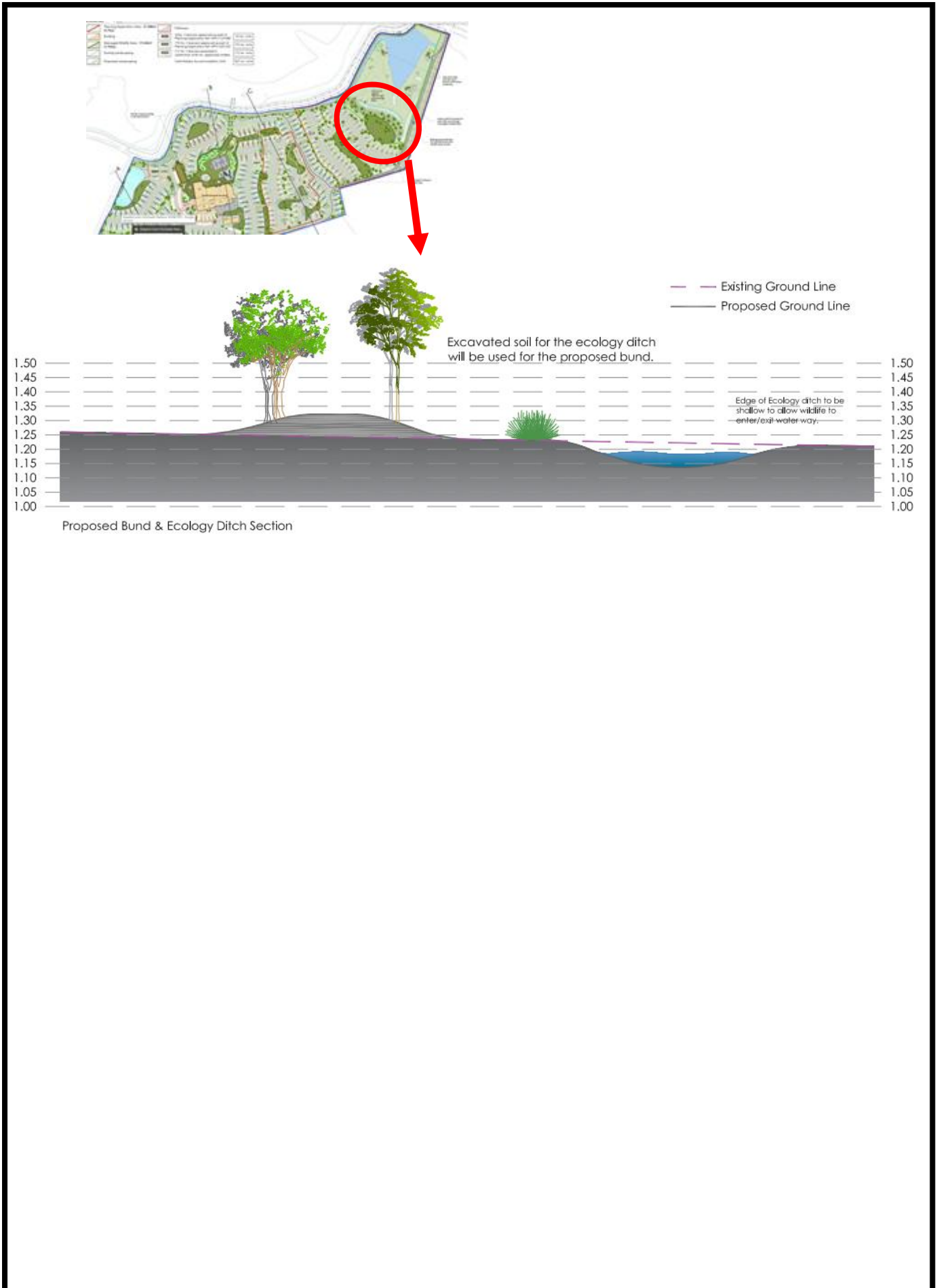
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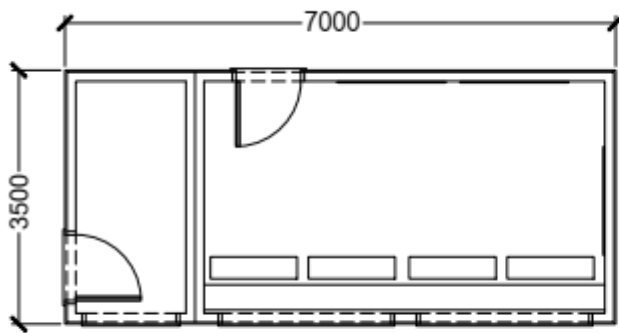
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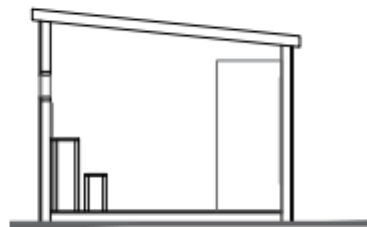
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Plan Extract showing locations of bird hides



Plan



Section

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the west of New Lane and to the South of the site. These have been considered in detail in consultation with Environmental Health and subject to the imposition of conditions the development would have an acceptable impact on residential amenity.

Highway matters are a significant aspect to the proposed development and have resulted in significant concern from residents and the Havant Civic Society. The Highways Authority have considered and tested the transport information submitted with the application. Overall and subject to final matters being clarified and the imposition of S106 requirements and planning conditions, it is considered that the development would have an acceptable impact on the highway network including in relation to pedestrian and cyclist safety. The Highways Authority raise no objections to the development provided S106 and condition requirements are secured.

In relation to drainage, flood risk and contamination, subject to appropriate conditions it is considered that the impact of the development can be suitably addressed and mitigated.

Ecological impacts and mitigation / enhancement would be secured by the imposition of conditions, and landscaping including tree protection can also be secured by condition and S106 requirements (S106 in relation to off site landscaping).

Subject to final satisfaction of outstanding highway matters and a number of conditions and S106 Agreement requirements it is considered that planning permission can be recommended.

1 Site Description

- 1.1 The site is located on the eastern side of New Lane, within a long established industrial area. Wyeth was established at the site since the 1950s and Pfizer took over the site in around 2010. Pfizer have been reducing their occupation at the site in recent times and are understood to anticipate leaving the site shortly.
- 1.2 The operations at the site have historically concentrated on the manufacturing of pharmaceutical products but more recently relate to the packaging and distribution of products that are manufactured off site and most recently the site has also stored products during the Corona Virus response.
- 1.3 The extensive complex of buildings on the site date from various periods from the 1950s to the current decade. They vary in design and scale with the tallest and most imposing building on site being the high bay warehouse for storage of pharmaceutical products permitted in 2002. In 2011 the construction of a new cold storage warehouse facility was granted planning permission.
- 1.4 The site is accessed off New Lane (two access points). The Portsmouth to Waterloo railway line runs to the rear of the site. Parking is provided at the front of the site with further parking adjacent to the high bay warehouse, and adjacent to the north side distribution warehouse. The current application shows access to the proposed site being taken from the Southern and Northern Access points and from a new northern access to New Lane.
- 1.6 The closest residential properties are located on the west site of New Lane and to the east of the railway line (Nutwick Road) together with a small number of properties fronting New Lane to the south.
- 1.7 The proposal now under consideration relates to the demolition of existing buildings on

site and a comprehensive re-development comprising the erection of a distribution warehouse (class B8) with ancillary offices and facilities, vehicle storage deck, new access to New Lane and with landscaping and associated infrastructure.

2 Planning History

2.1 There is a long planning history associated with the site and the most relevant recent planning history is given below:

00/52191/026 - Demolition of SMA building and erection of a new high bay warehouse for storage of pharmaceutical products (to east of SMA building), S106,12/02/2002

03/52191/032 - New security building to north of car park., PERM,16/06/2003

03/52191/033 - Application to crown raise two Holm Oak trees (T1 & T2) subject to TPO 1034., PERM,02/07/2003

03/52191/034 - New HVAC plant for warehouse located in south east corner adjacent to railway and north west corner close to Stanbridge Road entrance., PERM,20/11/2003

04/52191/035 - New HVAC Plant for Warehouse situated in South East corner adjacent to railway and North West corner close to Stanbridge Road entrance (resubmission), in order to seek a revision to Condition 3 of planning permission 03/52191/034 with respect to noise level., PERM,26/03/2004

04/52191/036 - Application to fell Poplar tree, T2 subject to TPO 1034., PERM,11/10/2004

07/52191/037 - Re-roofing of existing pitched structure with one DDA compliant reception., PERM,03/09/2007

08/52191/038 - Alteration to existing access and associated works. Facade reinstatement post demolition., PERM,02/05/2008

08/52191/039 - New pallet store (108.75 sq m) abutting existing maintenance building which will also be reclad to match adjacent buildings., PERM,09/06/2008

08/52191/040 - New Packaging Hall extension and new electrical intake switchboard., S106,16/09/2008

08/52191/041 - Discharge of Condition No.s 2,3,4,5,6,7,9,10,12,13,15,19,20,22 and 23 of Planning Permission 08/52191/040., PERM,12/11/2008

08/52191/042 - Discharge of Condition 2 of Planning Permission 07/52191/037., PERM,23/12/2008

09/52191/043 - Variation of Condition No. 22 of Planning Permission 08/52191/040 to allow for the insertion of 2No. additional double windows to the east facing elevation of packaging hall., PERM,18/05/2009

09/52191/047 - New raised roof parapet to existing site building, south elevation of building 'M'. , PERM,27/01/2010

APP/10/00902 - Application for the temporary Planning Permission for the siting of

8No. Portacabin and 6No. steel containers with hardstanding area., TPP,17/01/2011

APP/10/00955 - Construction of new cold storage warehouse facility.,
PERM,28/02/2011

APP/11/00298 - Discharge of Condition No/s 2, 3, 4 and 10 of Planning Permission
APP/10/00955., PERM,23/06/2011

APP/11/00969 - Discharge of Condition No/s 12 & 13 of Planning Permission
APP/10/00955, PERM,14/07/2011

APP/11/01212 - Application to determine whether prior approval is required for the
method of demolition of 5No. buildings (including: main administration building (u);
workshop (t); boiler house (r); warehouse (q) ;and iff/wch building (s)) and any
proposed restoration of the site., PARR,06/09/2011

APP/11/01460 - Application to determine whether prior approval is required for the
method of demolition of 5No. buildings (including: main administration building (u);
workshop (t); boiler house (r); warehouse (q) ;and iff/wch building (s)) and any
proposed restoration of the site. (Revised application.), PARR,21/10/2011

APP/12/00117 - Installation of 9No. windows at second floor level, south and east
elevations., PERM,04/04/2012

APP/12/00164 - Erection of a new section of palisade security fencing to height of
2.65m, to sub divide north and south sites at 32 New Lane., PERM,05/04/2012

APP/12/00600 - Discharge of Condition No. 2 of Planning Permission APP/12/00117.,
,26/07/2012

APP/13/00404 - Remodelling of north elevation to incorporate demolition of existing 3
storey offices; installation of loading doors, new cladding provision of service yard and
reorganisation of parking areas. Over cladding of west elevation., PERM,27/06/2013

APP/13/00836 - Installation of ground mounted solar PV modules in two phases.,
PERM,16/10/2013

APP/13/00837 - Erection of new metal-clad substation enclosure., PERM,16/10/2013

APP/14/00378 - Insertion of 2No. new fire escape exit doors in west elevation of Block
N, PERM,03/06/2014

APP/15/00365 - Replacement of two existing external stand alone blast freezers with
one large blast freezer building with integral link to existing warehouse facilities.,
PERM,26/06/2015

APP/16/01061 - Application to determine whether prior approval is required for the
method of demolition of building including slab removal and any proposed restoration
of the site., PAYA,10/11/2016

APP/16/01100 - Extension of existing site security offices to form new reception area
and ancillaries., PERM,04/01/2017

APP/16/01142 - Erection of prefab building to house electrical services.,
PERM,20/12/2016

APP/17/00257 - Refurbishment of existing Site Security Offices with new side extension to form new reception area., PERM,05/05/2017

APP/17/01085 - Erection of replacement perimeter security fencing along the northern and eastern boundaries of the site with 2.4m high painted palisade fencing., PERM,07/12/2017

APP/19/00532 - Erection of new and replacement perimeter security fencing 2.4m high with new security gates at site entrances along the North Western boundary., PERM,19/07/2019

APP/21/00783 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration. Prior Approval Required (Current Application)

3 Proposal

Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure.

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) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS3	(Skills and Employability)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM16	(Freight Transport)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E23	(Air Quality)
E22	(Amenity and pollution)
E21	(Aquifer Source Protection Zones)
E24	(Contamination)
DR1	(Delivery of Sustainable Development)
E20	(Drainage infrastructure in new development)
IN5	(Future management and Management Plans)
E1*	(High quality design)
IN2	(Improving transport infrastructure)
E3	(Landscape and settlement boundaries)
E12	(Low carbon design)
E19	(Managing flood risk in new development)
E15	(Protected species)
C1*	(Protection of existing employment sites)
E14	(The Local Ecological Network)
IN3	(Transport and parking in new development)
E18	(Trees, hedgerows and woodland)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

The Tree Constraints plan, AIA, AMS and TPP supplied by Lizard are comprehensive documents and if fully adhered to will allow for the retained trees on this site to grow on unharmed in the future and in some instances for some trees the immediate rooting medium will be improved due to the removal of hard surfacing and the introduction of soft landscaping.

There are a number of trees required to be removed to facilitate the development, but none could be considered specimen or irreplaceable and will be more than adequately mitigated for with the proposed new tree planting scheme. The site will in fact be improved in terms of tree cover rather than negatively affected.

In terms of the part hedge removal, I defer to our colleagues in CELT for their opinion.

If permission is given for this application, then the following must be conditioned to ensure the trees are adequately protected:

- Pre commencement site meeting with Site Agent, Arb Consultant and HBC representative to ensure that all tree protection is correctly in place.
- The AMS and TPP must be strictly adhered.
- Any new underground servicing must be undertaken outside of tree RPA.
- All works within the RPA must be supervised by the Arb Consultant.
- New trees must be maintained and any losses that occur in the first 5 years must be replaced by the site owner / lease holder.

Officer Comment: *Conditions recommended to secure these requirements.*

Building Control

Building Regulation consent will be needed for this development

Fire Authority access will need to be considered around and within the warehouse development

Disabled WC provisions not shown at this time

Additional issues may arise when full plans application submitted

Community Infrastructure

S106 could arise out of consultee responses for this site.

If there are any HBC Heads of Term our monitoring fees can be found on our website <https://www.havant.gov.uk/monitoring-fees>

Countryside Access Team

Please accept this response as being that of the Countryside Service, in relation to this application we are responding on behalf of Hampshire County Council as Highway Authority in respect of Public Rights of Way.

Comment:

Public Rights of Way are unaffected by the proposals. We therefore have no objection.

County Archaeologist

The site lies approximately 300m to the east of the line of a Roman Road, an area where archaeological remains might be expected. However, the site has previously been the subject of extensive development (in the form of the current buildings on site) which has likely removed any archaeological potential. Therefore, I would not raise any archaeological issues.

County EcologistFurther Comments

The application is accompanied by an Ecological Impact Assessment (Lizard, May 2021). The site is essentially of minimal ecological value, containing a complex of modern industrial structures with areas of hardstanding, patches of amenity-type grassland and some planted trees and shrubs. The site is considered unsuitable for the majority of protected and notable species, and no further survey works are necessary.

If you are minded to grant permission, can I suggest that all ecological mitigation, compensation and enhancement measures are secured by condition.

Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Impact Assessment (Lizard, May 2021) and as shown in the Landscape Masterplan Strategy (Drawing LD2177-LAN-DWG-010, Lizard, February 2021) unless otherwise agreed in writing by the Local Planning Authority. All ecological measures shall be implemented and installed in accordance with ecologists instructions and retained in a location and condition suited to their intended function. Reason: to protect and enhance biodiversity in accordance with the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Officer Comment: *A condition is recommended.*

Crime Prevention -Major Apps

No comments received

Economic Development HBC

Further Comments:

Here are my requests for inclusion in a condition for the site during construction and occupation.

Developer has demonstrated their support for the Council's Corporate Strategy to create a thriving local economy by locating within the borough and providing an Employment and Skills Framework Plan to ensure local people benefit from local jobs in the construction and occupation phases of their development. The council wish to work with the developer/contractor to take advantage of the opportunity that this site development brings to support its residents into valued employment and training opportunities.

Construction phase

- Deliver on all KPI's as per the submitted Employment and Skills Framework ensuring these opportunities are provided to Havant Borough Council residents as priority
- Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.
- Six weeks from agreement of Planning Permission Contractor/Council initial E & S Plan meeting.
- Monitoring meetings to be scheduled with Contractor and the council on a quarterly basis to review progress.
- Contractor to submit evidence to the council proving Havant Borough residents have benefitted from the construction phase of the development.
- Provide press/photo opportunities/case studies involving HB residents before the end of the construction phase.
- Contractor to provide report to the council at the end of construction phase with details of the job, apprenticeship, training, and site visits provided and who benefitted.

Occupation phase

- Provide end user HR contact for recruitment.
- Continue quarterly monitoring meetings into recruitment phase to ensure opportunities are provided for Havant Borough residents.
- Deliver 70 permanent jobs, with priority to Havant Borough Council residents.
- Provide dozens of flexible work opportunities and in excess of 100 driver opportunities with priority given for residents of Havant Borough.
- Provide two press/photo opportunity/case study involving HB residents.

Officer Comment: *A condition is recommended*

Original Comments:

The proposed development is subject of Local Plan Policy CS2 and Local Plan Policy CS3 of the Havant Borough Council Core Strategy Adopted Core Strategy – Adopted March 2011).

Economic Development Office notes that:

The proposed development will provide a new use for the former Pfizer site and will provide active business use now that Pfizer has left the site and freed it for new development.

The initial development follows the Havant core strategy focus on providing new employment to the borough and the reduction of out commuting. This new development will also ensure that previously developed land is reused for new employment floorspace as well as generating wealth and producing an economic output on existing employment sites that are not fit for current purpose. This is in line with Policy CS1 of the Core Strategy.

Emerging Local Plan Policy C1 of the Pre-Submission Local Plan seeks to retain existing employment sites by reinforcing their function and role and therefore the proposal for redevelopment of the site to retain it in business use class is in accordance with the emerging Havant Borough Local Plan 2036.

Given the scale of the development, the Economic Development office seeks that the applicant enters a Local Employment & Training Agreement to increase apprenticeship jobs, promote career opportunities and secure jobs for local residents to contribute towards a reduction in out commuting. This comprises the following mitigation measures:

- An agreement to assist in the placement of the apprentices and unemployed from the local area into jobs during occupation phase.

Negotiation of obligations including; direct labour agreements, training, work experience/ placements and apprenticeships to be implemented before completion of the development.

The proposed development presents an opportunity to build and enhance the skills of the local workforce by providing training and employment opportunities for local residents during the occupation phase.

The Pre-submission Havant Local Plan 2036 sets out in Policy DR2 the council's view on boosting local skill levels and community integration. It states that 'significant new residential and commercial development will be expected to support local people in accessing employment and skills training'.

Also, by providing for local employment and skills needs the proposal would advance the NPPF, in particular paragraph 80 which seeks to enable each area to build on its strengths, counter any weaknesses and address the challenges of the future. The Economic Development Office therefore considers that the proposal supports Local Plan Policies CS2 and CS3 and the National Planning Policy Framework Paragraph 80 in so far as it provides for local employment. The office also recognises the need for a Local Employment & Training Agreement as stated within Havant Borough Council's local plan.

Education Department

Thank you for the opportunity to comment on the above planning application. As it does not provide additional residential dwellings no contribution will be sought for educational facilities.

Environment Agency

Further Comments:

Contamination

This site is in a Source Protection Zone 1C (Confined aquifer), for a major public water supply. This relates to the chalk aquifer which occurs under a thick layer of Clay (London Clay). Provided no pathway through this clay exist or are created to the chalk, any shallow groundwater is not particularly sensitive. However, given the sensitivity of the deep chalk groundwater, basic precautionary controls should be applied to any risk to shallow groundwater. This may necessitate remediation of significant threat to shallow groundwater at this site. We have reviewed the submitted remediation method statement. From the information provided we would have no objection to any of the remediation proposal. We would however highlight the following 3 issues: 1. We have not been provided with the phase 2 site investigation for the site. 2. The remediation strategy just assess human health and there is no apparent assessment of groundwater risks (though this may be addressed in Phase 2) 3. Areas of the site have not yet been fully investigated.

Until these issues have been addressed we cannot comment further on any remediation strategy. As such existing conditions should remain. Drainage All surface water goes to surface water sewer so we have no comments.

Original Comments:

We have **no objection** to the proposed development as submitted, **subject to the inclusion of the following 4 conditions**, in any permission granted.

We consider that planning permission could be granted to the proposed development, as submitted, if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition 1

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason(s)

Potentially contaminating activities have been identified on this site. In particular various pharmaceutical and other industrial activities have been highlighted. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. These receptor could potentially be impacted by contamination present on this site.

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Condition 2

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s)

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 3

Prior to occupation of any part of the site, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and confirmed in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason(s)

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4

Piling or other deep foundation using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason(s)

To ensure that the proposed Piling or other deep foundation does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

Officer Comment: *The above conditions as amended by Environmental Control*

Officer comments are recommended.

Environmental Health (Environmental Control Officer)

Final Comments:

Observations / Comments:

These additional comments follow a brief review of the Delta Simons Response to HBC Environmental Health additional comments ref. 20-2175.03, 18/08/2021; responding to EH comments dated both 28/07/2021 & 13/08/2021. Delta Simons refer to the latter comments by the date published to the planning portal (16/08/21) – both documents bear the same date, representing a templating error.

Comment 1/Response 1 (correlation, precision & accuracy);

The explanation is noted & accepted. No comments arise.

Comment 2/Response 2 (AADT values, network base-flows):

Noted. No comments arise. The applicant is aware that emerging policy requirements deviate from EPUK guidance. This is not material to the conclusions ultimately drawn, or recommendations made within the 13/08/2021 EH comments.

Comment 3/Response 3 (transport demand estimates, gross, net; consequences for impact assessments):

The transport consultant appears to have focussed upon an obvious typographical error, I was of course referring to the Highways Authority (being HCC), as is clear from the latter response.

I would defend my reference to the fluidity of estimates – estimates have demonstrably evolved between assessments undertaken at different times, and the Delta Simons response itself references recent refinements. All prior comments made are considered remain applicable in respect of likely range of gross- and net-demand, accepting that this will never be a fixed / static figure. As outlined within the 13/08/2021 comments, this is not material to the conclusions ultimately drawn, or recommendations made in air quality terms.

Those comments remain relevant to the consideration of highways impacts, in that the net value assessed for highway capacity purposes represents the average-day peak-period impact, and not the peak-annual-day peak-period impact. Following those comments, recognising that these matters fall outside the remit of Environmental Health, I trust that the development management service &/or committee will appropriately account for highways with a proper understanding of the likely range of impacts, based upon the form of landuse for which permission is sought. No recommendations are made in this respect, it was simply a factor that I needed to be satisfied about to form the baseline to the AQ assessment.

There is no need to address the differences between the AQ modelling scenario & HCC approved flows – I have undertaken a reasonable qualitative assessment based upon the quantum of development (avoiding any double-counting), from which conclusions favourable to the applicant were drawn.

In this sense, notwithstanding the details of estimates net traffic uplift produced for

the highways assessment, the Delta Simons overall conclusions are accepted, and no objections arise.

Comment 4/Response 4 (Omission of most sensitive receptor, Cardinal House);

Response is noted. Benefitting from local knowledge, Environmental Health accounted for a negative dispersal factor which accounts for the monitoring position being further from the source than is the receptor. This does not materially alter the conclusions drawn however, and Delta Simons consideration reflects Environmental Health's qualitative assessment, both in terms of its conclusions, and underlying rationale. No objections arise.

Comment 5/Response 5 (EH qualitative assessment of AQ impact, based upon independently calculated traffic uplift);

There is no conflict between Delta Simons & Environmental Health – given the amended scenario parameters, there is agreement. No objections arise.

Summary

The Delta Simons response provides no reason to materially alter comments made by Environmental on 13/08/2021 (incorrectly dated 28/07/2021), following discussions with the Highways Authority.

Where not covered by the text above, comments from 13/08/2021 are considered to remain valid. I would draw your attention in particular to the recommendations within those comments for the planning conditions proposed by the Highways Authority, which without amendment would be unlikely to have the intended effect.

The prior holding-objection on air quality grounds was-, and in light of the Delta Simons Response 20-2175.03 remains-, withdrawn.

Prior comments and recommendations (recommended suite of conditions) made within the former comments (28/07/2021) in respect of ground contamination remain both valid & applicable.

Officer Comment: *Earlier consultation responses including contamination conditions are contained in Appendix T. The conditions are recommended to be imposed and slightly amend those proposed by the Environment Agency. Highway Matters and Air Quality are considered further in Part 7 (iv) and (v) of this report.*

Environmental Health - Pollution

Further Comments:

Thank you for forwarding the additional information from the agent. This addresses the concerns I previously raised.

The proposed development must be carried out in accordance with the details contained in the acoustic report produced by Tetra Tech ref A118298 dated 09/02/21 which includes a noise management plan in appendix B to ensure residential amenity is protected. I also recommend that the following condition is included in any permission granted due to information on the building services plant to be installed being unknown at this stage:

'Prior to use of the site commencing, an assessment of noise of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, to be installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the local planning authority before installation. The noise emitted from the use of this plant, machinery or equipment shall not exceed the noise criteria provided in Tetra Tech's Noise Constraints Assessment A118298 rev 3 dated 09/02/21. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.'

Reason: In order to safeguard the amenities of adjoining residential occupiers. The details are needed prior to the use of the site commencing so that any additional mitigation measures can be incorporated.

Officer Comment: *This condition is recommended to be imposed.*

Original Comments:

I have reviewed the details provided, in particularly the Noise Constraints Assessment (ref A118298 – rev 3). This considers the potential impact of noise from building services plant, vehicle movements, car park use, unloading and loading, etc. Overall, the assessment suggests that the proposed development is unlikely to significantly harm existing residential amenity. Full details of the proposed building services plant to be installed are not known at this stage so the assessment provides design criteria for future use. No consideration however is given to the potential impact of low frequency noise from such plant which means I am unable to provide full comments on whether this element poses a risk of impact on health and quality of life from noise, or whether low frequency noise which may arise from the proposed development can be adequately mitigated and minimised.

Further information on the potential impact of low frequency noise from proposed building services plant is required before a recommendation can be made of the application.

I have also reviewed the construction management plan and external artificial lighting assessment report and have no adverse comments regarding their contents.

Hampshire Fire & Rescue

Description of Works:

HFRS understands that the project involves Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure.

I confirm that Hampshire Fire and Rescue Service (HFRS) has received your application, dated 05 March 2021. The inspector named above has considered the information provided and has made the following comments:

Early Engagement:

The proposal is of great interest to this fire authority due to the size and risks identified. We would like to engage early with the stakeholders on this project, please could early contact be made with the fire engineering & consultation team if the proposal progresses.

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 HFRS 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 firefighting may be necessary. You should contact the Community Response Support, Hampshire Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (risk.information@hantsfire.gov.uk) to discuss your proposals.

Fire Protection

HFRS 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.

HFRS 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

HFRS 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.

Hampshire Highways

Further Comments

Thank you for re-consulting the Highway Authority on the above planning application. Since the Highway Authority's response dated 24th March 2021, discussions have been held with the applicant to look to address the comments raised within this letter.

Following these discussions, the applicant has issued a Supplementary Transport Assessment (STA) which provides further information on the transport implications of the proposed development. This submission has been reviewed and the Highway Authority wish to make the following comments.

Existing Conditions

The Highway Authority acknowledges that there is potential for the site to be occupied under the current planning permission which has been corroborated by HCC's economic development team and the Local Planning Authority. This point is important to note as it has considerable bearing on the consideration of the application of this site.

Notwithstanding this point, the use of the site has been reducing for over a year as the current occupier looks to vacate the premises, meaning that trip generation has declined. Whilst traffic surveys from the site accesses would have once been reflective of the site's potential traffic generation, surveys undertaken at the current time will not provide any meaningful data on the existing permitted uses movements given the wind down in site operation.

For this reason, the Highway Authority have required that the assessments undertaken within the STA take account of recent surveyed traffic conditions along New Lane, undertaken 9th June 2021, and the occupier's forecast trip generation to ensure that a robust assessment has been undertaken when determining the impact on the local road network. This has been reflected within the junction modelling undertaken within the STA.

Sustainable Transport

Pedestrian/Cycle

As previously noted, the New Lane/Crossland Drive junction has been identified by HCC as requiring improvement works to address the historical accident record centred around the conflict between vehicles and vulnerable road users. Within the original TA, the applicant tabled an improvement scheme at the junction which introduced two new traffic islands along New Lane to reduce vehicle speeds on the approach to the junction. The Highway

Authority raised concerns with the scheme which would reduce the working width of the cycle lanes, which is contrary to LTN 1/20 and was an issue identified by the safety auditor. The scheme was also not considered to be appropriate to address the accident record which is not linked to speeding along New Lane.

Conversations have since been held with the applicant and the Highway Authority including our Safety Engineering Team to discuss an LTN 1/20 compliant improvement scheme which addresses the accident record. The applicant has subsequently produced drawing number 205452/PD07 Rev D which provides a number of changes around the junction.

The crossing facilities at the junction have been rationalised to provide a dedicated tactile paving crossing area to the east of the junction with St. Albans Road which sits on the observed desire line for children walking to St. Albans School. The existing dropped kerbs have been removed from the mouth of the junction as part of this change. The existing northbound cycle lane across the junction has also been widened to 2.0m to raise awareness of the presence of cyclists heading northbound across the junction which complies with LTN 1/20. The remainder of the northbound cycle lane to the north and south of the junction will be widened to 1.5m. Similarly, the southbound cycle lane will be widened to 1.5m and an area of unused footway landscaped to prevent pedestrians erroneously crossing. The aforementioned cycle lane widening continues north and south from the junction between the existing pedestrian island opposite the Littlegreen Avenue link and the new pedestrian island provided to the south of the site (addressed within this response). The islands are considered to act as gateway features into this section of New Lane to encourage lower vehicle speeds and a more cycle friendly environment.

As set out in LTN 1/20, there are alternative arrangements for physically separated cycle facilities from both pedestrians and motorised traffic. The width of New Lane carriageway sits at circa 5.86m across the junction with Crossland Drive which is slightly below the 3m carriageway lanes which usually needs to be maintained to allow for the vehicle traffic required before widening to circa 6.4m past the 2m wide section of cycle path. However, the cycle lanes across the junction are not mandatory, meaning vehicles can still drive in them if it is safe to do so, and the surfacing works will raise awareness of the presence of cyclists across the junction, combining with the aforementioned improvements to improve the safety of vulnerable road users.

Because of the current width along New Lane, only 1.5m wide cycle lanes are achievable for the majority of frontage of the site. The minimum width for a stepped cycle track is 2m for New Lane and this cannot be achieved consistently without extensive verge works. The verges are banked and are likely to require considerable service diversions. Improvements to walking and cycling infrastructure secured through this application need to be compliant with the 3 tests of CIL as set out within NPPF. Works requiring widening of the carriageway to provide a stepped cycle track are not considered to meet the 'fair and reasonable' test given that the site already has a permission which would generate greater volumes of traffic at peak times. The measures secured and to be delivered by Hampshire County Council's Safety Engineering Team are compliant with the design of advisory cycle lanes and treatments for side roads as set out within LTN1/20.

The accident history at the junction has been associated with excessive visibility splays available on the approach to the junction which causes motorists to look past cyclists who may already be in proximity to the junction. To address this point, the plan also features planting on the northern and southern side of Crossland Drive on the approach to the junction which restricts the excessive visibility. Visibility splays of 2.4m x 62m, commensurate with recorded speeds, will remain available at the junction which is in line with HCC TG3 guidance and is therefore considered acceptable. The planting is shown indicatively on drawing LLD2177-LANDWG-150 and this element of works shall be secured by means of a contribution for Hampshire County Council and Havant Borough Council to deliver the planting as appropriate to meet the objectives of the scheme within the physical limitations (services restrictions on planting for example).

As referenced above, a new pedestrian island is proposed to the south of the site to complete the gateway features along New Lane and to provide a dedicated crossing location given the current lack of facilities. Tracking has been provided which demonstrates that a car can still egress the dropped kerb accesses with the new pedestrian island in place. The principle of the crossing point is considered suitable in this location and detailed design matters such as the width of the island can be discussed at the S278 stage.

The pedestrian and cycle points raised within the Highway Authority's response have therefore been addressed and will be secured within the S106 agreement. In summary this is as follows:

1. S106 contribution of £27,212 towards planting and landscaping of the verge around the New Lane/Crossland Drive to provide a reduction in achievable clear extensive visibility at the junction.
2. S106 contribution of £42,528.50 towards amending the cycle lane provision between the pedestrian crossing island at Littlegreen Avenue and the new pedestrian island to the south of the site on New Lane.

To deliver via S278 the works to provide the new pedestrian crossing island to the south of the site on New Lane, new crossing provision on Crossland Drive and remove existing dropped kerbs as shown on drawing numbers 205425/PD07.1 Rev B and 20452/PD13 Rev A. These works will also be secured by way of Section 106 Agreement.

Bus Travel

Within the Highway Authority's original response, comments were raised regarding the bus stops on St. Albans Road and the potential to upgrade them to improve the uptake of bus travel to the site.

Following discussions with the applicant regarding proposed improvements to the services, it has been acknowledged that the northbound service bus stop is constrained by the narrow footway width and it is therefore it is not possible to implement any improvement. However, there is space at the southbound stop to implement a new bus shelter. To facilitate these works, the Highway Authority has agreed to take a £5,500 contribution towards the bus shelter works to implement the improvement scheme. These monies will be secured within the S106 agreement.

Vehicular Access

To confirm that the proposed accesses into the site were suitable, the Highway Authority previously requested the following information:

- Annual average daily traffic (AADT) flows for New Lane;
- Confirmation regarding the location of the speed surveys;
- Amended visibility splays based on the speed survey results; and
- Tracking drawings provided to the correct scale.

The applicant has subsequently confirmed that the AADT flows along New Lane are 5,775. AADT flows from the northern and southern accesses will be 996 and 1068 respectively. Under the guidelines set out within CD123, the observed traffic flow level would warrant consideration for right turn lane facilities into the site. To review the potential requirement in more detail, the Highway Authority requested junction modelling for the local network peak hour (07:30 – 08:30) to understand how the junction will operate within the future year scenario.

The results of the junction modelling indicate a maximum RFC of 0.90 in the future year scenario for right turners into Crossland Drive which demonstrates that the development would not result in significant delays along New Lane. The results of the modelling are reviewed in more detail within this response. Under the existing permitted use, the site has also previously generated more traffic across the peak hour which did not require right turn lane facilities. Based on the evidence provided within the junction modelling and previous site usage, the 3 priority junctions are considered suitable for serving the development.

The applicant has undertaken updated speed surveys in accordance with HCC TG3 guidance to understand the visibility requirements for the northern and southern accesses. The speed survey results are summarised below:

Northern Access:

Northbound 85th percentile speed: 38.7mph.

Southbound 85th percentile speed: 41.6mph.

Southern Access

Northbound 85th percentile speed: 41.1mph.

Southbound 85th percentile speed: 38.0mph.

The speed survey results reaffirm that cars are currently speeding along New Lane, which is subject to a 30mph posted speed limit. The introduction of the new pedestrian island and cycle improvement works will help to reduce vehicle speeds on the approach to the Crossland Drive junction.

Drawing number 205452/PD01 Rev D has subsequently been provided which demonstrates the visibility splays from the northern and southern access commensurate with the recorded speed data, along with the central staff car park access which also demonstrates the visibility splays in compliance with the previous speed survey data.

Following the provision of the additional speed survey data, the Highway Authority are satisfied that the visibility splays can be achieved. Following occupation of the site, a Stage 4 Road Safety Audit will be undertaken as part of the Section 278 process with any remedial works picked up at this time.

Enlarged tracking drawings have been shown in drawing numbers 205452/AT/D01 Rev B which are now considered acceptable.

Framework Operational Management Plan

To confirm that the proposed development will operate under the system assessed within the TA and STA, the applicant has provided a Framework Operational Management Plan. The plan details the key traffic figures from the assessment such as the expected daily use of each access, peak hour trip generation and the distribution of site traffic. This information underpins the assessments reviewed by the Highway Authority and provides confirmation that the site will operate as it has been assessed at planning. Should the prospective occupier wish to operate the site in a different manner, the Operational Management Plan will need to be varied and will therefore require a re-assessment which the Highway Authority must agree before it can be considered acceptable.

The Operational Management Plan will be secured via planning condition and would need to be formally varied to allow a different occupier to use the site should their operational needs vary from those which has been assessed to date.

Framework Car Park Management Plan

The Framework Car Park Management Plan covers the total parking provision for both staff and the delivery van drivers and includes information on how arrivals will be managed and monitored. Additional mitigation is also suggested if the proposals set out within the document do not result in the efficient operation of the car park which is considered acceptable. The Framework Car Park Management Plan will be secured via planning condition.

Framework Delivery Servicing Management Plan

The Framework Delivery Servicing Management Plan provides further information on how HGV movements will be managed to the site. HGVs are required to follow the existing signed route via Petersfield Road and Crossland Drive.

Refuse collection will be carried out internally to the site. Drawing number 205452/AT/D03 confirms that these movements can be safely accommodated via the southern site access.

The Framework Delivery Servicing Management Plan will be secured via planning condition.

Trip Generation & Distribution

The STA presents the scenarios set out within the original TA with regards to the trip generation from the previous maximum usage of the site compared to the proposed traffic generation levels. Whilst the Highway Authority previously acknowledged that netting a certain level of trips proportionate to the site's current use would be reasonable given the wind down in site operation, it is not agreed that netting all of the trips from the maximum permitted use would present a reasonable assessment. However, this data is helpful for understanding how the site could impact on the local highway network should the site be occupied under the existing permission.

As set out within the Highway Authority's previous response, it has been agreed that the proposed occupier trip generation will be utilised for understanding traffic generation from the site. This data has been compared against the industry standard TRICS database which confirms that AM and PM peak hour traffic generation is lower than the occupier data set out within Table 5.1 of the STA. The Highway Authority notes that inbound trips at 08:00 should read as 121 instead of the 12 trips noted within Table 5.1. This appears to be a typographical error and does not affect the robustness of the occupier data presented within Appendix B. The table factors in the trips generated by all modes of transport to the site including HGV's, van drivers and those working shifts on-site.

It is understood that the distribution assessment presented within the TA was the subject of a typographical error. The Highway Authority understands that the site will distribute traffic on the following basis:

- 70% via New Lane/Crossland Drive junction;
- 29% via New Lane North; and
- 1% southbound to deliver to nearby residents.

To ensure that the proposed distribution is adhered to, the distribution expectations, as set out above, will need to be updated within the Operational Management Plan to ensure that all staff follow the agreed routes. No van drivers will be allowed to utilise the residential roads to the south of the site when making their deliveries unless it is to nearby properties.

For the purposes of the junction modelling, the distribution taken from the recently agreed site to the north (APP/19/00660) which assigns 75% of traffic to the New Lane/Crossland Junction has been utilised, presenting a robust assessment. The percentage impact at different junctions utilised by development traffic has been included in Table 6.4 and is understood by the Highway Authority to be form the basis of the junction modelling.

Junction Modelling

Following the Highway Authority's original response, conversations have been held with the applicant to discuss the off-site junction modelling requirements for the site. As noted above, the gravity model built utilising the distribution agreed under planning reference APP/19/00660 assigns 75% of traffic through the New Lane/Crossland Drive junction and 47% of these trips to the wider network via the B2149/Crossland Drive signal junction, although it is unclear where 28% of traffic is going in between the two junctions.

The applicant has undertaken junction modelling for both of these junctions based on the above assumptions. As this is not agreed, the Highway Authority have re-run the junction model for the B2149/Crossland Drive signal junction to assign all 75% of the traffic utilising New Lane/Crossland Drive through this junction too as this will be reflective of the situation once the site is operational. This is covered in detail below.

The modelling assesses a 2021 base year and 2026 future year scenario. This modelling is additional to that provided for the northern and southern site accesses.

At the request of the Highway Authority, the junction modelling has been amended in the AM peak hour to reflect the local network period (07:30 –

08:30), as identified by the traffic survey data.

New Lane/Crossland Drive

Under the existing 2021 scenario, the maximum Ratio to Flow Capacity (RFC) at the junction is 0.73 for right turners on New Lane attempting to access Crossland Drive in the PM peak hour. In PCU terms, this equates to a queue of 2.9 vehicles. With the addition of development traffic, the maximum RFC increases on this arm of the junction to 0.84, with a queue length of 5.2 vehicles.

Within the 2026 base scenario, the highest RFC remains for right turning vehicles into Crossland Drive in the PM peak hour at 0.79 with a queue of 3.9 vehicles. Under the 2026 + proposed development future year scenario, the RFC increases to 0.90, equating to a queue of 8.0 vehicles. Whilst the approach has increased over theoretical design capacity (0.85), it remains within actual design capacity (1.00). The actual increase in queuing vehicles is also minimal, with the maximum observed queue 8.0 PCU's.

It is noted that under the 2026 + existing use future year scenario, the right turning movement into Crossland Drive would operate at an RFC of 1.04 which is over actual design capacity. This is greater than the impact on the approach to the junction with proposed development traffic (0.90) and therefore represents a betterment than if the site were to be occupied under the current permission.

Whilst it is acknowledged that the New Lane right turn approach into the junction is over theoretical design capacity, as the junction modelling has demonstrated some queuing in the future year scenario, this would be worsened should the site operate under its current permitted use. To improve capacity at the junction for right turning vehicles, a right turn lane would be required, which is contrary to the wider improvement scheme currently being developed to improve cyclist safety at the junction. The proposed development would therefore not justify the implementation of a right turn lane on New Lane.

B2149/Crossland Drive Signals

The B2149/Crossland Drive signal junction has been modelled under the 2026 + Development scenario. The modelling indicates that the highest Degree of Saturation (DoS) observed at the junction will be on the Crossland Drive approach with a DoS of 71.2 and a queue of 5.6 vehicles.

Based on the sensitivity tested distribution, 47% of traffic is assigned to this junction in the model. To ensure that a robust assessment has been undertaken which assumes all of the 75% of the traffic at the New Lane/Crossland Drive junction also routes through the signals, the Highway Authority have re-run the model with the updated trip figures. The model re-run demonstrated that the junction would operate with 16.8% Practical Reserve Capacity (PRC) in the 2026 + Development AM peak and 9% PRC in the 2026 + development PM peak hour.

The modelling therefore demonstrates that the junction will be operating within design capacity under the future year scenario with the addition of development traffic and requires no further action.

Site Access Modelling

All 3 site accesses have been modelled under a 2021 + development and 2026 + development scenario. The highest modelled RFC is 0.27 and occurs under the 2026 + development scenario in the AM peak hour on the right turn into the staff car park.

The modelling therefore demonstrates that the accesses will be operating within design capacity under the future year scenario and requires no further action.

Travel Plan

The updated Travel Plan submitted by the applicant is now considered suitable. The approval and monitoring fees shall be secured under the S106 agreement, along with the cash deposit.

Recommendation

Following the additional information provided by the applicant, the comments raised within the Highway Authority's previous response have now been addressed. The Highway Authority therefore raise no objection to the proposed development, subject to the following S106 obligation and conditions.

S106 Obligations

- Prior to commencement of development, to enter into a Highways agreement for the following:
 - o Northern site access works as shown in principle on drawing number 205452/PD01 Rev D;
 - o Southern pedestrian island as shown in principle on drawing number 20452/PD13 Rev A; and
 - o The New Lane/Crossland Drive civils works as shown in principle on drawing number 205452/PD07 Rev D.
- To deliver all of the above works to the satisfaction of the Highway Authority prior to occupation.
- Prior to commencement of development, to pay the planting contribution of £27,212 towards the visibility reduction measures on Crossland Drive.
- Prior to commencement of development, to pay the safety engineering contribution of £42,528.50 towards the cycle lane amendment works on New Lane.
- Prior to occupation of development, to pay the £5,500 bus stop contribution towards improving the southbound bus facilities on St. Albans Road.
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
- Payment of the Travel Plan bond (110% of the cost of the travel plan measures) prior to occupation.

Conditions

- Prior to occupation, to provide a Full Operational Management Plan (building on the Framework Operational Management Plan) to agree

with the Highway Authority.

Reason: To ensure any future occupier abides by the assumptions within the Transport Assessments agreed at planning.

- Prior to occupation, to provide a Full Car Parking Management Plan (building on the Framework Car Parking Management Plan to agree with the Highway Authority).

Reason: To ensure any future occupier abides by the measures agreed at planning.

- Prior to occupation, to provide a Full Delivery Servicing Management Plan (building on the Framework Delivery Servicing Management Plan) to agree with the Highway Authority.

Reason: To ensure any future occupier abides by the measures agreed at planning.

- A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This should 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.

Reason: In the interest of highway safety

I trust that the above is clear; however, should you have any queries, please do not hesitate to contact Chris Hirst on the number noted above.

Officer Comment: Highway improvement works are shown in Appendices P, Q and R. Earlier consultation responses from Hampshire Highways are at Appendix U and together with the above comments provide a comprehensive assessment in relation to highway matters.

Landscape Team, Havant Borough Council

Further Comments (re. Crossland Drive/New Lane Landscaping)

From a landscape perspective we have the following comments in relation to this application:

- The proposed junction layout with landscaping overlay drawing no. 205452/PD14 appears to introduce trees and planting within HBC and highway land. Has estates been included in the decision to take on the liability of introducing new trees with our land ownership? Furthermore we require details on the proposed species and specification to review for appropriateness.

Officer Comment: The Estates Team have confirmed that they are content for landscaping to be planted on HBC land. The S106 Agreement would secure a planting contribution for landscaping on HBC and HCC land.

Original Comments:

From a landscape perspective we have the following comments in relation to this application:

- Given the scale of the proposed unit and the intention to bring the footprint closer to residential properties west of New Lane we recommend that large native UK species of trees are introduced into the soft landscaping of the new lane boundary of the site. We are concerned that the form of fastigate trees will not provide sufficient width or height to mitigate the visual impact of the development.

Officer Comment: *Amended landscaping includes Oak, Hornbeam and Whitebeam*

- Insufficient details submitted in relation to the proposed hard landscaping. Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:
 - finished levels
 - hard surfacing material type / product reference and colour
 - laying bond
 - edging or kerb detail / type
 - retaining structures or steps

Officer Comment: *A condition is recommended in relation to hardsurfacing.*

- The landscape plans do not provide details on all boundaries and we require details on all aspects whether retained and proposed to ensure suitability. As such boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new walling / fencing or other type of enclosure and associated gates.

Officer Comment: *A condition is recommended in relation to boundary treatments.*

Local Lead Flood Authority HCC

Further Comments

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

- Drainage Strategy Report; ref: C200810-PIN-XX-XX-RP-C-02; dated: 9 February 2021.
- Flood Risk Assessment; ref: C200810-PIN-XX-XX-RP-C-01; dated: 27 May 2021.

Following our formal response to this planning application dated 16th March 2021, we received additional on the 22nd June 2021 including the requested clarification on the existing/proposed discharge rates and detailed drainage drawing together with detailed hydraulic calculations.

The additional information submitted by the applicant has addressed our concerns regarding surface water management and local flood risk. Therefore, the County Council as the Lead Local Flood Authority has **no objection** to this planning application subject to the following planning conditions:

1. The drainage system shall be constructed in accordance with the Drainage Strategy Report; ref: C200810-PIN-XX-XX-RP-C-02. Surface water discharge to the public sewer network shall be limited to 174l/s (1 in 1 year), 395l/s (1 in 30 year) and 395l/s (1 in 100 year). Any changes to the approved documentation must be submitted to and

approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

2. Evidence that the surface water sewer asset owner has agreed to the proposed discharge rates and connection should be submitted before any connection is made. If necessary, improvement to the condition of the surface water sewer as reparation, remediation, restitution and replacement should be undertaken.

3. 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;

- a Maintenance schedules for each drainage feature type and ownership.
- b Details of protection measures.

Officer Comment: *The above conditions are recommended with the third condition amended to reflect the application type.*

We would also recommend that the applicant is directed to our website <http://www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems.htm> for further information on recommended surface water drainage techniques.

Please note that Hampshire County Council as Lead Local Flood Authority will not comment on the fluvial systems as these are outside our remit.

Network Rail

Asset Protection Informatives for works in close proximity to Network Rail's infrastructure

Due to the close proximity of the proposed works to Network Rail's land and the operational railway, Network Rail requests the applicant / developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionWessex@networkrail.co.uk prior to works commencing. Our Asset Protection will review the details of the proposal to ensure that the proposed development can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

As well as contacting Network Rail's ASPRO Team, the applicant / developer must also follow the attached Asset Protection informatives (compliance with the informatives does not remove the need to contact ASPRO).

Officer Comment: *An Informative is recommended to alert the applicant to Network Rail requirements.*

Please note that our ASPRO team are currently reviewing the planning application and may choose to send further comments shortly.

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.

The Havant Borough Local Plan (HBLP) was submitted for Examination on the 12th February 2021 and can be afforded limited weight.

The following policies are of particular relevance:

- CS2 – Employment
- CS14 – Efficient Use of Resources
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development

In the Pre-submission Plan the following policies are of particular relevance:

- DR1 | Delivery of sustainable development
- C1 | Protection of existing employment sites
- IN1 | Effective provision of infrastructure
- IN3 | Transport and parking in new development
- E1 | High quality design
- E12 | Low carbon design
- E22 | Amenity and pollution

Principle of Development:

Policy CS2 of the Core Strategy prioritises the use of previously developed land for the provision of new employment floorspace, whilst Policy DM2 seeks to safeguard existing employment sites from development proposals for non-employment uses. Emerging Policy C1 of the Pre-Submission Local Plan proposes to define New Lane as an established employment area (within which the application site falls) and generally protects employment sites from change of use or redevelopment to a non-employment use.

In this case, the application proposals seek to re-provide employment floorspace through the redevelopment of the site. The submitted Planning Statement indicates that following the subdivision and redevelopment of the northern part of the site (Velocity), there remains 27,144 sq. m of warehousing space and cold store pallet locations, with the remaining pharmaceutical site employing 150 staff.

The proposed new building would stand centrally within the site, standing 15.7m in height and would make provision of 14,017 sqm (Gross Internal Floorspace), in addition to two ancillary buildings providing an additional 32 sq. m. This reflects the intended use by the proposed occupier as a 'last mile' distribution centre. In this respect, it is noted that the proposals could be key in supporting the Borough's economic recovery from the pandemic. In terms of jobs, the submitted statement simply refers to the creation of a 'broad range of jobs'.

Paragraph 8.9 of the Council's Employment Land Review recognises that there is likely to be a net loss of floorspace, allowing for the intensification and redevelopment of established employment areas. This reflects the extensive areas of redundant floorspace within the borough's existing employment areas. The proposals would also support the vision in the submitted Plan in terms of providing new and refurbished business development and providing people with access to high quality new employment (paragraph 2.14).

Though there would be a net loss in employment floorspace, it is proposed that the site

would be retained in employment use in an established employment area as proposed to be defined by Policy C1. As such, a policy objection would be unlikely to arise.

Design

Both the adopted and emerging local plan require high quality design in all development under policies

- CS16 High Quality Design (Core Strategy)
- E1 High Quality Design (HBLP 2036)

Low carbon design:

Non-residential development over 500 sq. m is expected to meet the BREEAM 'Very Good' standard, unless proven to be financially or technically unviable in line with Policy CS14 of the adopted Core Strategy. Policy E12 of the emerging HBLP 2036 sets out the BREEAM level to be achieved for different floorspace thresholds for non-residential development. Proposals of 1,000 sq. m or more of non-residential development are expected to meet BREEAM 'Excellent'.

The submitted BREEAM Pre-Assessment indicates that the development is likely to achieve BREEAM Excellent (76.03%).

Source Protection Zones:

The site lies within Groundwater Source Protection 1c for Bedhampton and Havant Springs. Policy DM10 (in the Adopted Local Plan) and emerging Policy E21 (in the Pre-Submission Local Plan) are therefore of relevance. The Environment Agency and Portsmouth Water will be able to provide further advice in terms of where solution features are present, and if any conditions should be imposed.

Parking:

The proposals would need to ensure that appropriate parking provision is provided in accordance with Policy DM13, emerging policy IN3 and the Council's Parking SPD.

Summary:

The development proposals would secure the redevelopment of an existing employment site within an established employment area. As such, the proposal is capable of support in policy terms, subject to the relevant detailed matters above being satisfactorily addressed

Portsmouth Water Company

Final Comments

Pollution Prevention & CEMP

Portsmouth Water have received the revised Construction Management Plan, dated May 2021. I can confirm we are satisfied with the content of the Construction Management Plan as it now includes the details of the environmental management during construction (overland run off and the storage of hazardous substances) to protect groundwater quality.

Further Comments

Our response is based on the review of the following documentation:

- Drainage Strategy Report by Pinnacle Consulting Engineers, May 2021
- Construction Management Plan, January 2021

Our response dated 23rd March 2021 remains valid and is reference below for ease of reference:

'The site is a brownfield site and ground contamination is suspected from the previous land uses. The site is located within the Source Protection Zone 1c (SPZ1c) for an essential Public Water Supply Source. 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 deep drainage solutions and/or piling may pose a risk to groundwater quality at the local public water supply source. The confined aquifer is of high sensitivity and consequently all measures to prevent pollution during and post construction are required in order to safeguard the local public water supply.

Drainage

The proposed surface water drainage strategy for the site is utilising the existing surface water sewer network for final discharge. Car parking bays will be permeable paved to treat car park drainage. Run-off from the impermeable areas will be directed through drainage channel with a petrol interceptor prior to entering the attenuation tanks with final discharge to existing surface water sewer. Due to the sensitivity of the groundwater environment, infiltration is not proposed to be suitable solution for the site. Portsmouth Water agree with this assessment and would have a presumption against deep infiltration drainage due to the previous use on the site and the sensitivity of the underlying principal aquifer. The proposed foul water drainage strategy for the site is the connection to the existing public foul water sewer following confirmation from Southern Water.

Both drainage proposals are acceptable to Portsmouth Water in relation to groundwater protection. If there is any deviation from these proposals Portsmouth Water would wish to be further consulted.

Piling & Foundations

Portsmouth Water would have no objection to piling at this location if the piles terminate within the Clay cover. If the piles penetrate the full depth of the Clay cover we would expect a piling risk assessment and method statement, this should detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including pollution prevention measures. Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways for contaminants.

Officer Comment: *A condition is recommended in relation to piling.*

Pollution Prevention & CEMP

The Construction Management Plan submitted as part of the application does not cover all the environmental pollution risks of construction. There is no detail on the management of overland runoff (including the drainage proposal for the wheel washing facilities), 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. The current plan could be updated with this information or alternatively a separate plan could be prepared.

Reason- Fugitive emissions from the site during construction could pose a significant threat to groundwater and therefore the local water supply source if not appropriately managed.

SE Hants Clinical Commissioning Group

As a Clinical Commissioning Group we have a specific interest in new residential developments and how the increased population would directly affect local healthcare provision.

Thank you for informing us of the proposed redevelopment. However, South Eastern Hampshire Clinical Commissioning Group does not wish to make any further comments at this time.

Southern Electric

No comments received.

Southern Gas Networks - stage 1

No comments received

Southern Water

Further Comments

The submitted drainage layout (Dwg.no: 200810-PIN-XX-XX-DR-C-00205 P07) is satisfactory to Southern Water.

The comment in our response dated 24/03/2021 remain unchanged and valid for the additional information.

Original Comments:

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul and surface sewer within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water.

Please note:

- The 225 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.

The 600 mm public surface water sewer requires a clearance of 3.5 metres on either side of the public sewer to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 and 3.5 metres of the external edge of the public sewers without consent from Southern Water.

- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public sewers.

- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to:

Developer.Services@southernwater.co.uk

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an

investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer.

To make an application visit: southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/connection-charging-arrangements

Submitted FRA indicates that surface water from the site will be discharged to a public surface water sewer with a 50% betterment compared to the existing brownfield rates which is satisfactory to Southern Water. Surface water may be discharged to the existing sewer, provided the rate of discharge to sewer is no greater than existing contributing flows. You will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The drainage design should ensure that no groundwater and/or land drainage will enter the public sewerage network.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

Officer Comment: *A condition is recommended in relation to foul and surface water drainage.*

Traffic Management Team

The Traffic Team have no adverse comment to make.

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: 74

Number of site notices: 2

Statutory advertisement: Yes – The statutory advertisement period expires on the 24th September and any decision cannot be issued until the expiry of this publicity.

Number of representations received: 288

6.1 A significant number of objections have been received in relation to the proposals and these focus on (amongst other matters):

- Highway impacts
- Highway routing including and impacts through Havant
- Impacts on neighbour amenity

6.2 Members will be provided with a full summary of the representations received in advance of the Committee meeting.

7 Planning Considerations

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

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highway matters
- (v) Contamination/Air Quality issues
- (vi) Drainage and flood risk
- (vii) Ecological impacts
- (viii) Landscaping
- (ix) Other matters (BREEAM / sustainability)
- (x) Developer Contributions/S106 Requirements

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.3 The site is also within a very long established industrial estate which lies mainly to the east of New Lane and to the west of the Portsmouth to Waterloo railway line. The site itself has a long history of pharmaceutical use and manufacturing with Wyeth's operations starting in the 1950's (including powdered baby milk production) and more recently Pfizer's global packaging and distribution centre for pharmaceutical products has occupied the site which included a specialist cold chain packaging operation.

7.4 Policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011 (CS) prioritises the use of previously developed land for the provision of new employment floorspace, whilst Policy DM2 (CS) seeks to safeguard existing employment sites from development proposals for non-employment uses.

7.5 The importance of this industrial area in terms of Havant's economic wellbeing and for providing employment is recognised by the proposal to define New Lane as an established employment area in the Havant Borough Local Plan Submission Version on the Proposals Map. Emerging Policy C1 states that *Proposals for employment uses which protect and enhance the function and operation of established employment areas (as defined on the Policies Map) will be supported.*

7.6 In this case the application seeks to demolish the existing buildings on site and re-provide employment floorspace with a comprehensive re-development. The Planning

Statement indicates that there remains 27,144sq. m of numerous buildings comprising of high bay warehousing space and cold store pallet locations, alongside associated infrastructure and staff welfare facilities. It is understood that the remaining pharmaceutical site employed 150 staff before they started to relocate more of their operations offsite.

- 7.7 The proposed new building would make provision of 14,017 sqm (Gross Internal Floorspace), in addition to two ancillary buildings providing an additional 32 sq. m. This reflects the intended use by the proposed occupier as a 'last mile' distribution centre. Last-mile delivery can be defined as the movement of goods from a transportation hub to the final delivery destination. In this respect, it is noted that the proposals could be key in supporting the Borough's economic recovery from the pandemic. In terms of jobs created, the submitted statement refers to the creation of a 'broad range of jobs' and further details are provided in the Employment & Skills Note which states:

The proposed warehouse will provide a range of employment opportunities at a variety of skill levels. This will include the following activities:

- *Warehouse staff*
- *Drivers*
- *Administration*
- *Managerial, professional and technical occupations*
- *Other (including ICT, customer service, sales and engineering)*

The occupier's estimate is that the proposed development would create over 70 permanent jobs, dozens of flexible work opportunities and 100s of driver opportunities. In the busiest periods there will be over 200 people on site.

The Employment and Skills Plan will seek to maximise training and employment opportunities during the construction and operational phases of the development for local people.

- 7.8 Paragraph 8.9 of the Council's Employment Land Review recognises that there is likely to be a net loss of floorspace, allowing for the intensification and redevelopment of established employment areas. This reflects the extensive areas of redundant floorspace within the borough's existing employment areas. The proposals would also support the vision in the submitted Plan in terms of providing new and refurbished business development and providing people with access to high quality new employment (paragraph 2.14).
- 7.9 Though there would be a net loss in employment floorspace, it is proposed that the site would be retained in employment use in an established employment area as proposed to be defined by Policy C1.
- 7.10 In relation to regeneration Havant Borough Council have produced *A Regeneration Strategy for Havant Borough 2018 – 2036*. This includes the following in relation to Last Mile Delivery uses such as the current proposal:

7. Last Mile Delivery

Havant's employment floorspace is predominantly a mix of industrial and warehousing (78%) and occupier enquiries within the warehousing and logistics sector are on average 30% higher than other business uses. Key employment sites such as Brockhampton West, located adjacent to the strategic road network, are well placed to take advantage of growth within the transport, distribution and logistics sector. In

particular last mile delivery is driving growth of courier, express and parcel services fuelled by increasing demand from millennials as their preferred delivery method.

- 7.11 The growth and demand for 'last mile delivery' and the demand for on line shopping is likely to have been exacerbated by the corona virus pandemic adding to the previously established trend towards home delivery services. Whilst it is recognised that there are other locations with more direct access to strategic road networks, New Lane is a long established industrial area with many occupiers served by commercial vehicles including HGV's accessing the site via a good road network including New Lane itself, Crossland Drive and Bartons Road, these lead to Park Road North and to the A27 to the south.
- 7.12 The previous uses by Pfizer and Wyeth both included the distribution of packaged products from the site. It is recognised that the model of distribution would be different with the proposed use with van movements predominating. The application needs to be considered on its planning merits on the proposed site and it is not considered that there is any in principle objection to the proposal based on its location at New Lane. The highway impacts are fully explored in (iv) below.

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

- 7.13 The main issues in relation to the impact on the character and appearance of the area are considered to relate to the following:
- The proposed physical form of the development in its context and a comparison to the existing development on site;
 - The provision of a new access to the site;
 - The impact on trees and existing features.

Both the adopted policy CS16 (CS) and emerging policy E1 (SV LP) require high quality design in all development.

- 7.14 To the south of the site is Sumika Polymer Compounds which includes large industrial buildings of two storey height with grey cladding. To the north of the site are further industrial and business buildings with metal cladding and of two storey height. To the eastern part of the northern boundary are the three storey height Velocity buildings which were built in recent times on part of the former wider Pfizer site. The redevelopment proposed needs to be considered in the context of the adjoining industrial development.
- 7.15 The Pfizer site itself contains a number of buildings of different ages and it is noted that some of the buildings towards the front of the site were demolished around 2011. The remaining buildings are generally located approximately 120m back from the new lane frontage and approximately 13m from the boundary to the railway line to the east.
- 7.16 The tallest building on site is the High Bay Warehouse which has a height of approximately 25m and can be viewed from a long distance from public vantage points. The next tallest building is the cold storage warehouse facility towards the rear of the site this building is approximately 17.5m high.
- 7.17 The proposed layout shows all existing buildings removed, and the new warehouse building located centrally on the site with significant frontage planting and warehouse staff parking to the western side of the main building. To the northern side of the building is van parking this leads to loading doors on the northern side of the

warehouse within an area covered by a canopy. The northern boundary retains and provides landscaping to the Hayward Business Centre and the Velocity buildings. There is a small area of landscaping in the north east part of the site.

- 7.18 To the western side of the proposed building are large areas of van parking and access routes for HGV's which would service the Warehouse building from unloading doors on the east side of the building. An area of existing landscaping would remain on the eastern boundary of the site adjacent to the railway line.
- 7.19 To the southern side of the warehouse building is a decked van parking area which includes a ground, first, second and roof level. There are loading doors on the ground floor of the warehouse. An access road leads around the site to the south of the parking decks.
- 7.20 The new warehouse would have a shallow pitched roof with a height of 15.946m to the ridge. The parking deck building is attached to the southern side of the warehouse and would have a highest point of 15.618. Whilst this is a very large development it is noted that the total height of the development would be significantly lower than the high bay warehouse (25m) and the cold storage warehouse (17.5m).
- 7.21 The warehouse would include the following materials:

Front West (New Lane elevation)

Horizontal bands of:

- Composite cladding panel (microrib) colour – white grey
- Office Composite cladding panel (flat) – merlin grey (with areas of glazing)

The upper area and gable:

- Flat Composite cladding panel colour – white grey
- Indicative louvre positions subject to M&E design & specification colour to match cladding

North Elevation

Horizontal bands of:

- Composite cladding panel (microrib) colour – white grey
- Office Composite cladding panel (flat) – merlin grey (with areas of glazing)
- Flat Composite cladding panel colour – white grey

Roof:

- Single ply membrane roof – colour grey
- The lower area of the northern elevation would be partly obscured by the roof of the canopy:
- Canopy post and roof structure to specialist design

East Side (Railway elevation)

Horizontal Bands of:

- Loading dock concrete sandwich wall panel system
- Composite cladding panel (microrib) colour – white grey
- Flat Composite cladding panel colour – white grey

South Elevation

The south elevation of the warehouse building would be largely obscured by the proposed decked parking area.

- The materials would match those on other elevations but with a photovoltaic system to the roof

7.22 The van parking deck area would include the following materials:

Front West (New Lane elevation)

- Composite cladding panel (microrib) colour – white grey
- Perforated mesh panel, expanded aluminium mesh, powder coat finish
- Protection barrier to the perimeter of van loading deck. Galvanised metal mesh infill between deck structural columns.

East Side (Railway elevation)

- Composite cladding panel (microrib) colour – white grey
- Protection barrier to the perimeter of van loading deck. Galvanised metal mesh infill between deck structural columns.

South Elevation

- Composite cladding panel (microrib) colour – white grey
- Protection barrier to the perimeter of van loading deck. Galvanised metal mesh infill between deck structural columns.
- There is also an external van ramp leading to the different parking levels.

7.23 Overall whilst it is recognised that the proposed building and van parking decks are very large and significant structures, the existing site contains taller and very large structures. The site is located within a major industrial estate. It is not considered that the scale of development would be inappropriate in this setting and given the historic nature of development on the site. In terms of materials, whilst these are considered relatively utilitarian they reflect the nature of the development and use. The use of horizontal banding would help to provide some visual relief to the scale of the building and parking. The specified colours greys and white grey are considered relatively recessive and are similar to some of the existing buildings on site and also development more generally in the area. A materials condition is nevertheless recommended in order that control over the final details can be maintained.

(iii) Impact upon residential amenity

7.24 Whilst the site is located in a long established industrial estate there are residential properties located to the west side of New Lane (accessed off St Alban's Road, Flexford Gardens and Oak Park Drive), properties to the south of the site to the east side of New Lane and to the east side of the Portsmouth-Waterloo railway line (accessed from Nutwick Road, Swallow Close and Fourth Avenue).

7.25 The main issues in relation to impacts on residential amenity are considered to relate to the following matters:

- Demolition/construction phase
- Operational phase:
 - Noise and disturbance

Lighting

Demolition/construction phase

7.26 The proposal results in the demolition of the existing buildings on site and the application is supported by a Construction Management Plan. This sets out measures aimed at minimising any adverse environmental effects during this phase as follows:

- *Working hours*
- *The control of noise and vibration*
- *No fires*
- *Obour*
- *Control of dust*
- *Wheel and Chassis Washing Facilities*
- *Haul Routes and Delivery Hours*
- *Arrival to Site*
- *Site Compound and Storage Area*
- *Contractors Parking*
- *Site Enclosure*
- *Public Communication and Complaints Management*
- *Temporary Lighting*
- *Environmental*
- *Water Resources and Flood Risk*
- *Control of Substances Hazardous to Health requirements*
- *Site Waste Management Plan*

It is considered that this document would allow for the management of this phase of the development and whilst there will inevitably be some impacts on residential amenity during a substantial re-development proposal the Construction Management Plan is considered to provide a basis for limiting such impacts and addressing any issues. It is noted that Environmental Health have raised no objections to these proposals.

Operational phase

Noise and disturbance

7.27 The application is supported by a Noise Constraints Assessment which includes an Operational Noise Management Plan. This report considers the policy context in relation to noise.

7.28 The NPPF provides a framework for the consideration of noise impacts. Paragraph 170 states:

Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other matters):

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 180 states:

Planning policies and decisions should also ensure that new development is

appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst other matters):

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

Paragraph 183 states:

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

7.29 Planning Policy Guidance Noise – provides further details on how to consider noise. The PPG states:

Plan-making and decision making need to take account of the acoustic environment and in doing so consider:

- *whether or not a significant adverse effect is occurring or likely to occur;*
- *whether or not an adverse effect is occurring or likely to occur; and*
- *whether or not a good standard of amenity can be achieved.*

In line with the [Explanatory note of the noise policy statement for England](#), this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the [significant observed adverse effect level](#) and the lowest observed adverse effect level for the given situation.

7.30 Potential noise impacts have been modelled at the sensitive residential locations. This has considered noise impacts in relation to van unloading events (daytime and night-time), HGV unloading events (daytime and night-time), van parking events (daytime – no vans parking at night), van movement (daytime and night-time), HGV movement (daytime and night-time), car park noise data, and building services plant noise. A monitoring survey was undertaken to characterise baseline ambient noise levels currently established to establish the relative local background and traffic noise levels.

7.31 The survey found: *The existing noise climate is characterised by road traffic noise from New Lane and Crossland Drive to the west of the site; traffic noise from the residential areas to the west and east of the site and industrial activity from the surrounding industry to the north and south of the site were also audible during the survey including noise from the existing plastic factory to the south of the site.*

7.32 Noise from the proposed development was then assessed for sensitive residential receptors. The application includes details of noise mitigation measures. The assessment was undertaken with the inclusion of intrinsic mitigation in the form of 4.0m high barriers in strategic locations (with barriers stepping down from 4.0m to

1.0m at the site access points) as well as the effect of the operational noise management plan that will be implemented to ensure the effective and efficient management of the site. The results indicate that: *internal daytime and night-time LAeq and night-time LMax noise levels from the proposed development are predicted to be below the BS 8233/WHO noise intrusion criteria at all receptors with windows-open and windows-closed. Therefore, operational noise intrusion levels are predicted to be within the No Observed Adverse Effect Level.*

- 7.33 The noise assessment has been reviewed by the Council's Environmental Health team. This confirms that the assessment *considers the potential impact of noise from building services plant, vehicle movements, car park use, unloading and loading, etc. Overall, the assessment suggests that the proposed development is unlikely to significantly harm existing residential amenity. A condition is recommended by Environmental Health to address noise from plant and equipment and in addition acoustic fencing details are proposed to be conditioned. Subject to these conditions it is considered that potential noise impacts can be suitably addressed.*

Lighting

- 7.34 With regards to lighting, an external artificial lighting assessment report has been submitted with the application. The NPPF sets out in paragraph 180 that:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst other matters):

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 7.35 The proposed lighting has been considered in terms of its impact on the surroundings including residential amenity and light glow. It is noted that surveys of existing lighting have been carried out and that the area has been classified in the report as E3 'suburban'. The report concludes that:

The lighting design demonstrates full compliance with all standards and guides whilst not including any natural obstructions (acoustic barriers are included), landscaping and changes in topology.

It is therefore considered worst-case and in practice the levels of horizontal light-spill, obtrusive glare, visible source intensity and building luminance are permissible within the Environmental Zone classification of 'E3'.

The lighting design also considers the perceived potential obtrusive glare to either dwellings or adjacent road receptors by ensuring that where possible luminaires and optical arrays are positioned, orientated and tilted to prevent any direct views of the light source and reduce subsequent intensity levels (candelas) to an acceptable level.

There will be a residual impact of interreflected sky-glow on the night-time scene as a result of the proposed Development, but with appropriate considerations taken within the lighting design process these impacts can be considered negligible, with the direct element of upward light of 1.04%.

- 7.36 Lighting plans have also been provided to demonstrate how light will be directed away from sensitive residential receptors. Whilst it is recognised that the development will

require significant levels of illumination, the lighting strategy is directed to minimise light spill. Environmental Health have confirmed that they have no adverse comments in relation to lighting.

7.37 Overall in relation to the impact on residential properties and given the long standing operation on the site and adjacent industrial uses it is not considered that an objection to the proposals based on the impact on residential amenity could be substantiated subject to appropriate conditions.

(iv) Highway matters

7.38 The proposed development for a Distribution Warehouse raises significant highway issues and has resulted in a large volume of the objections received in relation to the development. The application has been subject to a detailed assessment by Hampshire County Council Highways with detailed assessments carried out. This has resulted in extensive negotiation and clarifications being sought working with the applicants Highways Engineers and others. The main issues are listed below:

- Pre-Application
- Existing Conditions
- Sustainable Transport
- Personal Injury Accident data
- Development Proposal
- Vehicular Access
- Parking Provision
- Management Plans (Operational Management, Car Park Management Plan, Delivery Servicing and Management Plan)
- Trip Generation & Distribution
- Junction Modelling/Assessment
- Travel Plan
- Highways S106 Requirements
- Highways recommended Conditions

Pre-Application

7.39 The applicant engaged with pre-application discussions with HCC Highways in relation to the impact of the development on the local road network and these discussions have continued at application stage leading to amendments and clarifications to the proposals.

Existing Conditions

7.40 The starting point for the consideration of highways impacts from a development is to consider the existing conditions on site and how the site could operate under the existing development.

7.41 Whilst over the last year Pfizer's operations on site have been reducing as the current occupier looks to vacate the premises, the site could clearly be used more fully under the existing planning permissions utilizing the existing buildings. This point is important to note as it has considerable bearing on the consideration of the application of this site.

7.42 Whilst traffic surveys from the site would have once been reflective of the site's

potential traffic generation, surveys carried out now or at the time of the application would not provide any meaningful data. The Highway Authority therefore required assessments in the Strategic Transport Assessment to take account of surveyed traffic conditions along New Lane (undertaken 9th June 2021), and the occupiers forecast trip generation to ensure a robust assessment has been undertaken when determining the impact on the local road network including junction modelling.

7.43 The site is currently served via two bellmouth junctions to New Lane. The 2020 schedule of site uses set out the following floorspaces:

Land Use	Floorspace (sqm)
Office (B1a)	4,311
R&D (B1b)	2,427
Industrial (B1c/B2)	22,539
Warehousing (B8)	5,231
Total	34,508

7.44 As stated above any assessment of highway impacts needs to take account of the existing uses at the site.

Sustainable Transport

Pedestrian/Cycle

7.45 Footpaths are present on both sides of New Lane although the footway on the eastern side of New Lane terminates to the south of the site (past the allotments). This requires pedestrians using the eastern footway to cross to use the western footway at this point although there are no existing crossing facilities. A new pedestrian island is proposed to the south of the site to provide a dedicated crossing and gateway feature.

7.46 There is a pedestrian refuge 200m to the north of the site with dropped kerbs, tactile paving and a refuge island.

7.47 New Lane benefits from on-road cycle lanes which connect into National Cycle Network routes 2 and 22.

7.48 Given historical accident records at the Crossland Drive/New Lane junction (further details below) it is proposed to rationalise crossing facilities at this junction to provide a dedicated tactile paving crossing area to the east of the junction with St. Albans Road which sits on the observed desire line for children walking to St. Albans School. The existing dropped kerbs would be removed from the mouth of this junction as part of this change. The existing north bound cycle lane across the junction would also be widened to 2.0m to raise awareness of the presence of cyclists crossing the junction. The remainder of the northbound cycle lane to the north and south of the junction would be widened to 1.5m, similarly, the southbound cycle way would be widened to 1.5m.

7.49 The cycle lane widening continues north and south from the junction between the existing pedestrian island opposite the Littlegreen Avenue link and the new pedestrian island provided to the south of the site. The islands are considered to act as gateway features into this section of New Lane to encourage lower vehicle speeds and a more cycle friendly environment.

7.50 The Highway Authority advise that the accident history at the Crossland Drive / New

Lane junction has been associated with excessive visibility splays available on the approach to the junction which causes motorists to look past cyclists who may already be in the proximity to the junction. To address this issue it is proposed to provide planting on the northern and southern side of Crossland Drive on the approach to the junction which restricts the excessive visibility. Visibility splays of 2.4m x 62m commensurate with recorded speeds would remain available at the junction in line with HCC guidance and is considered acceptable.

- 7.51 The above requirements would be secured via the S106 Agreement as set out in paragraph 7.85 below.

Bus

- 7.52 The nearest bus service facilities are located on St. Albans Road, to the west of the site, approximately a 2-minute walk away. The number 20 and 21 bus provide two services an hour between Portsmouth and Havant. Proposed improvements to improve the uptake of bus travel to the site have been discussed with the applicant. It is acknowledged that the northbound stop is constrained by the narrow footway and it is not possible to implement an improvement. The southbound stop is suitable for the provision of a new bus shelter and a contribution would be secured via the S106 Agreement.

Rail

- 7.53 Havant railway station is approximately 1.1km south-west of the site. Services are provided to destinations including Southampton, Portsmouth and London. Services to Portsmouth are available 7 times an hour from the railway station and therefore represent an alternative mode of transport to the private car for those based in the on-site warehouse.

Personal Injury Accident data (PIA)

- 7.54 The applicant has provided PIA from Hampshire Constabulary for the most recent 10 year period (up to 31st December 2019). The study area covers the lengths of New Lane, New Lane Industrial Estate Access, Crossland Drive/New Lane Junction and Crossland Drive/ St. Albans Road Junction. The Highway Authority have also undertaken an internal review of accident data to bring the record up to date.
- 7.55 The records show a total of 11 recorded accidents occurred within the study area. Of these, 7 were recorded as slight, and 4 recorded as serious, no fatalities were recorded. The Crossland Drive / New Lane junction has recorded 3 slight and 3 serious injuries with 3 of these accidents involving cyclists using the on road cycle lanes on New Lane. The junction has been subject to a number of improvements by HCC over the years to reduce the frequency and severity of accidents at this location. The improvements in relation to pedestrian and cycle safety identified including changes to crossing points, cycle lane widening and planting to reduce visibility are proposed to address these safety concerns and would be secured via the S106 Agreement.

Development Proposal

- 7.56 The proposal would result in the demolition of the existing buildings on site and the provision of a distribution centre of 15,546 sqm in size where parcels are delivered via vans to the local area. 868 delivery vans would be branded and stored on site rather than off site at drivers own addresses or elsewhere.

- 7.57 The vans stored on site would undertake what is referred to as 'last mile' of distribution – it should however be noted that the delivery area is within a 1 hour delivery catchment area from the site. The vans would leave the site in the morning between 07.00-12.00 and return between 16.00-21.00. The vans would also be loaded to ensure that they can deliver goods for 6 hours, ensuring that there would be only one trip to and from the distribution centre by the delivery vans.
- 7.58 Onsite staff would have a shift pattern outside the network peak hours with the shifts clarified as (07:00-15:00, 15:00-23.00 and 23.00-07.00). Therefore, onsite activity overnight would be the receipt of goods from HGV's ready to be dispatched the next day, together with the arrival and departure of warehouse staff. The fleet of vans would not be active after 21.00 hours.
- 7.59 To ensure that any potential operator of the site would operate in an acceptable manner in terms of highway impacts it is considered necessary to condition appropriate management plans are in place and these are considered in detail below.

Vehicular Access

- 7.60 The proposed development would be provided with three separate vehicular accesses from New Lane. The middle and southern junction are existing and are not proposed to be amended. The northernmost junction would be a new access.
- 7.61 HGV access would be solely via the existing southern access, this would be secured via the design of the internal layout and forms part of the proposed operational management plan. The existing central access would be used by staff based on site in the distribution centre and only provides access to the staff car park. Van drivers delivering goods from the site and returning would use a mixture of the new northern access and existing southern access.
- 7.62 The acceptability of the access has been assessed by the Highway Authority following assessment of traffic flows, speed surveys, visibility splays and tracking drawings. Based on the evidence produced including previous site usage, the 3 priority junctions are considered suitable for the development.

Parking Provision

- 7.63 The proposal includes the provision of 208 car parking spaces for employees working on site served by the central site access. Havant Borough Parking Standards require 1 car space per 90 sqm of floorspace for B8 Warehouse use. For an external floorspace of 15,546 sqm this would require 173 spaces and the car parking proposed is therefore considered sufficient to serve the on site staff.
- 7.64 In addition to the above there would be 868 van storage spaces within the site including van waiting and loading areas. The intention is for delivery drivers to travel to the site, pick up their van, load at the distribution centre and depart on their route. For delivery drivers travelling to the site via their own cars they would park in the operational van storage spaces whilst deliveries are made. This dual use of spaces would ensure sufficient space for van drivers vehicle parking on site.
- 7.65 In terms of cycle parking, the proposal is for the provision of 50 cycle parking shelter spaces. The parking standards would require 31 long stay spaces and 16 short stay spaces. The provision would therefore exceed the minimum standard and is considered acceptable subject to the imposition of a suitable condition.

Management Plans (Operational Management, Car Park Management Plan, Delivery Servicing and Management Plan)

- 7.66 It is considered to be important to ensure that this business and any subsequent business operating the Distribution Warehouse on the site does so in a manner that equates to the model of operation detailed in the supporting transport information. The application has therefore been supported by a Framework **Operational Management Plan**.
- 7.67 The plan details key traffic figures from the assessment such as the expected daily use of each access, peak hour trip generation and the distribution of site traffic. This information underpins the assessments reviewed by the Highway Authority providing confirmation that the site will operate as it has been assessed at planning. Should the prospective occupier wish to operate the site in a different manner, the Operational Management Plan will need to be varied and will therefore require a re-assessment which the Highway Authority and Local Planning Authority must agree before it can be considered acceptable.
- 7.68 The Operational Management Plan is recommended to be secured via planning condition and would need to be formally varied to allow a different occupier to use the site should their operational needs vary from those which has been assessed to date. In addition to allow for the monitoring of van traffic routing associated with the site a condition is recommended to ensure that all vehicles operated from the site are clearly identifiable by their livery. A condition to this effect is therefore recommended.
- 7.69 A Framework **Car Park Management Plan** covers the parking provision for staff and delivery van drivers including information on how arrivals will be managed and monitored. Additional mitigation is also suggested if the proposals do not result in the efficient operation of the car park. It is recommended that the Car Park Management Plan is secured by condition.
- 7.70 A Framework **Delivery Servicing Management Plan** provides further information on how HGV movements will be managed to the site. HGV's are required to follow the existing signed route via Petersfield Road and Crossland Drive. Refuse collection would be carried out internally to the site via the southern access. It is recommended that the Delivery Servicing Management Plan is secured by condition.

Trip Generation & Distribution

- 7.71 The Supplementary Transport Assessment presents scenarios with regard to the trip generation from the previous maximum usage of the site compared to the proposed traffic generation levels. The Highways Authority confirms that netting a certain level of trips proportionate to the sites current use would be reasonable but netting all the trips from the maximum permitted use would not be reasonable (given the wind down in site operation). This information is helpful however for understanding how the site could impact on the local highway network should the site be more fully occupied under the existing permission.
- 7.72 The Highways Authority have agreed that the proposed occupier trip generation will be utilised for understanding traffic generation from this site. This data has been compared against the industry standard TRICS database which confirms that the AM and PM peak hour traffic generation is lower in a TRICS assessment than in the occupier data provided the applicants assessment is considered to be robust. The peak hour AM and PM are set out below for all modes of transport:

Time Period	Car			LGV (excl. cars)			HGV			Total		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
08:00	121	0	121	0	216	216	1	1	2	122	217	339
17:00	0	105	105	216	7	223	1	1	2	217	112	329
Daily	541	541	1082	628	628	1256	39	39	78	1208	1208	2415

7.73 It is considered important to ensure that the distribution of traffic avoids significant routing to the south of the site and in particular via New Lane across the level crossing towards Havant Town Centre passing residential properties and Fairfield Infant School.

7.74 The distribution of traffic from the site has been assessed and the following distribution is anticipated:

- 70% via New Lane/Crossland Drive junction;
- 29% via New Lane North; and
- 1% southbound to deliver to nearby residents.

7.75 To ensure that the proposed distribution is adhered to, the distribution expectations as set out above will need to be updated within the Operational Management Plan to ensure that all staff follow the agreed routes. No van drivers will be allowed to utilise the residential roads to the south of the site when making their deliveries unless it is to nearby properties.

Junction Modelling/Assessment

7.76 Junction modelling has been carried out in relation to New Lane / Crossland Drive; B2149 (Petersfield Road) / Crossland Drive Signals and the Site Accesses from New Lane.

7.77 The distribution of traffic assigns 75% of traffic through the New Lane / Crossland Drive junction. The Highway Authority have assessed the junction model for this and the B2149 / Crossland Drive junction assigning the 75% of traffic through both junctions. Modelling assesses a 2021 base year and 2026 future year scenario, and has been carried out on the basis of both the existing floorspace and use which could be operated from the site in its current condition, and the 'last mile' use proposed under the current application.

New Lane / Crossland Drive

7.78 Under the 2021 scenario, the maximum Ratio to Flow Capacity (RFC) at the junction is 0.73 for right turners on New Lane attempting to access Crossland Drive in the PM peak hour. This equates to a queue of 2.9 vehicles. With the addition of development traffic, the maximum RFC increases to 0.84 a queue length of 5.2 vehicles.

7.79 Under the 2026 scenario, the highest RFC remains for the right turning vehicles into Crossland Drive in the PM peak hour at 0.79 with a queue of 3.9 vehicles. Under the 2026 + proposed development future year scenario, the RFC increases to 0.90, a queue length of 8.0 vehicles. Whilst the approach has increased over theoretical design capacity (0.85), it remains within actual design capacity (1.00). It is noted that under the 2026+ existing use scenario, the right turning into Crossland Drive would operate at RCF 1.04 which is over design capacity, this is greater than with the

proposed development impact which can therefore be considered a betterment.

- 7.80 Were measures required to improve capacity at the junction for right turning vehicles, a right turning lane would be required, which would be contrary to the wider improvement scheme being developed to improve cyclist safety at the junction. Having regard to this, and also the fact that right turning traffic into Crossland Drive will operate within the design capacity of the junction, the Highway Authority therefore conclude that...*the proposed development would therefore not justify the implementation of a right turn lane on New Lane.*

B2149 / Crossland Drive Signals

- 7.81 The Highway Authority's modelling demonstrates that the junction will be operating within design capacity under the future year scenario with the addition of development traffic and requires no further action.

Site Access Modelling

- 7.82 The Highways Authority confirms that... *The modelling...demonstrates that the accesses will be operating within design capacity under the future year scenario and requires no further action.*

- 7.83 Overall it is concluded that the development would have an acceptable impact on junctions within the vicinity of the site.

Travel Plan

- 7.84 A Travel Plan seeking to maximise non-car based transport options for workers accessing and leaving the site has been submitted and is considered acceptable and would be secured via the S106 Agreement.

Highways S106 Requirements

- 7.85 The following S106 Highways requirements are necessary to ensure that the development would operate in an acceptable manner on the Highway network:

- Prior to commencement of development, to enter into a Highways agreement for the following:
 - o Northern site access works as shown in principle on drawing number 205452/PD01 Rev D;
 - o Southern pedestrian island as shown in principle on drawing number 20452/PD13 Rev A; and
 - o The New Lane/Crossland Drive civils works as shown in principle on drawing number 205452/PD07 Rev D.
- To deliver all of the above works to the satisfaction of the Highway Authority prior to occupation.
- Prior to commencement of development, to pay the planting contribution of £27,212 towards the visibility reduction measures on Crossland Drive.
- Prior to commencement of development, to pay the safety engineering contribution of £42,528.50 towards the cycle lane amendment works on New Lane.

- Prior to occupation of development, to pay the £5,500 bus stop contribution towards improving the southbound bus facilities on St. Albans Road.
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
- Payment of the Travel Plan bond (110% of the cost of the travel plan measures) prior to occupation.

Highways recommended Conditions

7.86 It is recommended that conditions are imposed in relation to:

Operational Management Plan requirements;
 Car Park Management Plan requirements;
 Delivery Servicing Management Plan requirements;
 Construction Traffic Management Plan

Other Matters

7.87 It should be noted that at the time of writing this report there remain a number of clarifications being sought from the applicants Transport Consultant by the Highway Authority and in response to representations made by Havant Civic Society. Members will be updated in relation to any further clarifications received.

7.88 That said, the application has been considered in detail in relation to the potential highway impacts with the Highway Authority seeking amendments and clarifications in relation to the submitted information. The Highway Authority confirm that they.... *raise no objection to the proposed development, subject toS106 obligation and conditions.*

(v) Contamination/Air Quality issues

Contamination

7.89 Given the historic use of the site and surrounding industrial sites contamination matters form a significant issue for the redevelopment of the site. The application is supported by a Phase 1 Contamination Report, Outline Remedial Strategy & Implementation Plan.

7.90 The Council's Environmental Control Officer confirms that the broad conclusions of the Phase 1 report are accepted with some limited comments made. Conditions are recommended (which also take account of Environment Agency conditions). The Environmental Control Officer confirms:

The contamination assessment is accepted. Amendments are required to the suite of conditions proposed by the Environment Agency in order to bring risks to human health into scope, and to ensure that the applicant is not unduly constrained by a strict interpretation of the provisions of the Grampian condition (EA proposed Condition 1).

The relevant planning conditions are recommended to be imposed.

Air Quality

7.91 Air quality aspects are considered to be a material consideration in relation to this development given the vehicle based nature of the 'last mile' delivery operation and the intensity of use across the day.

7.92 Air quality issues are considered to relate to the following aspects:

- *Air Quality – Impact Assessment, Construction Phase (Construction Management Plan)*
- *Development Transport Demand – Distribution, “Rat-Running” (Air Quality)*
- *Air Quality – Emissions Offsetting and Sustainability*

These areas have been assessed by the Council's Environmental Control Officer.

Air Quality – Impact Assessment, Construction Phase (Construction Management Plan)

7.93 The Construction Management Plan (CMP) includes measures to reduce impacts on air quality (dust suppression). The CMP will be listed in the approved details if planning permission is agreed so that its contents control the construction phase of development.

Development Transport Demand – Distribution, “Rat-Running” (Air Quality)

7.94 The Environmental Control officer provides detailed comments in relation to traffic numbers, routing and management and their potential impact on air quality. These matters are closely linked to the Highways Authorities assessments and recommendations regarding conditions and the requirement for management plans. The Operational Management Plan, vehicle numbers using the access points from the development and the identification of vehicles are addressed by the proposed conditions. Further clarification is being sought in relation to traffic routing to avoid routing via Old Copse Road / Lavant Drive / Leigh Road. Members will be updated in relation to this issue. The Environmental Control Officer has confirmed that an objection on air quality grounds cannot reasonably be sustained.

Air Quality – Emissions Offsetting and Sustainability

7.95 The proposal now includes PV provision and a condition is recommended to secure this on the south facing roof of the warehouse building. In addition, Electric vehicle charging provision with passive infrastructure to support future expansion is considered to be a proportionate response which represents good practice. The development also includes enhanced landscaping which would result in a net gain of 'air pollution interception & absorption'. These features substantially contribute to the policy aims of emerging policy E23.

7.96 Overall, impacts on air quality would not warrant a refusal of planning permission.

(vi) Drainage and flood risk

7.97 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. The main considerations are considered to be, Foul Drainage, Surface Water Drainage and impacts on the Water Environment. In assessing these matters consultations have been carried out with Southern Water, Local Lead Flood Authority (HCC), the

Environment Agency and Portsmouth Water.

Foul Drainage

- 7.98 The application sets out that: *foul flows generated from the proposed site will be discharged into the public foul water sewer located under New Lane.* Southern Water confirm that the submitted drainage layout is acceptable subject to a condition. Informatives will also be added in relation to Southern Water requirements if permission is granted.

Surface Water Drainage

- 7.99 In relation to Surface Water drainage this would be dealt with by three separate networks. The scheme would result in a significant increase in permeable areas from 4,897sqm to 10,105sqm. The surface water runoff from the existing footpath along the western site boundary will flow into the surrounding landscaping.
- 7.100 Most of the site does remain impermeably surfaced and opportunities for SuDS features are limited. Car parking bays are to be permeable block paving. The surface water runoff from van parking areas, loading docks and the access road will pass through linear drainage channels, gullies and filtered through the petrol interceptor before they enter the designated cellular storage tanks. Petrol interceptors will prevent potential contaminants that are present in the form of hydrocarbons from oil spillages from reaching the underground storage tanks. Flows will then be restricted to prescribed discharge rates by using flow control devices (hydrobrakes) before conveyed through the proprietary ACO Quadrceptor, providing a level of treatment to surface water flows before discharging into the two outfall points within New Lane (Surface Water Sewer). A pump chamber will be required for the southern boundary drainage route, whereas the rest of the surface water runoff will be conveyed through a gravity piped network.
- 7.101 The Local Lead Flood Authority confirm that following the submission of further information they have no objection to the scheme subject to the imposition of three conditions – modified versions of the conditions are recommended. The Environment Agency raise no objection subject to four conditions which relate to contamination of the water environment and contamination (considered further below). As above Southern Water raise no objections to the proposals.

Water Environment

- 7.102 Given the historic uses of the site and the location within the Source Protection Zone 1c for essential Public Water Supply Source, it is necessary to consider how the water environment would be protected during the development (this is linked to the contamination issues considered below).
- 7.103 Consultations have been carried out with Environmental Health, Portsmouth Water, and the Environment Agency who all have expertise in relation to these matters. Environmental Health confirm in relation to surface water drainage and pollution that:

I note that 5no. proprietary petrol interceptors are included on the drainage network, and that a final stage of treatment via an Aco Quadrceptor unit is proposed. All high-risk areas of the site are appropriately directed via the proprietary treatment units.

Coupled with the permeable surfacing to parking areas, the outline surface water drainage scheme exceeds the SuDS manual Ch.26 requirements for pollution control,

representing best practice. The drainage proposals are supported on this basis.

- 7.104 Portsmouth Water confirm in relation to drainage that the proposals are acceptable and that infiltration would not be a suitable solution due to the sensitivity of the site. In relation to piling and foundations Portsmouth Water confirm that there would be no objection if the piles terminate within the clay layer, if piles penetrate the clay cover a piling risk assessment would be required. A condition is recommended to cover this issue.
- 7.105 Portsmouth Water have confirmed that they are now satisfied in relation to the amended Construction Management Plan in relation to pollution prevention.
- 7.106 The Environment Agency confirm *We have reviewed the submitted remediation method statement. From the information provided we would have no objection to any of the remediation proposal.* They have requested a number of planning conditions which are recommended subject to minor changes as advised by Environmental Health.
- 7.107 In conclusion in relation to drainage, it is considered that foul and surface water drainage proposals are acceptable subject to conditions.

(vii) Ecological impacts

- 7.108 The application has been accompanied by an Ecological Impact Assessment which was updated following consultation feedback together with a Landscape Masterplan Strategy incorporating ecological enhancement.
- 7.109 The Ecological Impact Assessment concludes that:

The site is formed of existing buildings surrounded by hard / bare ground, introduced shrubs and amenity grassland, with a number of scattered trees and treelines. The site itself is of low ecological value with no habitats of interest noted. The site borders a railway lined with trees, which offers moderate ecological value as a wildlife corridor.

The site was found to be of negligible value to roosting bats. The surrounding trees are unlikely to provide roosting, foraging or commuting opportunities for bats, with a single tree offering 'moderate' bat roost potential just outside of the site; mitigation measures have been devised to ensure the development does not contravene any UK or European legislation. No potential for other protected species has been recorded on the site.

Once avoidance and mitigation measures have been taken into account, the impacts of the planned development upon biodiversity will be negligible, non-significant with proposed ecological enhancements resulting in a minor net gain and a long-term positive increase in biodiversity in line with national planning policy guidance.

- 7.110 The Council's Ecologist has confirmed that the site is essentially of minimal ecological value and considered unsuitable for the majority of protected and notable species and no further survey works are necessary. The landscaping proposals include bat and bird boxes as well as native hedging and an 'ecological area' housing a hedgehog box and log pile. The proposals now also include swift boxes on the warehouse building. These measures are considered to represent appropriate ecological enhancements and would be secured by condition.

(viii) Landscaping

- 7.111 The existing site is dominated by buildings and hard standing areas. Existing landscaping including trees are mainly concentrated to the New Lane frontage, along part of the northern boundary, to the eastern (railway line side) and along part of the southern boundary. The current proposals aim to build on this by retaining existing trees and hedges and to enhance this where possible with additional suitable planting.
- 7.112 The most public part of the site is the New Lane frontage and this area also provides the best opportunity for enhancement. The proposed landscaping plan shows the retention of existing landscaping and the provision of native trees including Oak, Hornbeam and Whitebeam to reinforce existing tree and hedgerow planting and to provide additional height. There would also be shrub and groundcover planting and feature ornamental tree planting including within the front parking area.
- 7.113 The northern boundary would retain existing trees and hedges and add additional tree planting and additional hedge planting. In the north-east corner of the site is an area which includes existing tanks, together with eastern boundary trees. This would become an ecological area with additional planting and ecological features.
- 7.114 The existing trees to the eastern boundary adjacent to the railway line form an important boundary feature providing screening from properties backing onto the railway line (and beyond this the application site) in Nutwick Road. These trees would be retained and additional under storey planting added to enhance habitat and wildlife corridor.
- 7.115 The southern boundary will include the retention of existing hedges and enhancement with native planting and understorey planting. Finally, there is an opportunity for further Fastigate Tree Planting to the south and east of the van parking decks where existing hardstanding and building areas are removed.
- 7.116 Subject to a suitable landscaping condition it is considered that suitable landscaping enhancements can be secured on site.

(ix) Other matters

Sustainability

- 7.117 The application is supported by a BREEAM Pre-Assessment which confirms that the target rating is for 'Excellent' under BREEAM. This would exceed existing policy requirements of 'Very Good' and accord with emerging policy requirements. Conditions are recommended to require 'Excellent' BREEAM is achieved.
- 7.118 It is proposed to provide PV energy production to the southern warehouse roof slope which is considered appropriate in terms of on site energy production.
- 7.119 The proposal also includes the provision of electric vehicle charging points within the decked van parking at a rate of 20%, the other spaces in the decked parking having the infrastructure pre-installed for increasing this provision. These measures taken together are considered to accord with adopted policy CS14 (CS) and are a proportionate response to emerging policy ING3 (SV LP).

(x) Developer Contributions/S106 Requirements

- 7.120 The proposed development requires a S106 Agreement in order to address off site highway impacts. The heads of terms identified for inclusion are:

- Prior to commencement of development, to enter into a Highways agreement for the following:
 - o Northern site access works as shown in principle on drawing number 205452/PD01 Rev D;
 - o Southern pedestrian island as shown in principle on drawing number 20452/PD13 Rev A; and
 - o The New Lane/Crossland Drive civils works as shown in principle on drawing number 205452/PD07 Rev D.
- To deliver all of the above works to the satisfaction of the Highway Authority prior to occupation.
- Prior to commencement of development, to pay the planting contribution of £27,212 towards the visibility reduction measures on Crossland Drive.
- Prior to commencement of development, to pay the safety engineering contribution of £42,528.50 towards the cycle lane amendment works on New Lane.
- Prior to occupation of development, to pay the £5,500 bus stop contribution towards improving the southbound bus facilities on St. Albans Road.
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
- Payment of the Travel Plan bond (110% of the cost of the travel plan measures) prior to occupation.

8 Conclusion

- 8.1 In conclusion, the proposal is considered acceptable in principle consisting of the redevelopment of an important site in the New Lane industrial estate where the existing occupier is ceasing their use. The development would provide employment opportunities and support the local economy.
- 8.2 The impact on the character and appearance of the area and neighbours amenities has been considered in detail. Subject to appropriate conditions the impacts are considered acceptable.
- 8.3 The impact of the distribution use on the local highway network including on pedestrians / cyclists and in relation to air quality has been subject to detailed discussion and negotiation with consultees and the applicants transport team. It is considered appropriate to require highway improvements for cyclists and pedestrians and to require detailed management requirements. These would be secured by condition and S106 Legal Agreement. It is considered that highway impacts can be appropriately mitigated and managed.
- 8.4 Drainage / flood risk / contamination / ecological and landscaping issues have been assessed and conditions are recommended to ensure that these matters are appropriately addressed. The application also includes appropriate sustainability features.

- 8.5 Overall, it is considered that subject to S106 requirements, the expiry of publicity and planning conditions Planning Permission can be recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION** for recommendation code for application APP/21/00200 subject to:

- (A) The completion of a Section 106 Agreement to the satisfaction of the Solicitor of the Council to secure the following:
- Prior to commencement of development, to enter into a Highways agreement for the following:
 - o Northern site access works as shown in principle on drawing number 205452/PD01 Rev D;
 - o Southern pedestrian island as shown in principle on drawing number 20452/PD13 Rev A; and
 - o The New Lane/Crossland Drive civils works as shown in principle on drawing number 205452/PD07 Rev D.
 - To deliver all of the above works to the satisfaction of the Highway Authority prior to occupation.
 - Prior to commencement of development, to pay the planting contribution of £27,212 towards the visibility reduction measures on Crossland Drive.
 - Prior to commencement of development, to pay the safety engineering contribution of £42,528.50 towards the cycle lane amendment works on New Lane.
 - Prior to occupation of development, to pay the £5,500 bus stop contribution towards improving the southbound bus facilities on St. Albans Road.
 - Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
 - Payment of the Travel Plan bond (110% of the cost of the travel plan measures) prior to occupation.
- (B) The expiry of publicity subject to no significant additional issues being raised.
- (C) Subject to the following conditions as may be amended by the HPS
- 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:

To be provided

Reason: - To ensure provision of a satisfactory development.

Highways

- 3 A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. 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 construction phase of the development shall thereafter be carried out in accordance with the approved Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety having due regard to policies CS20 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Prior to the occupation of any relevant part of the permitted development, a Full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall be based upon the principles outlined within the Vectos Ltd. Framework Management Plan document dated July 2021, be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, including a change of operator-, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the assumptions within the Transport Assessments agreed at planning having due regard to policies DM11 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy Framework.

- 5 Prior to occupation of the development hereby permitted a Full Car Parking Management Plan (building on the Vectos Framework Car Parking Management Plan July 2021) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, including a change of operator-, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the measures agreed at planning having due regard to policies CS20, DM11, DM12 and DM14 of Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD and the Planning Policy Framework.

- 6 Prior to occupation of the development hereby permitted, a Full Delivery Servicing Management Plan (building on the Vectos Framework Delivery Servicing Management Plan July 2021) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, including a change of operator-, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the measures agreed at planning having due regard to policies CS20, DM11 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy Framework.

- 7 The development hereby permitted shall not be brought into use unless and until the Cycle Parking shown on drawing No. 2010-S4-P3 have been provided. The cycle storage facilities shall thereafter be maintained and retained in accordance with these details.

Reason: To ensure that adequate provision is made for sustainable transport options having due regard to policy DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to the occupation of the development the following provisions shall be made on site:

Photovoltaic panels as shown on drawing reference 2109-S4-P3

Electric Vehicle charging provision for 20% of all car and van parking spaces provided on site. In addition the remaining 80% of van parking spaces shall be provided with passive infrastructure to allow for further charging points to be easily installed.

Reason: To accord with the details if the submitted Transport Assessment, to reduce pollution and to help to ensure sustainable development having due regard to policies CS14 and DM10 of the Havant Borough Local Plan, emerging policy IN3 of the Havant Borough Local Plan Submission Version and the National Planning Policy Framework

- 9 All delivery vans operating from the site shall be liveried and branded in a manner to allow for easy identification to ensure that the operation is in line with the operational management plan.

Reason: To allow for monitoring of the site operation in order to ensure that routes to and from the site utilise main routes in the interests of residential amenity and to avoid congestion having due regard to policies CS16, CS20 and DM10 together with the National Planning Policy Framework.

- 10 Prior to the occupation of the development hereby permitted to install and maintain permanent traffic counters and monitor traffic levels across the 3 site accesses in accordance with the figures agreed at planning, as reflected in Appendix A of the Operational Management Plan. Should the figures increase above what was agreed in Appendix A, a re-assessment will need to be undertaken and submitted to the Highway Authority for approval.

Reason: To confirm that the traffic levels presented at planning are reflective of on the on-site operation in the interests of amenity and the efficient operation of the Highway Network having due regard to policies CS20 and DM12 together with the National Planning Policy Framework.

Environmental Controls

- 11 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Further intrusive site investigation & monitoring based on the proposals given within the EPS Ltd. Phase II Environmental Assessment Report Ref: UK20.5052D iss.2.1 (24/05/2021); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes; • appropriately considered remedial objectives,

- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Prior assessment has indicated the likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, these receptors could potentially be impacted by contamination present on this site. To ensure that the development does not contribute to-, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014 and paragraphs 178-180 of the National Planning Policy Framework.

- 12 Prior to occupation of any part of the site, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and confirmed in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework

- 13 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 178-180 of the National Planning Policy Framework.

- 14 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The details shall include evidence that the surface water sewer asset owner has agreed to the proposed discharge rates and connection. If necessary, improvement to the condition of the surface water sewer as reparation, remediation, restitution and replacement shall be undertaken.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that drainage of the site is acceptable to prevent flood and pollution risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.

15 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 the development being brought into use. The submitted details shall include;

2. Maintenance schedules for each drainage feature type and ownership.
3. Details of protection measures.

Reason: To ensure suitable drainage and to avoid flood risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16 The drainage system shall be constructed in accordance with the Drainage Strategy Report; ref: C200810-PIN-XX-XX-RP-C-02. Surface water discharge to the public sewer network shall be limited to 174l/s (1 in 1 year), 395l/s (1 in 30 year) and 395l/s (1 in 100 year). Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure suitable drainage and to avoid flood risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

17 No piling or other deep foundation using penetrative methods shall take place unless and until details of the piling proposals are submitted to and approved in writing by the Local Planning Authority. If the piles/foundations are proposed to penetrate the full depth of the Clay cover at the site a piling risk assessment and method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including pollution prevention measures shall be submitted. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways for contaminants and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

18 Prior to use of the site commencing, an assessment of noise of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, to be installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the local planning authority before installation. The noise emitted from the use of this plant, machinery or equipment shall not exceed the noise criteria provided in Tetra Tech's Noise Constraints Assessment A118298 rev 3 dated 09/02/21. The assessment must be carried out by a suitably

qualified acoustic consultant/engineer and be in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.

Reason: In order to safeguard the amenities of adjoining residential occupiers having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. The details are needed prior to the use of the site commencing so that any additional mitigation measures can be incorporated.

Arboriculture/Landscaping/Ecology/BREEAM

- 19 The development including any demolition shall not commence unless and until a pre-commencement site meeting with the site agent, the applicants Arboricultural Consultant and a Havant Borough Council Arboricultural representative has taken place to ensure that all tree protection is correctly in place. The tree protection shall thereafter be retained and maintained as approved for the duration of the demolition works.
Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 20 The development including demolition shall take place in full accordance with the Arboricultural Impact Assessment and Method Statement Rev 02 Lizard Landscape Design and Ecology and Tree Retention and Protection Plan Drawing No. LLD2177-ARB-DWG-002 Rev 04. In addition all works within the Root Protection Areas of retained trees shall be supervised by the Applicants Arboricultural Consultants.
Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 21 The landscaping works shown on the approved plans Drawing No. LLD2177-LAN-REP-001 and detailed in Landscape Design Strategy Lizard Design and Ecology LLD2177-LAN-REP-001 Rev 02 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 22 Prior to the commencement on a phase of the development (excluding demolition and temporary works), a Draft Design Stage Assessment demonstrating that the development will achieve at 'Excellent' against the BREEAM Standard, 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 in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.

- 23 Within 6 months of any phase of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 'Excellent' 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 in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.

- 24 The development hereby permitted shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Impact Assessment (Lizard, May 2021 Rev 03) and as shown in the Landscape Masterplan Strategy (Drawing No. LD2177-LAN-DWG-010 Rev 02, Lizard, February 2021) unless otherwise agreed in writing by the Local Planning Authority. All ecological measures shall be implemented and installed in accordance with ecologists instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 25 No part of the development shall be first brought into use until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls and acoustic fences have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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

Materials

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

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

- 27 Notwithstanding any description of materials in the application no above ground construction shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

Fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:

- finished levels
- hard surfacing material type / product reference and colour
- laying bond
- edging or kerb detail / type
- retaining structures or steps

The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

Employment and Skills

- 28 The construction and occupation stage of the development hereby permitted shall be carried out in accordance with the Employment and Skills Framework Plan and in particular meet the following requirements:

Construction phase

- Deliver on all KPI's as per the submitted Employment and Skills Framework ensuring these opportunities are provided to Havant Borough Council residents as priority
- Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.
- Six weeks from agreement of Planning Permission Contractor/Council initial E & S Plan meeting.
- Monitoring meetings to be scheduled with Contractor and the council on a quarterly basis to review progress.
- Contractor to submit evidence to the council proving Havant Borough residents have benefited from the construction phase of the development.
- Provide press/photo opportunities/case studies involving HB residents before the end of the construction phase.
- Contractor to provide report to the council at the end of construction phase with details of the job, apprenticeship, training, and site visits provided and who benefited.

Occupation phase

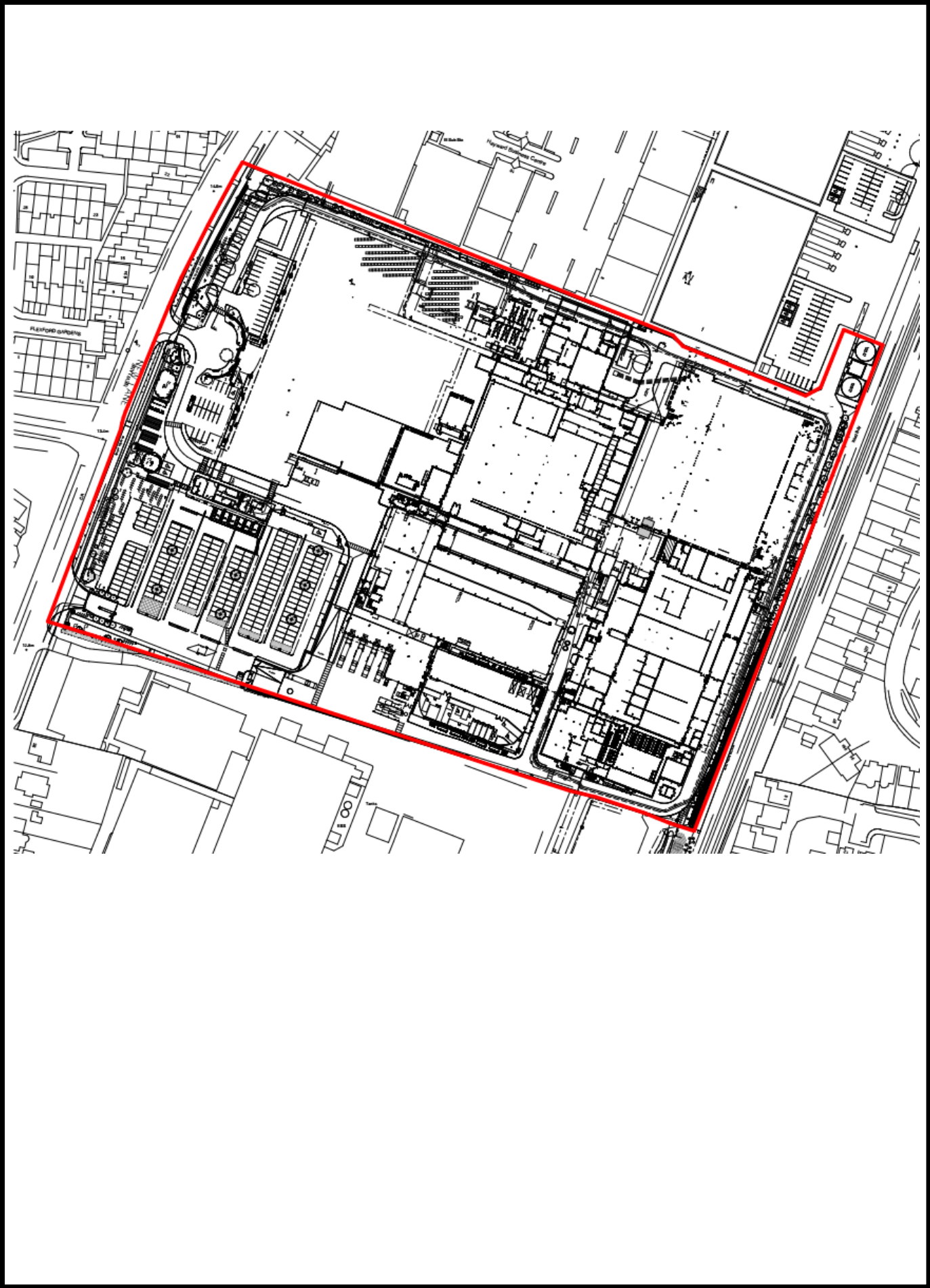
- Provide end user HR contact for recruitment.
- Continue quarterly monitoring meetings into recruitment phase to ensure opportunities are provided for Havant Borough residents.

- Deliver 70 permanent jobs, with priority to Havant Borough Council residents.
- Provide dozens of flexible work opportunities and in excess of 100 driver opportunities with priority given for residents of Havant Borough.
- Provide two press/photo opportunity/case study involving HB residents.

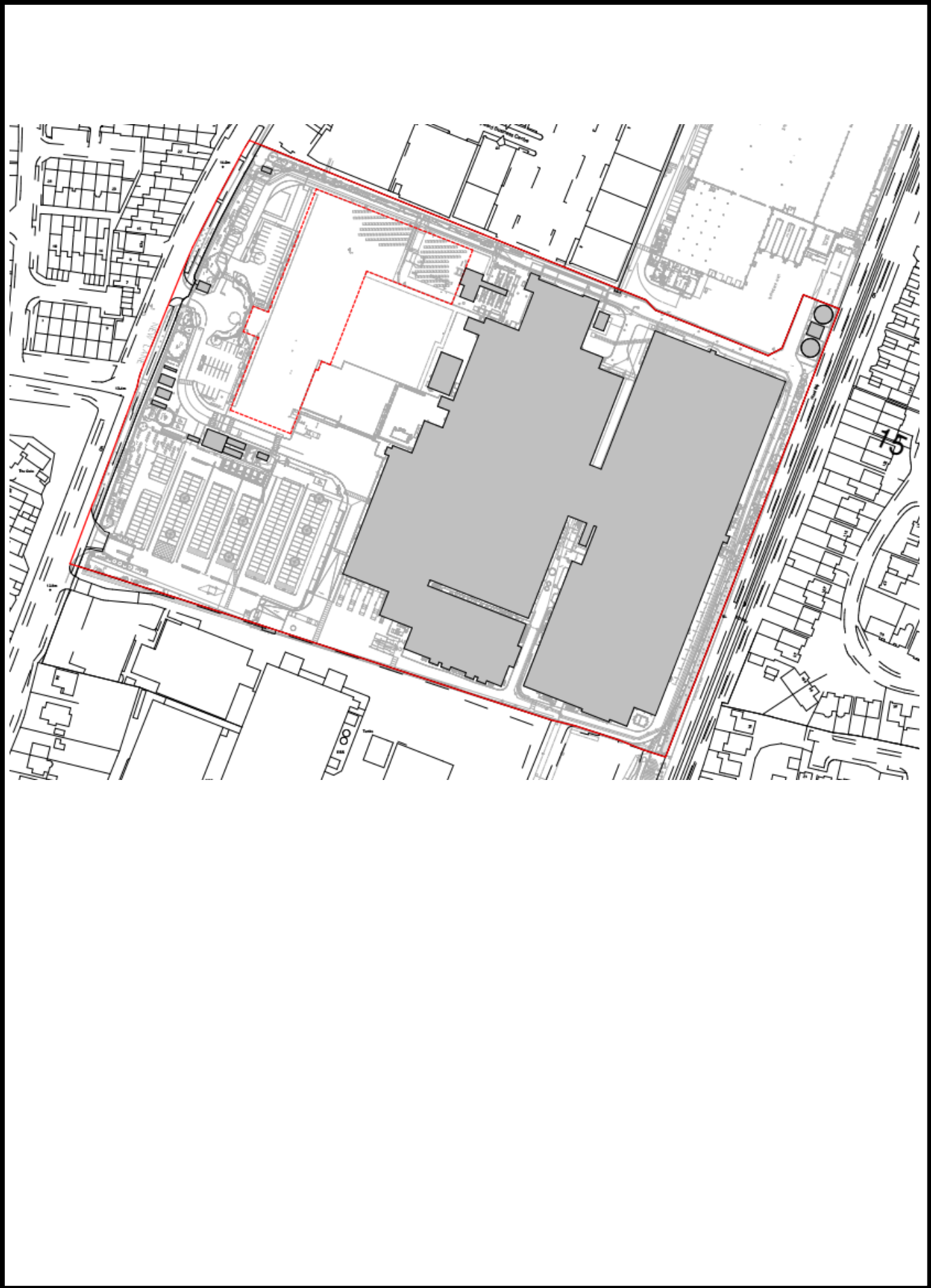
Reason: In the interests of providing employment opportunities at the site in accordance with policy CS3 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices:

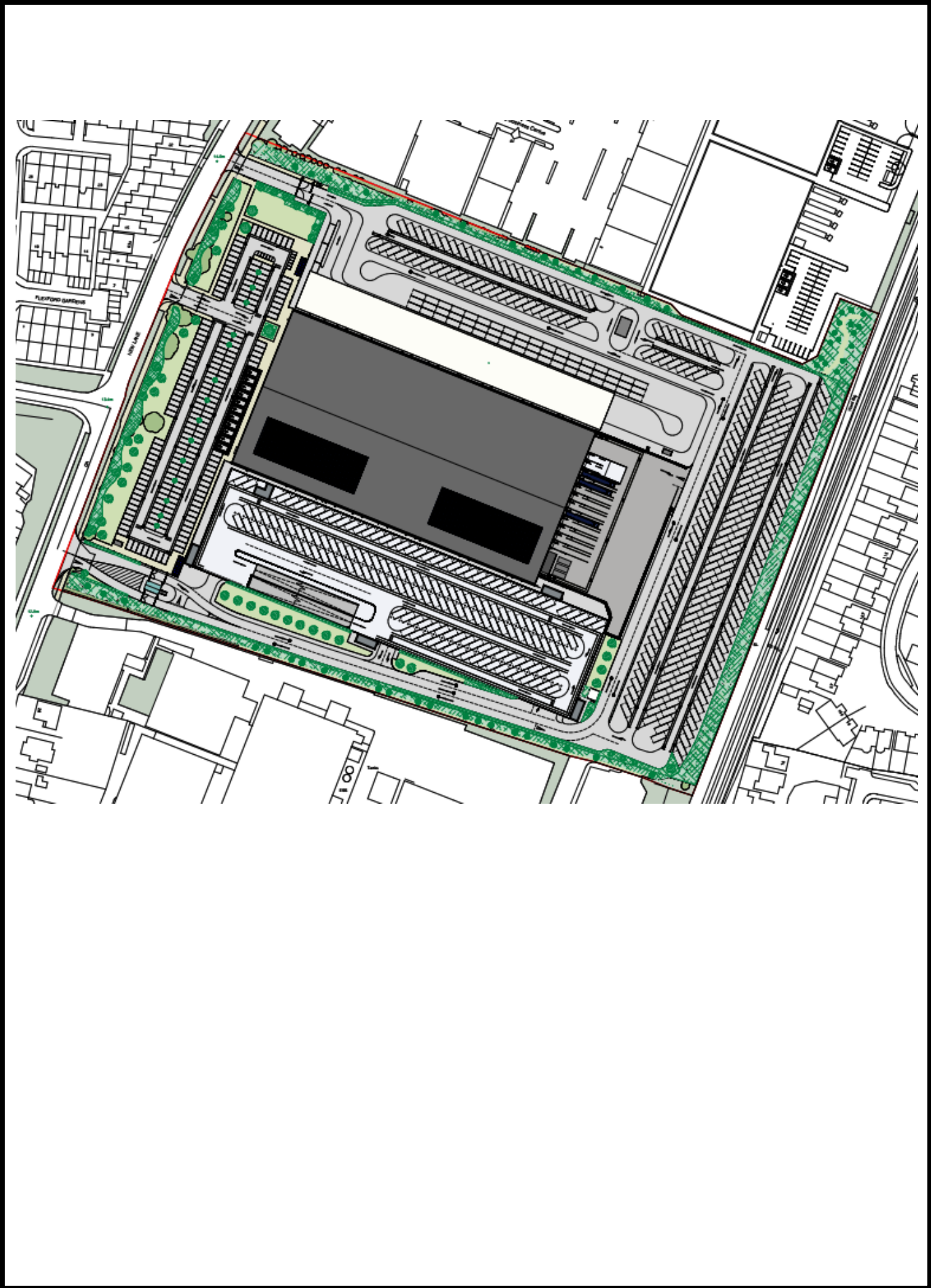
- Appendix A – Location Plan
- Appendix B – Existing Site Plan
- Appendix C – Proposed Site Plan
- Appendix D – Proposed Building Overlay
- Appendix E – Viewpoint Before and After Comparison 1
- Appendix F – Viewpoint Before and After Comparison 2
- Appendix G – Proposed Warehouse Elevations
- Appendix H – Proposed Warehouse Floor Plans
- Appendix I – Proposed Van Parking Deck Plan Levels 0 & 1
- Appendix J – Proposed Warehouse Roof Plan
- Appendix K - Existing and Proposed Site Sections
- Appendix L – Proposed Boundary Treatments Plan
- Appendix M – Proposed Parking and Vehicular Movements
- Appendix N – Tree Preservation and Protection Plan
- Appendix O – Landscape Masterplan Strategy
- Appendix P – Access Road General Arrangement
- Appendix Q – Proposed Junction Layout Landscaping Overlay
- Appendix R – Proposed Highway Works
- Appendix S – Drainage Strategy
- Appendix T - Earlier Environmental Health (Environmental Control Officer) Consultation Responses
- Appendix U – Earlier Highway Authority Consultation Responses.



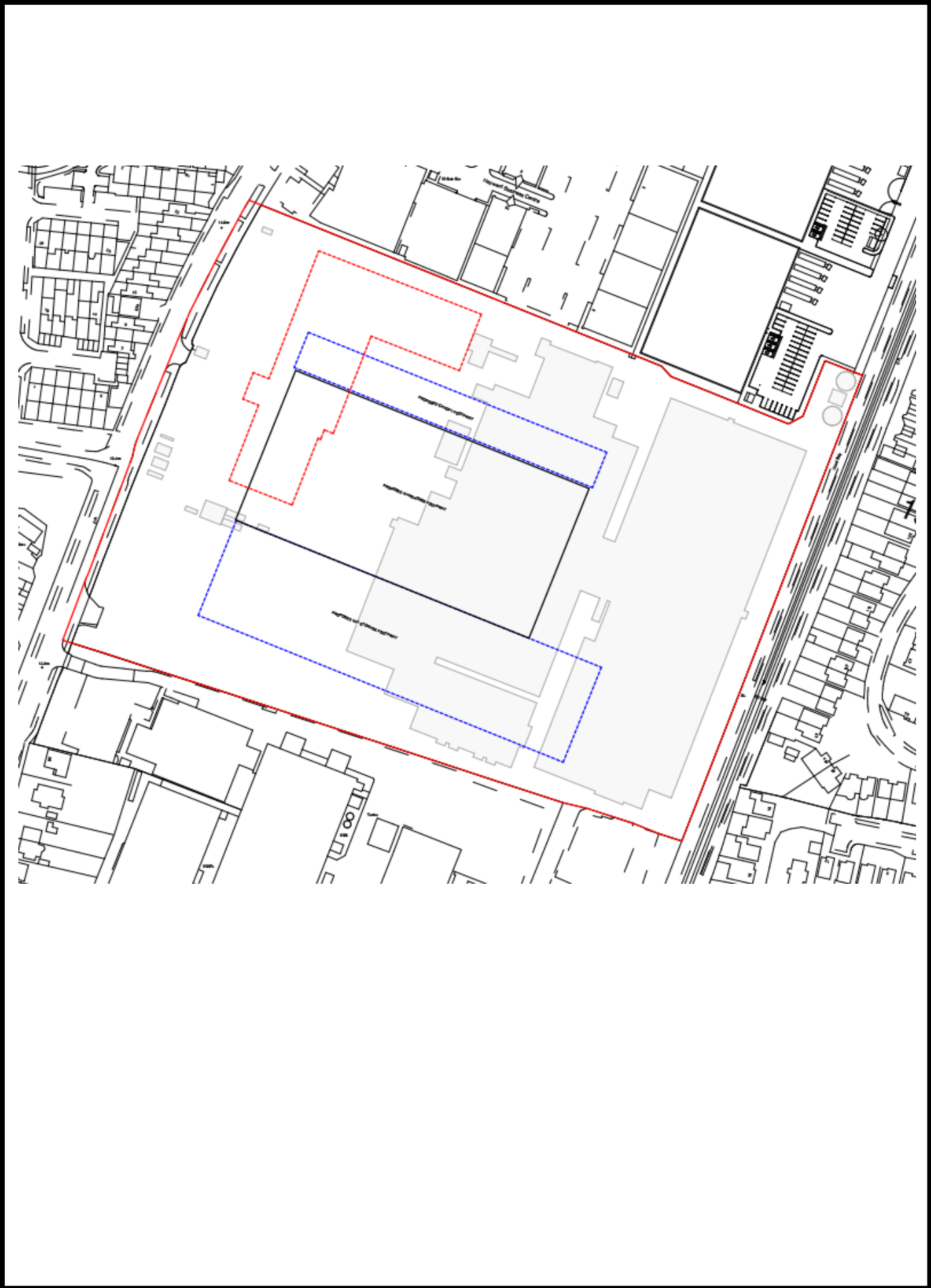
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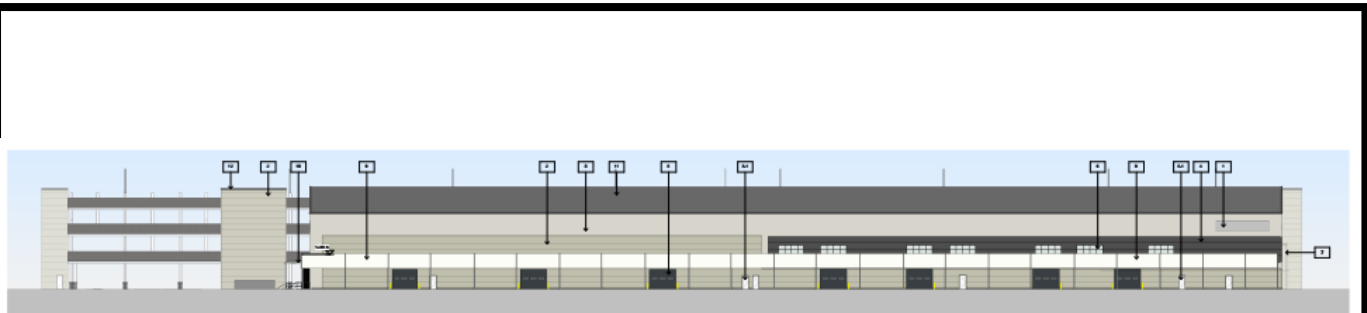
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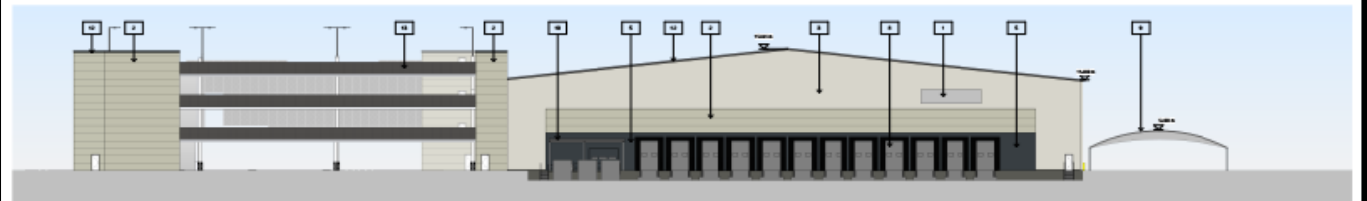
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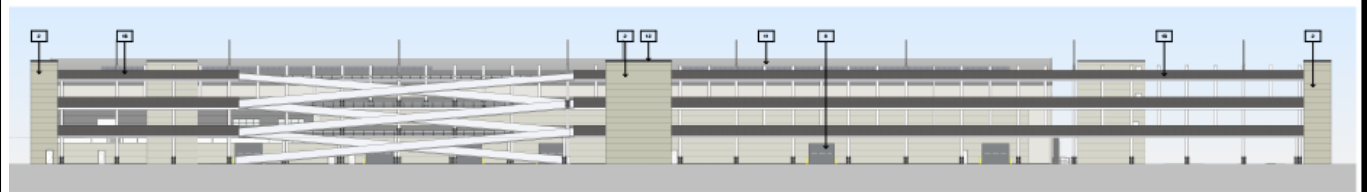
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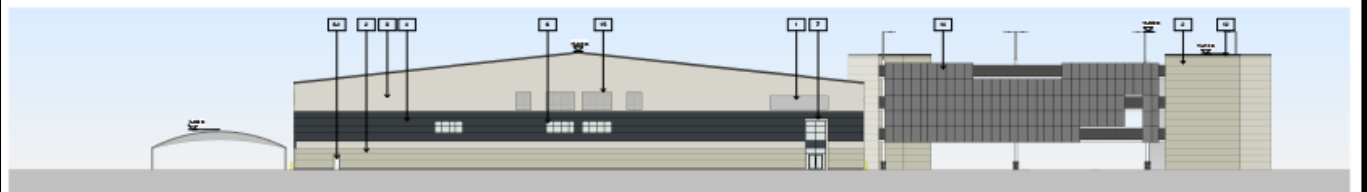
E01 - NORTH ELEVATION



E02 - EAST ELEVATION

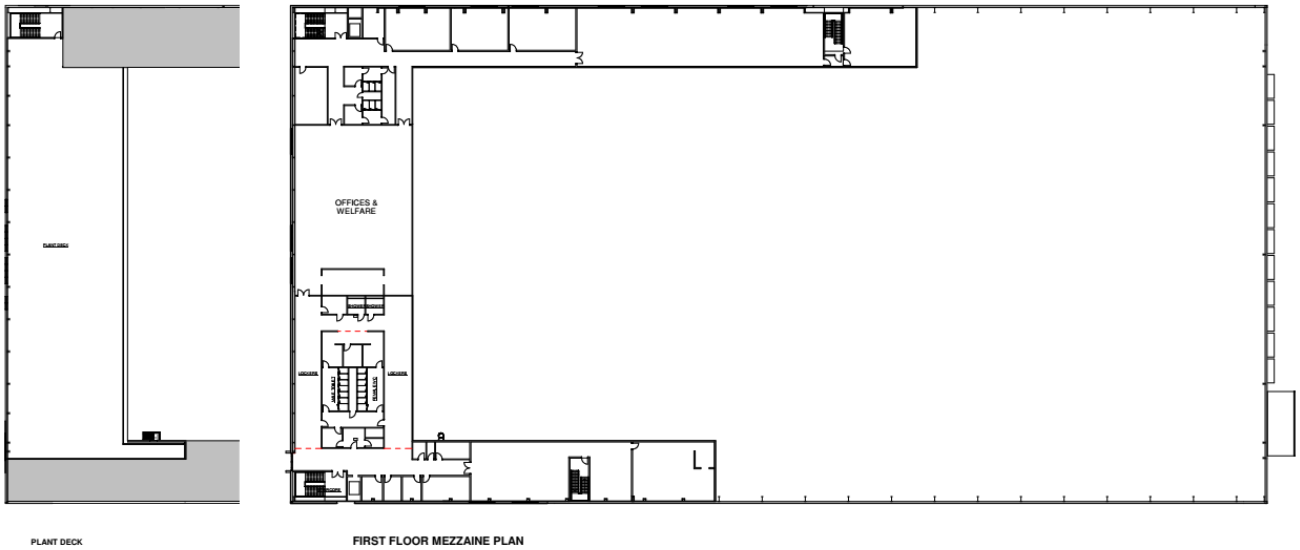


E03 - SOUTH ELEVATION



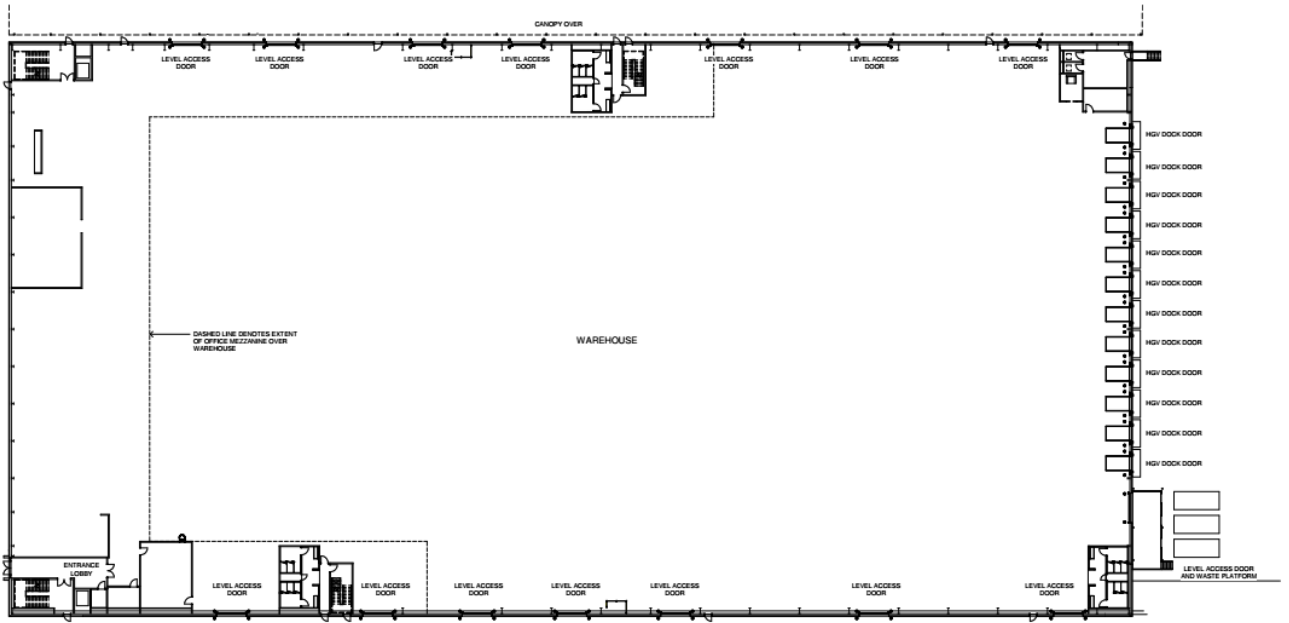
E04 - WEST ELEVATION

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PLANT DECK

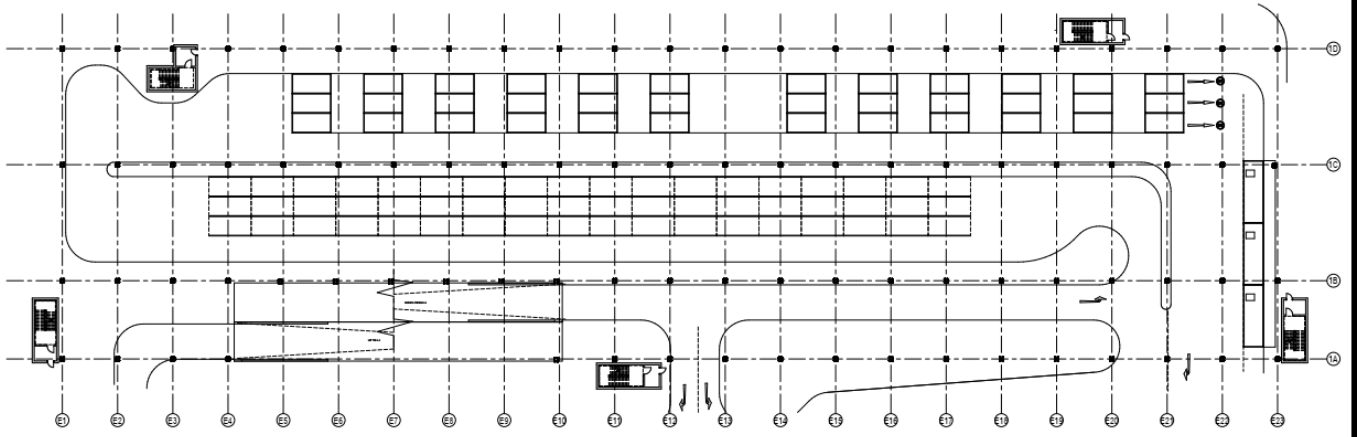
FIRST FLOOR MEZZAINE PLAN



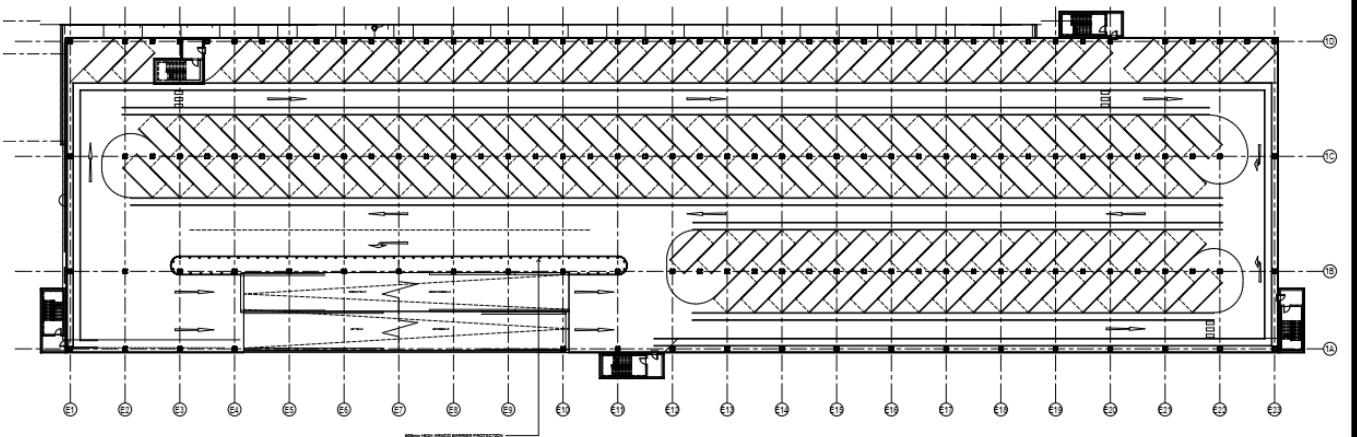
GROUND FLOOR WAREHOUSE PLAN

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PROPOSED VAN PARKING
DECK PLAN LEVELS 0 & 1 Levels (2 & 3 Similar to Level 1)

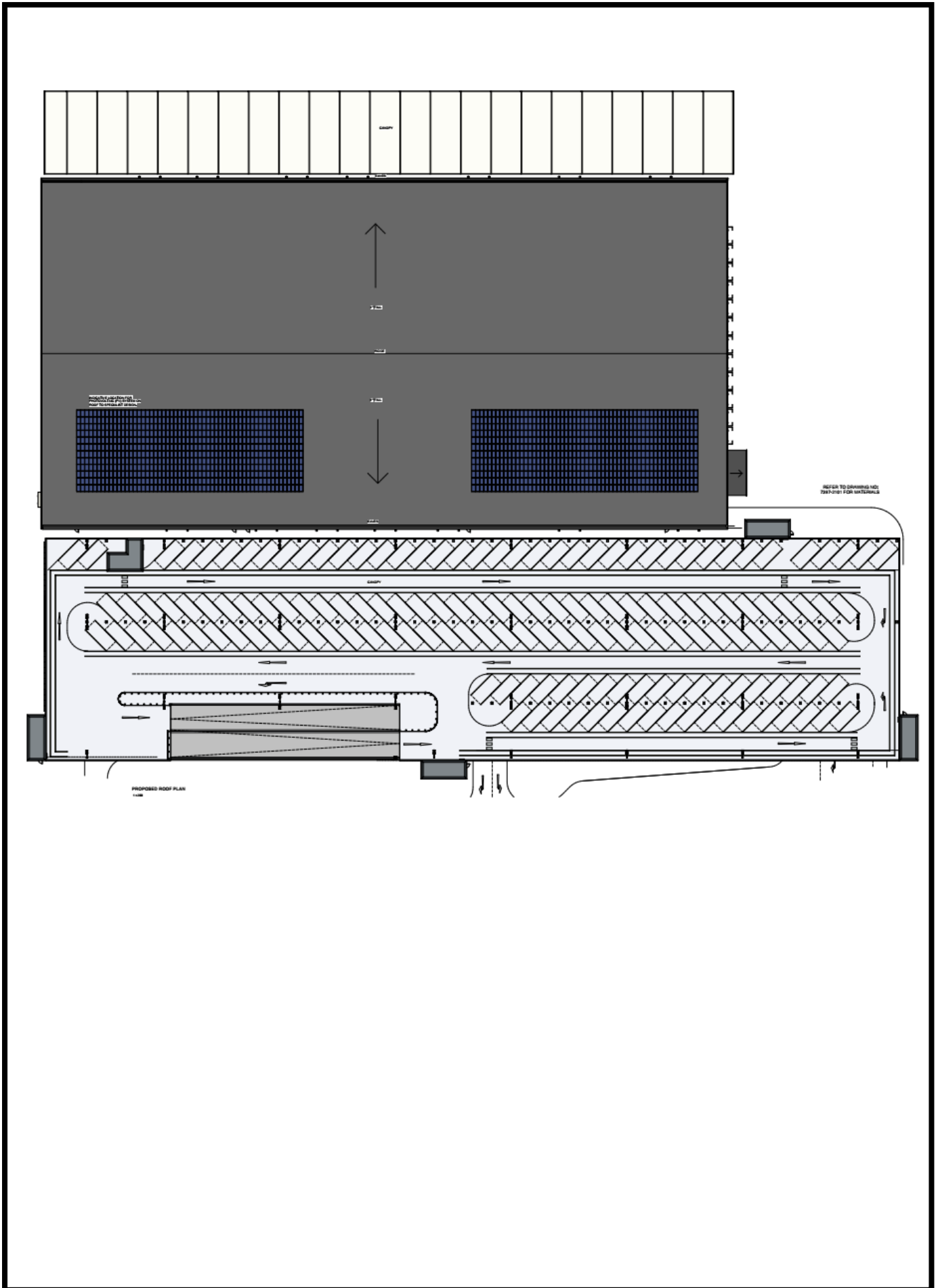


VAN PARKING DECK LEVEL - GROUND LEVEL

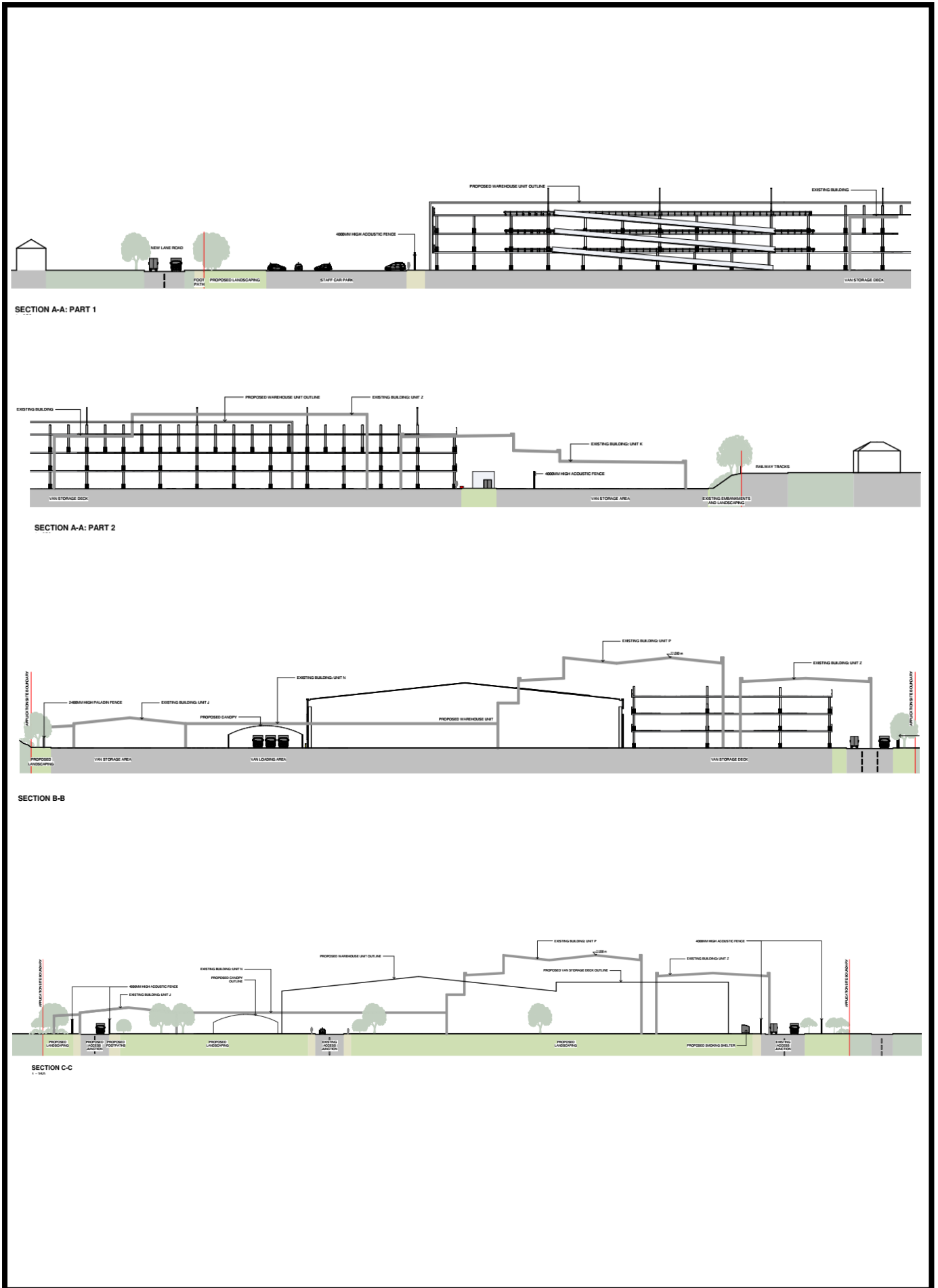


VAN PARKING DECK LEVEL - 4200 AFFL

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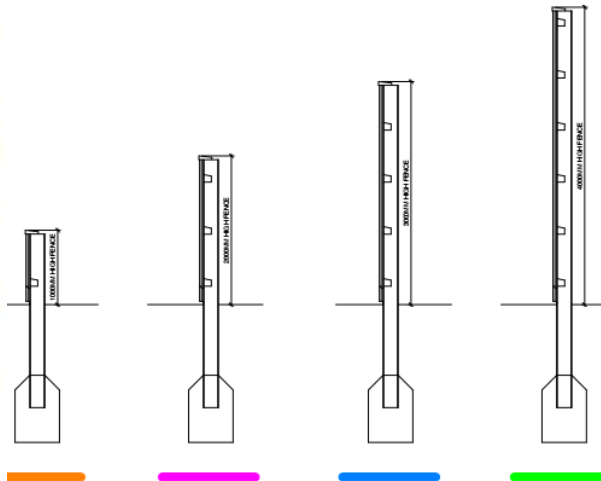
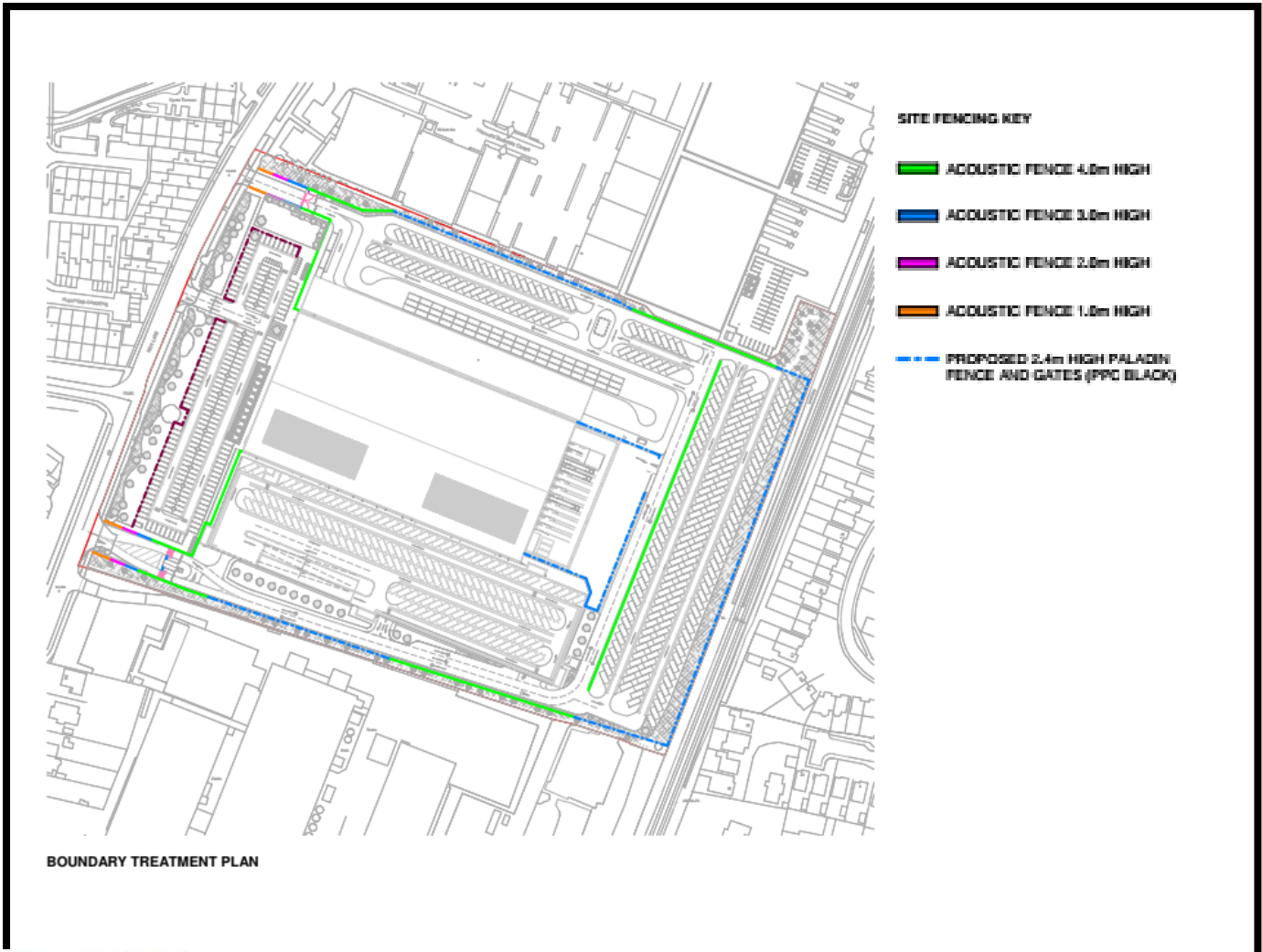


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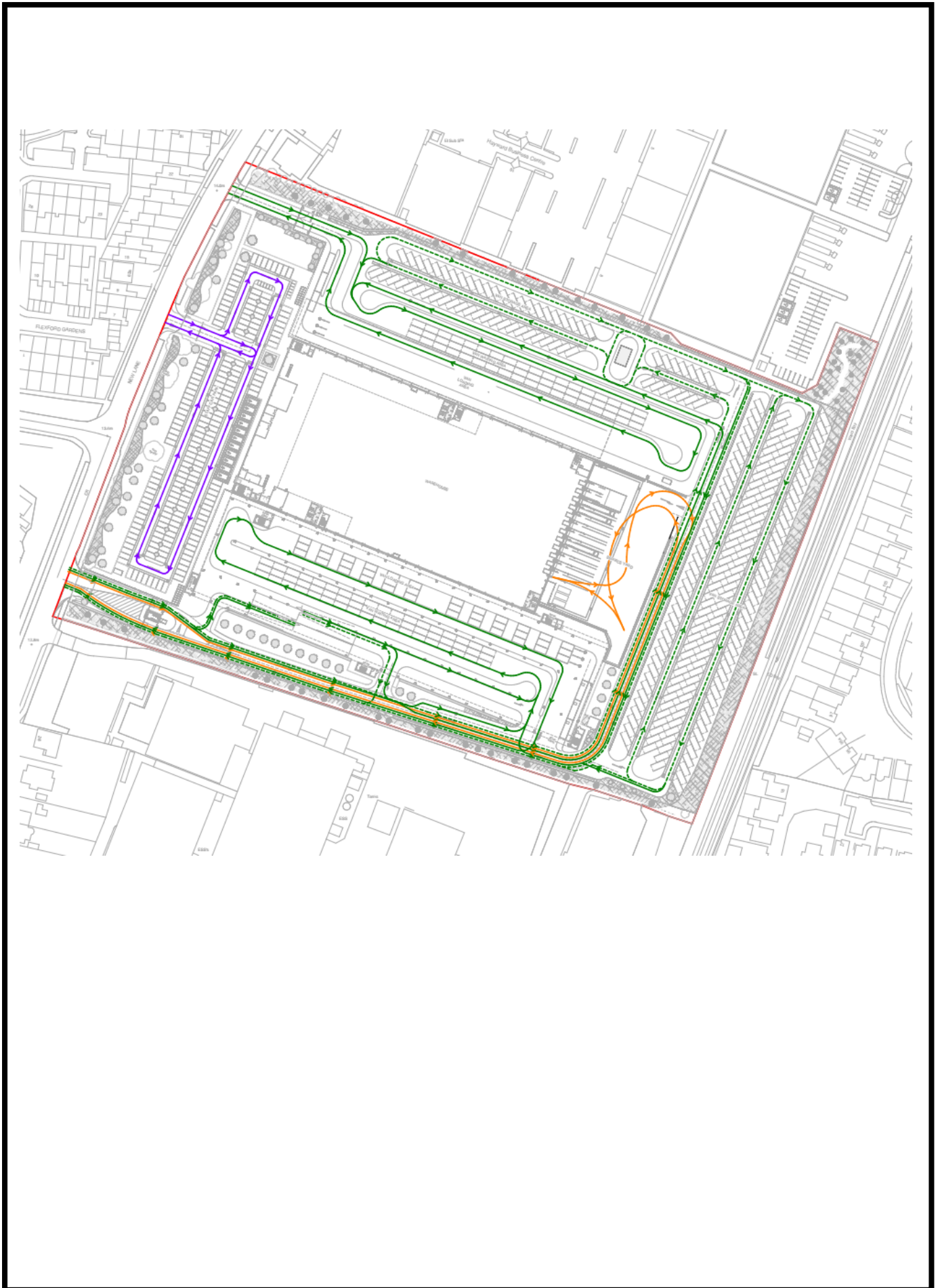
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PROPOSED BOUNDARY TREATMENTS
PLAN



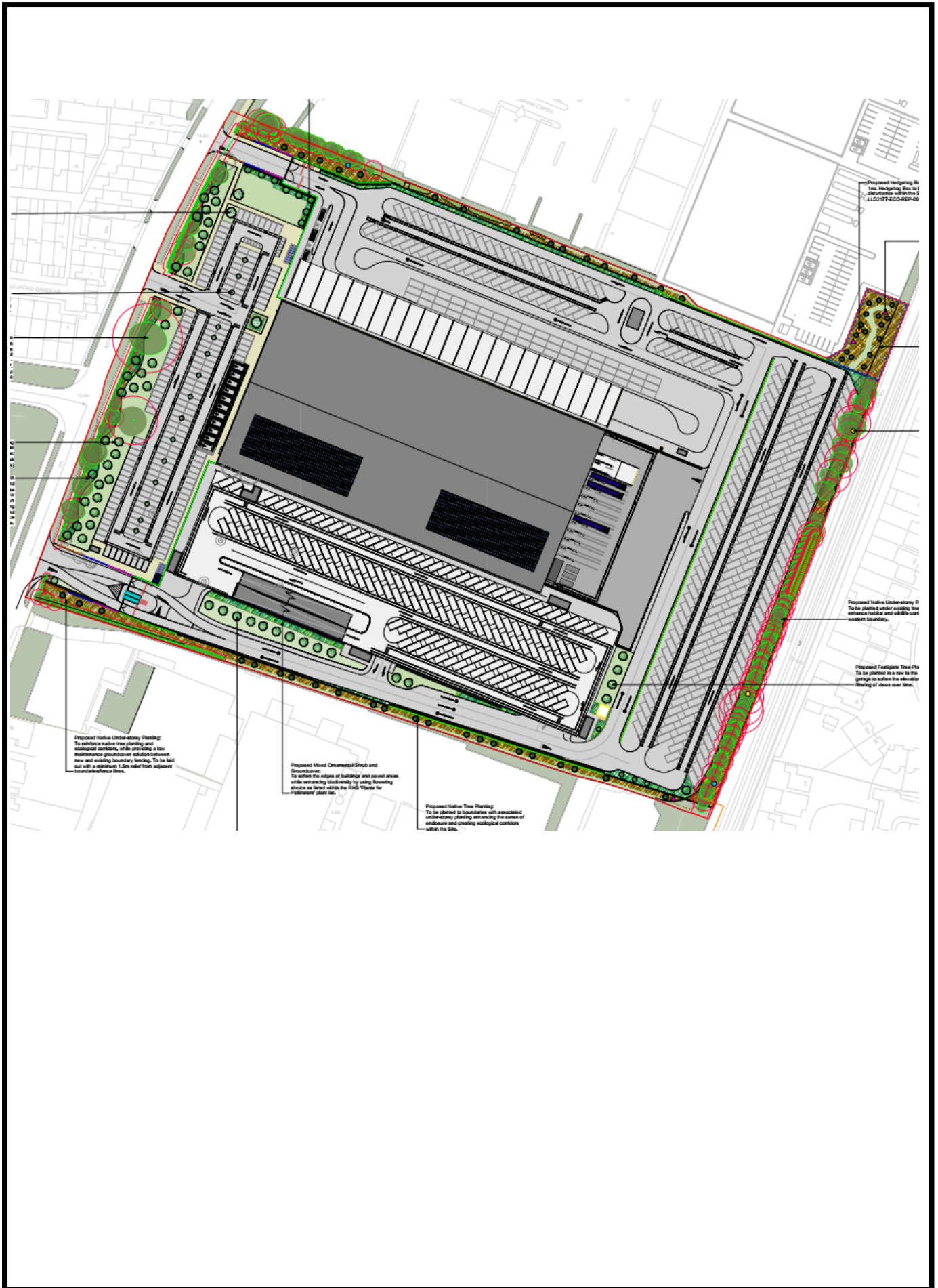
ACQUSTIC FENCE DETAIL

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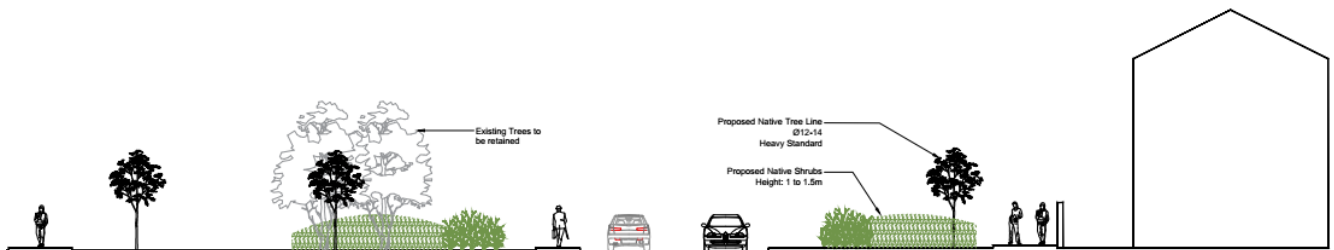
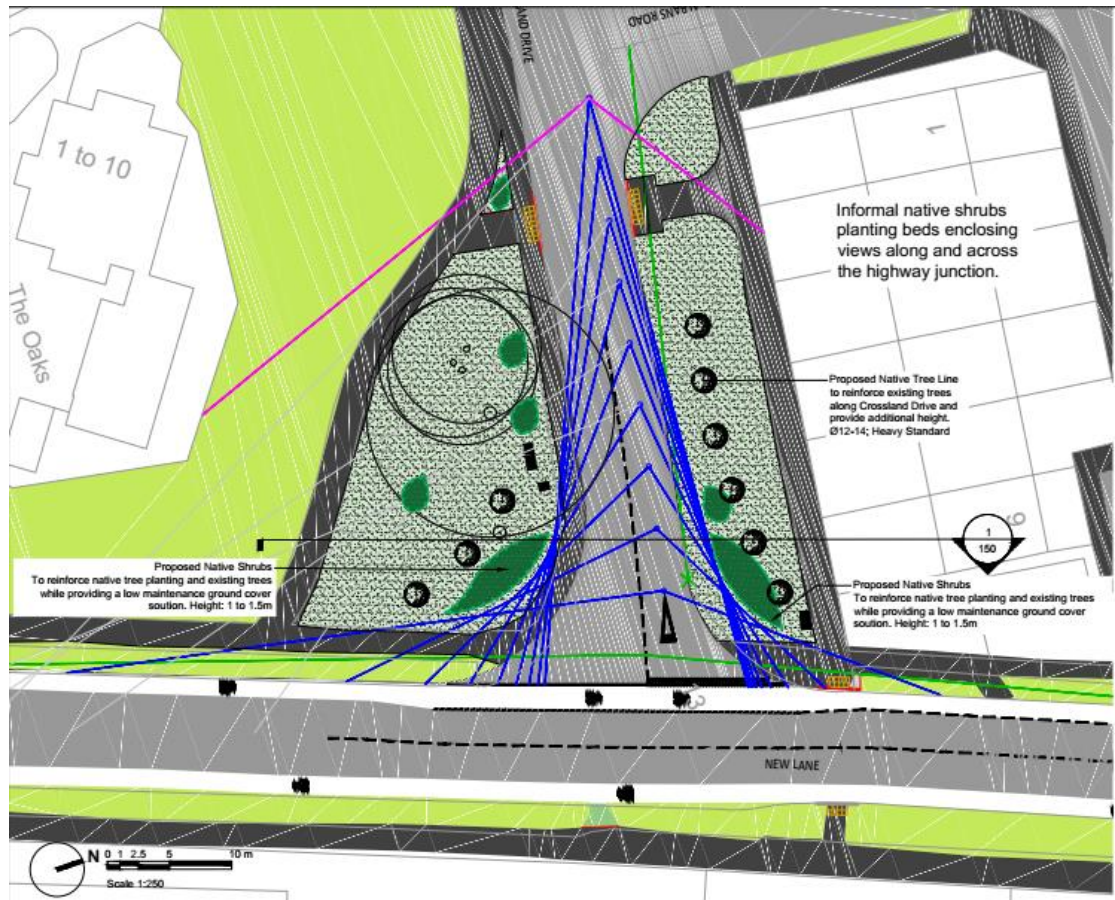
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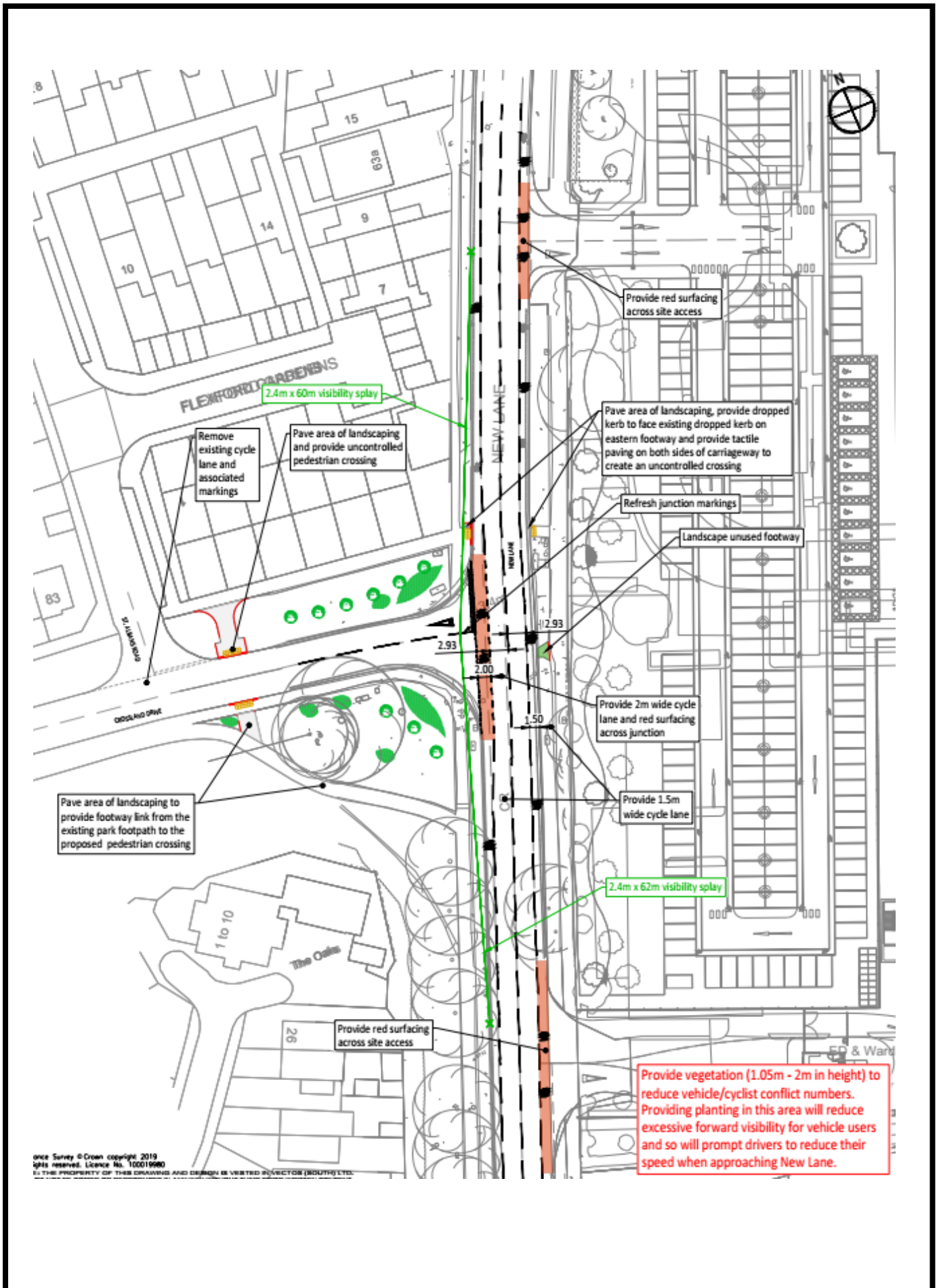
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ACCESS ROAD GENERAL ARRANGEMENT
CROSSLAND DRIVE/NEW LANE JUNCTION

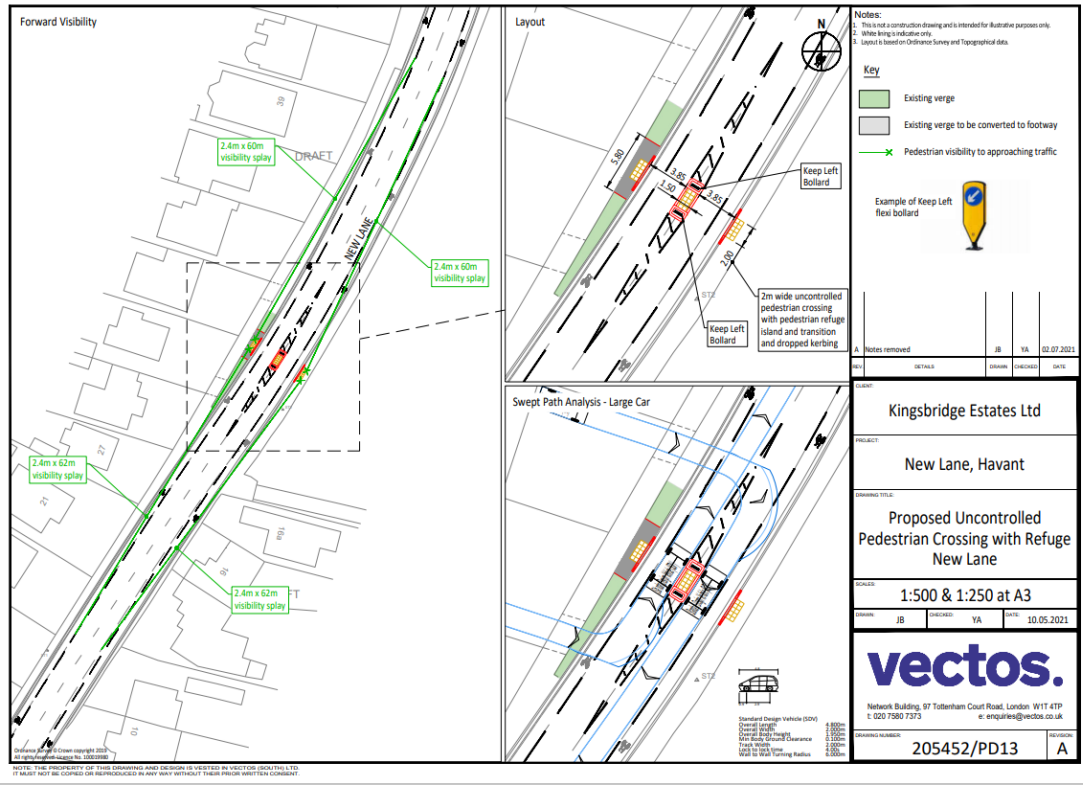


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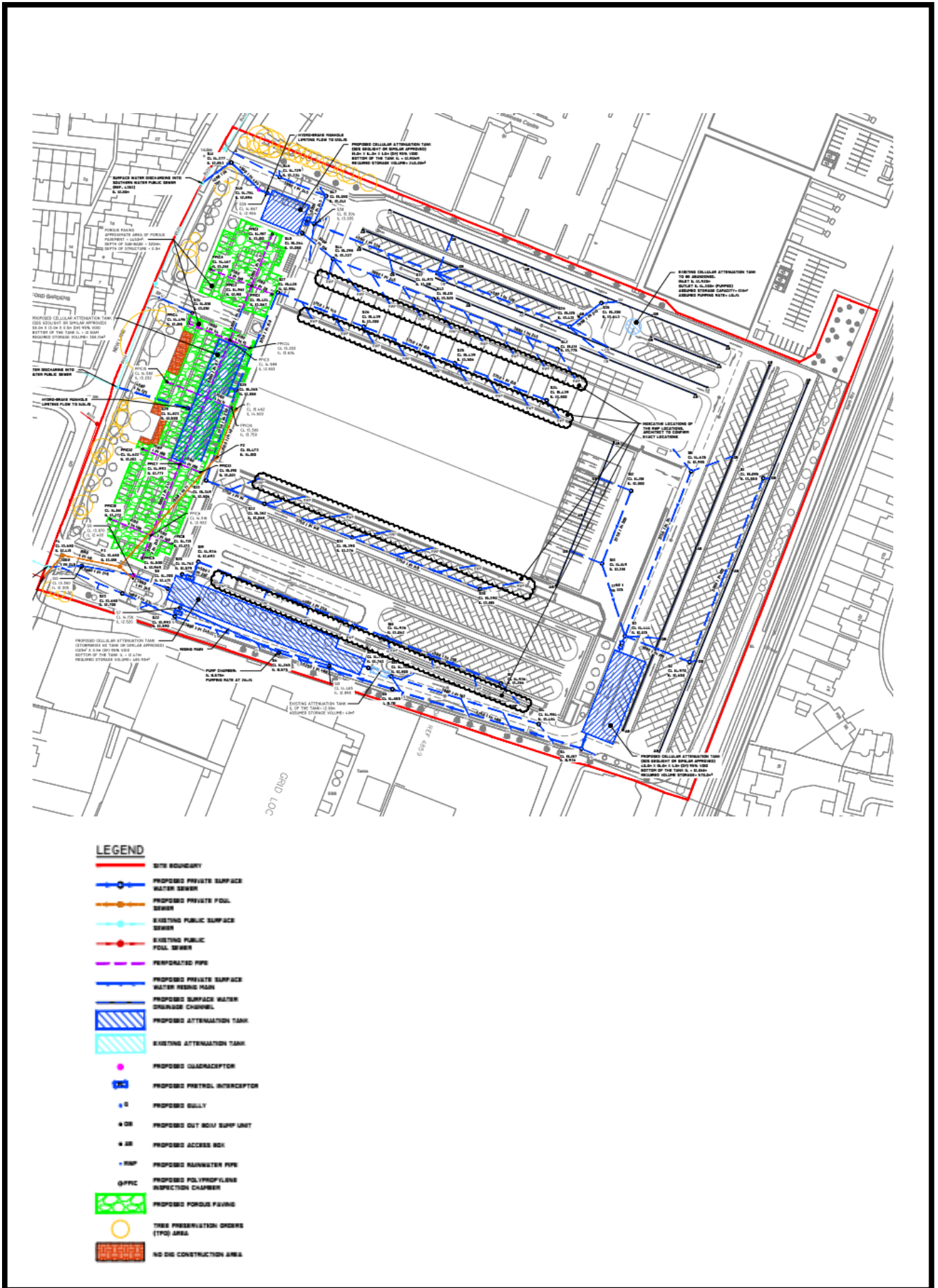
PROPOSED JUNCTION LAYOUT WITH LANDSCAPING OVERLAY



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APPENDIX T Earlier Environmental Health (Environmental Control Officer) Consultation Responses

Further Comments:

Observations / Comments:

These additional comments follow recent discussions with the Highways Authority (HA) to clarify the agreed net change in traffic that is considered likely to result from the development, alongside the basis of calculation of that estimate. Establishing a reasonable estimate of transport net change allows a qualitative assessment of the acceptability of the existing Delta Simons Air Quality Assessment (Ref: 20-1275.01 iss.2), and the extent to which wider inferences may be drawn from its conclusions.

Net-Change in Development Land Transport Demand

Transport demand net-change is a function of two factors – i) existing transport demand that is associated with the existing consent & the physical commercial floorspace at the previously developed land, and ii) the likely gross transport demand associated with the proposed development; net change being the difference between the two.

The HA had principally challenged net-change figures on the basis of the former, namely the transport demand of the development land in its current state. It is understood that the bulk of discussions between the applicant have focussed upon this element, rather than the gross demand associated with the proposals.

Two alternative net-change scenarios were originally presented (Vectos Transport Statement, Feb 2021), representing a 'previous maximum usage' scenario, and an 'existing site usage' scenario. Both estimates are based upon the respective floorspace area consented for different commercial land use classes at the site (at different points in time), and TRICS database estimates of trip rates on a 'per sq.m' basis for each commercial use class.

It is not believed that the reasonableness of the TRICS trip rates is in dispute (e.g. the selection or exclusion of surveys from the aggregate rates), but it is understood that the HA raised concerns over the representativeness of the 'existing site usage' scenario, given that commercial activity at the site has been in a 'wound down' state for a number of years at the development land (i.e., where existing trip rates were expected to fall below TRICS estimates). Recent survey data was obtained by the applicant (post-dating the lifting of covid restrictions, at a time where the HA accepts that traffic conditions have returned 'to normal levels'). This data is understood to support the view that 'existing site usage' scenario is broadly reasonable, and further, that in the absence of the current proposals gaining consent, there exists a reasonable prospect of traffic demand meeting or exceeding the 'existing site usage' scenario values within the scope of the extant consent.

I am not aware that the HA has raised any significant challenge to the 'Gross Development Trip Generation with Van Parking' estimates (Table 5.1 from the Feb '21 Vectos assessment); these being generated from survey-derived trip-generation data supplied by the intended operator (Appendix F). It is assumed at this stage that these (Table 5.1) values are accepted by the HA.

This provides clarity on the origin & value of the reasonable estimate of AADT trip generation associated with the existing consent that the HA agree is acceptable to discount from the estimate of gross transport demand.

In the interests of clarity, it is understood that the HA has accepted the existing site trip generation figures presented in Table 5.5 (from the Feb '21 Vectos assessment) to be a reasonable estimate (1950 AADT existing), and so has also accepted the AADT net change figure based upon Table 5.5 & Table 5.1, amounting to +466 AADT.

Gross Proposed Development Trip Generation – Impact on Net Estimate

Whilst the HA has not raised any significant challenge to the figures given in Table 5.1, or Appendix F (to my knowledge), I am aware that Havant Civic Society has challenged these figures. Having reviewed those objections, I consider that some of the concerns raised would appear to have merit.

I have previously referred to the 'fluidity' in trip generation estimates (by way of example, as demonstrated substantially differing net change estimates within the respective transport & air quality assessments). As the estimates of 'gross' demand form the 'other side' of the calculation of net-change (and given the concerns raised by others), these do warrant consideration being given to their representativeness.

Firstly, it must be said that the survey-derived estimates provided by the intended operator (the bespoke traffic data) account for additional traffic in the peak hours, when compared to TRICS estimates taken from surveys at the most similar available commercial operations. This is likely to be a factor in the HA agreeing the figures to be 'robust' (more conservative than alternative methods). The applicant does refer to HA agreement of the robustness of the bespoke data.

It is not clear from the comparisons presented that the uplift seen in bespoke data over TRICS estimates would be proportionate at peak hours when considered at a daily resolution – this is probably derivable from the submissions by calculation, but I have not investigated the time required to do so.

Comments provided previously (APP/21/00200, CONS/21/01300, 27/04/2021, pg.5) question the apparently significant redundant capacity within the proposed scheme, relative to the assessment of operational need (transport demand) given, noting that *'it appears unlikely that the estimates represent [either] target capacity, or maximum capacity.'* (see referenced comments for rationale). Other consultees have also pointed to this inconsistency, alongside the persisting opacity in the process for derivation of the presented bespoke traffic data from the constituent surveys and the apparent likelihood that it does not represent the proposed operational model for the proposed development. In the case of the latter, I am referring to the absence of any trips associated with the midnight shift changeover, where the car park management plan notes that the *'...highest number of employees on site would be during the night shift...'* and the bespoke data only accounts for HGV movements during this period. Notably, this would appear contrary to point 10 of the Vectos *Daily Trip Generation Note* Ref: 205452/N10, which states that the survey sites have an equivalent operational model to the proposed development. The inconsistency between the presented operational description and the diurnal trip distribution remains unexplained.

I have previously referred to the fluidity in estimates, which derive from the above factors (amongst others). The values presented in Table 5.1 from the Feb '21 Vectos assessment

are regarded to be a 'middle estimate' of gross demand, for which there are several reasons to expect in practice represent to a 'low middle-estimate'.

In the absence of staffing figures or other operational details, it is helpful to provide a crude estimate of 'saturation operational intensity' as an upper limit to the transport demand under consideration, based upon the quantum of capacity sought by these proposals. Assuming 100% utilisation of the van storage deck capacity for driver personal car / van changeover, and one delivery round/day; and 3 no. shifts/day of sufficient size that each utilises 100% of the staff parking capacity sought, and HGV deliveries as proposed; the upper limit of gross demand would be in the region of 4792 AADT, resulting in a net change of +2842 AADT against accepted values (representing more than 600% of the 'low middle-estimate').

If sustainable at the site, the 'saturation transport demand' would have the potential to be hugely significant in both highway capacity & air quality terms. However, the risk that activity of this level of intensity may arise (in a sustained & sustainable way-) is considered to be negligible. I refer to this scenario only as an illustration of the upper limit of short-term peak demand.

It is understood that the figures presented in Table 5.1 / Appendix F (Vectos Feb '21) aim to capture demand on the 'average day'. In this way, seasonality in the intensity of activity is 'smoothed out', and the figures will not represent usage on peak days. On this basis, in considering the apparent redundancies in quantum of capacity sought it is considered reasonable to assume;

- That the ~42% 'spare' capacity on the van storage deck (for LDV delivery rounds) is required to accommodate both operational outages for maintenance, and substantial seasonal peaks that might be expected to be associated with retail deliveries (e.g. Christmas retailing conditions).
- That storage deck capacity utilisation may approximate saturation for such short-term trading peaks (probably <21 days/annum), and similarly that utilisation may be substantially lower than the indicated 'average day' during 'low season' trading.
- That a degree of parking space redundancy is required in the quantum of warehouse staff parking, to accommodate shift changeover (staff arriving before end of the prior shift)
- That the three operational (warehouse) shifts do not necessarily require a workforce of equal size, and that shifts may require additional staff to account for seasonal shifts in operational intensity.
- That the quantum of warehouse staff parking needs to be capable of accommodating the changeover of the most labour-intensive shift, at peak periods (where there may be additional seasonal staff), and;
- That staff parking space utilisation may fall significantly below saturation at certain times of day and at certain periods during the year.

I have undertaken some calculations (derived from development particulars and values given the various Vectos reports) in order to derive a representative 'high middle-estimate' of average gross trip generation, for comparison to the low-middle- & saturation- estimates.

I have generated a figure of 2653 AADT, which would represent a net uplift of +703 AADT. I believe this to represent a reasonable illustration of the range of likely real-world impact of the development, and it is interesting to note that the Air Quality assessment has accounted for an net change in AADT which approximates to a middle value between the (Vectos-derived) low- and (EH calculated) high- estimates. Figures presented below for clarity;

- Conceptual 'saturation transport demand' (calculated by EH) = 4792/day (Gross) [+2842 Net]
 - 'high middle-estimate' (calculated by EH) = 2653/day (Gross) [+703 Net]
 - Delta Simons Air Quality Assessment = 2549/day (Gross) [+599 Net]
 - 'low-middle-estimate' (Vectos Feb'21) = 2414/day (Gross) [+466 Net]

The conceptual saturation demand estimate is rejected as an AADT scenario for the reasons given above. Given the issues highlighted with the bespoke traffic data, the low-middle-estimate is considered to slightly under-represent likely gross AADT demand. The basis for the Delta Simons estimate is unclear. I will use the 'high middle-estimate' as the basis for qualitative consideration of air quality impacts.

Qualitative Assessment of likely Air Quality Impacts

The difference between the 'high middle-estimate' and the demand used in the Delta Simons Air Quality assessment is +104 AADT, or +17.36%. Accounting for the effect of this additional traffic for receptors calculated within the air quality assessment does not result in any material change to the conclusions.

I have previously highlighted that the most air-quality-sensitive receptor likely to be affected by traffic associated with the proposed development was not included within the scope of the report.

I note that the traffic distribution model is not in dispute. This means that 56-59% gross development traffic will be routing via Park Road South, and up to 15% could benefit from utilising local road network 'rat runs'. Assuming a broadly similar routing model applies to the existing site, the corresponding net-change equates to +395 & +105 AADT respectively. Of these, it is noted that around 20% might be expected to be zero-emission vehicles (at this development, given the specific proposals), contributing principally to particulate pollution, but negligibly to Nitrogen Oxides (NO_x & NO₂). Emissions factors apply to conventionally fuelled vehicles.

In terms of NO₂ (the pollutant of concern for the receptor identified), the effective uplift (of conventionally emitting vehicles) might be expected to be +316 AADT. Rough calculations based upon both the results of the Delta Simons report & local monitoring data indicate that the likely impact at Cardinal House would be classified as 'slight, adverse', with a predicted environmental concentration (PEC) of approximately 86% of the NAQS objective at the receptor. In other words, the development may be expected to adversely impact local air quality at this sensitive receptor, but that the development can be sustainably

accommodated without breach of any air quality standards, and without causing a deterioration in local air quality of unacceptable magnitude.

Applying the same logic to receptors located on the viable rat runs, the +104 AADT is considered to be extremely unlikely to create a significant adverse impact, in air quality terms.

In consideration of the above, an objection on air quality grounds cannot reasonably be sustained, and on this basis I withdraw my holding objection.

Preventing use of rat-runs by delivery vehicles

Following discussions with the development management service, it is understood that the use of conditions restricting development operational traffic to certain routes on the wider road network may be considered to be both reasonable & proportionate in this case principally due to the support of the applicant, and to the visibility of operational traffic (liveried vehicles) which serves to make the demonstration of a breach of condition feasible. It is understood it is proposed to secure these controls via the Full Operational Management Plan (OMP), required by a planning condition.

In respect of the content of the framework OMP, I would also highlight the transposition of previously noted distribution anomalies contained within Table 4.1, namely the implicit expectation that 28% of development traffic would route via Old Copse Road / Lavant Drive / Leigh Road . Notably, this provision / error fails to preclude use of advantageous rat runs sought by allocating 100% traffic via either Bartons Rd. or Crossland Drv.

It would be simpler if the OMP were to contain explicit prohibitions or limits on certain routes – this would remove ambiguity and simplify enforcement. Similarly, given that the enforceability of this planning control is dependent upon the visibility of relevant traffic, it would be very helpful if the plan committed the operator to maintaining an identifiable / consistent vehicle livery on a minimum proportion of it's fleet. It is expected that these issues could be deferred to the conditions discharge stage.

As regards the means of securing these controls, comments from the HA indicate that for it's recommendation to approve the proposed development it is reliant on the associated condition having the following effects:

- Any change in operation by the initial proposed occupier (that would be contrary to the approved plan) will require a variation of the OMP,
- Any subsequent operator would be bound by the approved OMP, and;
- Any subsequent change in operation by a subsequent operator would require a variation of the approved OMP.

These expectations appear to derive from text at section 3.5 (stipulating terms in respect of generation) and 4.4 (stipulating terms in respect of trip distribution). It is not clear to me that a future occupant could be bound by these clauses.

Given that the condition wording proposed by the HA omits any requirement to adhere to the plan in perpetuity, it is similarly unclear that the initial operator would be bound by these clauses – the condition only requires that the OMP be submitted and agreed. The same issue arises with the conditions proposed by the HA seeking to secure the Car Park Management Plan and the Delivery Servicing Management Plan.

I would suggest alternative wording which tightens up controls as envisaged by the HA, in order for the condition to have the envisaged effects;

Suggested amendment to HA proposed Condition [1] (Operational Management Plan)

Prior to the occupation of any relevant part of the permitted development, a Full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall be based upon the principles outlined within the Vectos Ltd. Framework Management Plan document dated July 2021, be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, including a change of operator-, without the express written consent of the Local Planning Authority.

Reason: *To ensure any future occupier abides by the assumptions within the Transport Assessments agreed at planning.*

A similar tightening of controls may be appropriate for HA proposed conditions [2] & [3] (numbers in square brackets referring to the order of bullet points on page 10 of 11 to HA comments to APP/21/00200, Ref: 6-3-13-212, dated 23/07/2021).

Further Comments:

Observations / Comments:

Further to the comments provided 27/04/2021, I have now had opportunity to review;

- Supplementary Transport Assessment (July 2021),
- Delta Simons Response to HBC EH comments on Air Quality (20-1275.03 24/05/2021),
- Drainage Strategy Report (27/05/2021)
- EPS Ltd. Outline Remedial Strategy & Implementation Plan (UK20.5052D Iss.2.1, 24/05/2021)
- EPS Ltd. Phase II Geo-Environmental Assessment (UK20.5052b Iss.1, 24/03/2021)

In addition to the above, I have reviewed the comments of relevant consultees, inclusive of the Highways Authority comments which follow review of the Supplementary Transport Assessment referenced above.

Air Quality – Impact of Development Transport Demand (Delta Simons Response, Supplementary Transport Assessment)

The key concluding comments following review of the Delta Simons Air Quality Assessment Report Ref: 20-1275.01 iss.2 (April 2021) are reproduced below;

“It would seem to me to be irrational to accept the conclusions of an air quality assessment which is based upon a baseline scenario which is poorly justified, and a development impact scenario which has not been agreed to be reasonable...In the event that the justification for

the baseline scenario cannot be agreed, or that the Highways Authority will only agree a development impact scenario which differs significantly from that accounted for within the air quality report, it may be necessary to update the air quality assessment. Otherwise, following receipt of those assurances it may be possible to accept the report.”

Delta Simons Response to [EH] ‘Comment 3’ addresses the baseline scenario, and ‘Comment 4’ the development impact scenario.

The response to Comment 3 confirms the source of traffic flow figures to be a WYG Air Quality Assessment undertaken for another development (APP/18/00244). Figures appear to have been taken from this source in preference to available DfT figures, and in general, the figures used are conservative relative to the DfT values (available for Petersfield Rd, New Road, New Lane)

The authors refer to both conservative traffic flows & conservative emissions assumptions, and point out that the verification correlation was close to real-world monitoring values. I am not sure I understand the latter comment; my understanding was that the ratio referred to followed the application of a correction factor that was required to adjust for under-prediction occurring despite the conservative values adopted.

I would stand by the comments regarding the ‘crudeness’ of baseline figures. By ‘crude’, I am referring to identical AADT flow values being used for multiple road links (e.g. New Lane/Eastern Road/ Leigh Road/Elmleigh Road/Crossland Drive; or Park Road North/Petersfield Road), which is unlikely to reflect real-world conditions. This is not necessarily a reason to reject the report in & of itself, however it is notable that two of the roads affected by the uncertainty in traffic flow figures are adjacent to the verification points used, and that the greatest degree of under-prediction of road contribution NOx is at the monitoring position adjacent to the sensitive receptor I identified in my prior comments that was not considered in the report (see ‘response to Comment 5, below).

The response to Comment 4 serves to demonstrate the ‘fluidity’ of estimates of transport demand which I have previously referred to, highlighting that the most recent demand estimates (presented in the supplementary Transport Assessment) amount to a net increase in transport demand from the site of reduced magnitude to that included within the Delta Simons Air Quality report. At the time of writing, the Highways Authority was understood to remain unsatisfied with the estimates of net change relative to the extant site (in it’s wound-down state, i.e. the real world impact), and I had for this reason intended to reiterate comments made previously. However, the applicant has today forwarded further comments from the Highway Authority, which I have now reviewed. This response is amended to reflect those comments.

It is understood that the Highways Agency has now agreed a degree of ‘netting’ of traffic for the purpose of junction capacity modelling. Whilst it is implicit from the Highways Agency response that it has agreed figures for ‘traffic net-change’, the net change in AADT transport demand associated with the site is not specified within the consultation response, and is not specified in either the Supplementary- or Addendum- Transport Assessment.

The purpose of the air quality assessment is to estimate the net change in air quality as a result of the development – the ‘net change in transport demand associated with the development land’ must be known / agreed to be reasonable. It appears that the gross demand of ~/<2500 AADT is agreed, however I remain unclear as to whether the final agreed net change estimate is significantly greater than the value assumed within the Delta Simons Air Quality Report (or not).

The Delta Simons response to EH Comment 4 is noted (rather than disputed), and is

considered to form the context within which the 'transport net change' values ultimately agreed with the Highway Authority will be considered in terms of the associated transport emissions.

The Air Quality Response document also addresses Environmental Health's comment that it considers the residents of Cardinal House to be the most sensitive human receptors in air quality terms – as 57% of development traffic will be carried by the Park Road North>Park Road South link.

Delta Simons seeks to dismiss this concern by asserting that the greatest proportional change (in air quality, associated with development traffic emissions-) will be in the immediate vicinity of the site where the impact of it's transport demand will be most concentrated. I would however highlight that 'significance' of a material change in Air Quality at the receptor is proportional to both the existing ambient concentration and to the distance between the receptor and the carriageway kerbside (pollutant source). Cardinal house is in a location with high baseline ambient concentrations, especially at the junction with Elm Lane, and the receptor is within 5m of the kerbside. In this sense, it is more sensitive to the same degree of change than would be a receptor with a lower extant ambient air quality, and where the receptor is set back from the carriageway (as is the case in the vicinity of the development). For these reasons, I still consider the residents of Cardinal House to be the most sensitive receptors to net change in local levels of traffic derived air pollution.

In light of the above, I do not feel able at this stage to recommend approval of the air quality report – this remains to a significant extent depend upon the outcome of discussions with the Highway Authority in respect of the view of net change that balances the need to acknowledge a theoretical consented transport demand, and the real-world change relative to the actual existing site use. In the first instance, clarity on the transport net change scenario agreed to be representative of the site (as AADT values) should be sought in order to frame consideration of the Air Quality assessment.

Supplementary Transport Assessment

Table 6.5 provides an assessment of the net impact of the development. It is not immediately obvious whether this is based upon a TRICS estimate derived from extant floorspace, or whether these figures refer to existing actual usage (in wound-down state). It is similarly unclear whether these represent figures agreed by the Highways Authority given that it undertook independent modelling of the B2149/Crossland drive junction, as a direct result of the conceptual contradiction between development traffic volumes at the Eastern & Western Ends of Crossland drive – not explicitly explained by a significant change in traffic routing via Old Copse Road.

In terms of traffic flows – I note that that section 9.5 refers to the inclusion at Appendix G of Manual Classified (turning) Counts at both ends of Crossland Drive. The data presented appear to be from two no. 7-day Automatic Traffic Count points positioned both north & south of Crossland Drive on New Lane. Given this, it strikes me as odd that the air quality report is reliant upon a third party air quality assessment for traffic figures where both bespoke survey data & DfT values are available for comparison/to support both the road network & air quality impact assessments. It is not clear why the ATC's have not been referred to, or whether the omission of the manual counts is likely to be material – it is understood that the relevant figures have been made available to the Highway Authority and have informed it's response.

I note that Table 6.2 provides corrected values, and has maintained the 1% allocation of development traffic to New Lane South. Paragraph 10.5 refers to an 'operational management plan' (OMP) that will include a 'traffic distribution' section that will state that all traffic will use Crossland Drive with the exception of employees living locally and parcels being delivered to local Havant Residents. 10.7 envisages this plan, alongside its implementation-, being secured by condition, and indeed the Highways Authority proposes such a condition, and its conclusion substantially relies upon its effect.

Concerns have been raised by others in respect of the possibility of 'rat running' via local roads, and these sections of the report aim to address those concerns.

I have previously considered the concerns raised, and find that routing eastbound via the National Trunk Road Network would derive distance & journey time benefits by using local roads. This applies most strongly via the Fairfield Road route (which the OMP aims to prohibit), but also to a lesser extent, via the Old Copse Road / Lavant Drive which may fall outside the scope of the proposed restrictions. Benefits are also likely to apply during periods of peak congestion in Havant Town Centre (by avoiding the Petersfield Road / New Road roundabout for Eastbound or Westbound trips via the A27. The OMP seeks to prohibit such journeys despite the likely economic benefit of utilising these local routes, and despite the ultimate legality of using road-legal vehicles on the local adopted highway network.

My understanding is that enforcement of this aspect of the OMP would be difficult, if not infeasible in practice as a planning matter. Certainly, the condition wording proposed by the Highways Agency would not achieve the objectives upon which the Agency would ultimately wish to rely upon, notably [where the occupier wishes to operate in a manner which differs from that assessed at planning stage, the OMP-] *'will need to be varied and will therefore require a re-assessment which the Highway Authority must agree...'* and that the OMP *'would need to be formally varied to allow a different occupier to use the site'*.

Notwithstanding that the planning condition may prove to be unenforceable, there is no provision in the proposed condition wording to require that the required OMP be adhered to in perpetuity, or that any operational change requires reassessment or re-approval.

In principle, other instruments available to the Council could be applied which use the OMP as a benchmark of 'reasonableness' in order to enforce a prescribed routing prohibition, however enforcement could still be high risk (given the inherent legality of activity referred to above) and would depend upon the will of the Council to enforce such conditions & defend that enforcement in the event of issues arising.

My preference would be to consider the appropriateness of the proposed development at the proposed site as a planning matter – i.e. to determine whether its likely net impacts are acceptable (or not). In principle, around 15% of routine trips (approx. 375 gross development demand) would be expected to have an origin or destination accessed via the A27 East, and so which may be expected to utilise a materially shorter 'rat run'.

These impacts are likely to be of greater concern with respect to local amenity, and to highway capacity of these narrow local roads than they would be in respect of air quality – however it should be noted that residents already have air pollution concerns related to both the controlled rail crossing and to traffic congestion associated with the Fairfield Infants School. Perceived routing concerns may be particularly relevant for this development given the likelihood of a large fleet of branded delivery vehicles, and so the visibility of road use to local residents.

Rather than seeking to restrict use of certain routes / local roads via instruments of arguably questionable efficacy, it may be more robust to seek to characterise a 'permitted route' scenario using the agreed transport demand model, and to consider the acceptability (or otherwise) of its impacts. Consideration could be limited to 'conceptual' only, or could be quantitative in terms of highway &/or air quality impact. Similarly, it could be something that HBC is equipped to consider in making its decision, or it may be something that it requires be undertaken by the applicant. Avoidance of congestion scenarios are expected to be non-routine, and probably need not be considered.

I would not go so far as to object in the absence of such an assessment on air quality grounds – rather, I would consider this to be a planning matter which cuts across a number of development impact related issues, of which air pollution (and perceived air pollution impact – irrespective of actual impact) is just one. Highlighted for information only, being aware of the scale of local opposition to this development, that rat-running forms a key element of those objections, and that the Highways Agency is relying upon a condition that is unlikely to be capable of delivering the intended effect.

The package of highway improvement schemes referred to within the transport assessment are supported – in particular the provision of a formalised crossing point on Crossland Drive to facilitate access to local schools, to sports & play facilities, and local food retail outlets via sustainable modes of travel (and so assisting to divert trips from private motor car, and so improve & sustain local air quality).

Drainage Strategy Report

I have briefly reviewed the revised documents, and have not identified any changes that would be material to the advice given previously – the scheme represents best practice pollution control, and can be supported.

Ground Contamination Assessment & Remediation (UK20.5052D Iss.2.1 & UK20.5052b Iss.1)

The additional phase 2 site investigation (UK20.5052b Iss.1) did not find any soil contamination considered to be significant against a human health commercial landuse scenario. The investigation was however unable to target areas of the site known to be 'of potential concern' ("AOPC"), and vapour monitoring identified light-fraction hydrocarbons quite widely across the site, indicating that there is a source of relatively 'fresh' (non-degraded) contaminants within soils at the site that has not been captured by the soil sampling undertaken to date.

Section 6.3 includes a vapour phase risk assessment which concludes a low-negligible risk to a sensitive commercial receptor (female employee), claiming on the strength of this assessment that the off-site migration risk is also low-negligible. Whilst it is accepted that it is possible that this interpretation may ultimately prove to be reasonable; in the absence of clarity on whether a separate CLEA assessment has been undertaken to determine an appropriate benchmark for a residential receptor, this conclusion is not considered to be well supported by the data at this stage.

Section 6.2 includes a groundwater risk assessment, concluding that screening criteria (GAC) are not exceeded in groundwater samples. However, I note that there is no GAC given for Chromium within Appendix J, and the GAC selected for Nickel is substantially greater than the EA's 'priority hazardous substances' environmental quality standard (EQS). Contrary to the conclusions of the report, exceedances are noted of CrVI EQS-AA (total Chromium results are not speciated) and Ni EQS-AA (max. recorded dissolved phase Ni

results approximate to the EQS maximum allowable concentration, EQS-MAC). Similarly, one Ali C5-C6 result is approx.. 400% of the Appendix J GAC.

I am cautious to agree that the site is unlikely to pose a significant risk to groundwater given that results indicate the likely presence of a low-solubility denser-than-water (DNAPL) hydrocarbon, which may be present within the topographic low-points of gravel lenses of the river terrace deposits (noted to be present at the site). This is a similar conceptual model to that which applied at a nearby site where similar materials were identified to have migrated in free-phase over distances of several hundred meters.

Section 2.2. refers to previous investigations and quantitative risk assessments undertaken by Golder associates – notably including a quantitative detailed groundwater risk assessment. The Council has not had opportunity to review this document, and it's content may be material to the current application. The Golder reports (or the key sections of them) should be made available for context if the Council is to be able to account for their reported content.

The overall conclusion of the report is presented in the summary of findings, and the recommendations given at section 6. (broadly agreed). No refined conceptual site model (CSM) is presented at section 6.5, as “[the] contaminant linkages presented in the Conceptual Site Model all require the dataset for the whole site prior to re-evaluation. As this is not yet available, a refined CSM cannot yet be presented”. The recommendations at 6.7 seek to obtain the data which section 6.5 concludes to be necessary to support a re-evaluation of the CSM.

The Outline Remedial Strategy & Implementation plan takes this recommendation forward by outlining the additional data collection required to support a comprehensive risk assessment, and development of remedial or risk mitigation options when a more refined CSM is available. In this sense, the works outlined do not amount to remediation, rather they represent proposals for further investigation.

The rationale and content of the report is broadly agreed, however I highlight concern with the reference within the remedial strategy table presented at section 3 to the application of GAC as ‘re-use criteria’. I would expect the ‘no soils containing free-phase product’ to take precedence over the hydrocarbon GAC, and I would expect DoWCOP procedures to apply to soils clearly contaminated with high concentrations of low-toxicity substances.

I would also highlight that verification of the proposed source reduction works in the vicinity of BH03 is to demonstrate ‘effective removal’ of phthalates, but no standard appears to be proposed to define ‘effective removal’ at this stage, whether in terms of total Phthalates, total VOC, or a substance-specific value for Benzylbutyl Phthalate. The additional works proposed should define a standard for ‘adequate remediation’ for this purpose. It may be that the Golder reports proposed such a value/concentration/standard.

In light of the above, there is no need to substantially alter the approach previously proposed – it remains appropriate to secure the proposed additional investigation / assessment by condition, and to respond appropriately to the results of that assessment. This does however require a minor revision to the previously proposed condition, and again I would reiterate that demolition should not be considered to constitute ‘commencement’ for the purposes of this condition.

Condition 1

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development

as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Further intrusive site investigation & monitoring based on the proposals given within the EPS Ltd. Phase II Environmental Assessment Report Ref: UK20.5052D iss.2.1 (24/05/2021); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,

- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;

- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Prior assessment has indicated the likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, these receptors could potentially be impacted by contamination present on this site. To ensure that the development does not contribute to-, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."

There is no need to amend the other conditions previously proposed by the Environment Agency, save for the amend 'reason' previously recommended. Reproduced below for Convenience.

Condition 2

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."

Condition 3

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

Condition 4

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: *To ensure that the proposed Piling or other deep foundation does not harm groundwater resources, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

Recommendations

Seek clarification of a definitive estimate of net-change in transport demand associated with the development. The value should be acceptable to- / supported by- the Highway Authority and be expressed as AADT. This is necessary to inform the acceptability or otherwise of the existing Air Quality assessment, and to provide context to the substance of objections of other consultees around transport-related impacts (amenity, highway capacity & air quality).

Apply ground contamination conditions 1-4 on any consent that Development Management is minded to recommend / grant.

Original Comments:

Observations / Comments:

Comments here relate to physical pollution, air quality (and air-quality-relevant aspects of development), and ground contamination. Comments are provided in respect of construction management, but these are limited in respect of loss of amenity due to noise impacts.

I will leave it to my nuisance / amenity focussed colleagues to comment on the noise impact assessment, and lighting strategy.

Summary

- The Construction Management Plan is considered adequate to manage dust emissions and development-phase air pollution impacts. It is recommended to list the plan as an approved document. No condition is proposed.
- I would raise a holding-objection on the basis that the development transport demand (trip generation potential) has not been sufficiently robustly defined, undermining the conclusions of the submitted air quality assessment
- Highways Agency concerns about the assessment of the impact of development traffic are supported.
- Concerns raised by the New Lane Community group about development traffic routing via New Lane / Beechworth Road are supported. Assessment of this routing option could require consideration of the air quality impact of development.
- The proposals are considered to have made a reasonable and proportionate response to emerging Air Quality policy E23 a. (development-emissions offsetting). No

objections on this basis.

- Further assessment to address the holding objection referred to above may justify additional air quality mitigation under the principles of policy E23 c. (air quality impact mitigation)
- The draft surface water drainage strategy (SuDS) represents best practice for pollution prevention, and is supported.
- The contamination assessment is accepted. Amendments are required to the suite of conditions proposed by the Environment Agency in order to bring risks to human health into scope, and to ensure that the applicant is not unduly constrained by a strict interpretation of the provisions of the Grampian condition (EA proposed Condition 1)

Air Quality – Impact Assessment, Construction Phase (Construction Management Plan)

Comments relate to the Delta Simons Air Quality Assessment Report Ref: 20-1275.01 iss.2 (April 2021) & the TSL Construction Management Plan dated 12/01/21 issue 1.

The Air Quality report concluded that unmitigated construction activities would represent up to high risk of dust soiling impacts and medium risk of increases in particulate matter concentrations, but that through the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced (to a low/negligible risk). Suggested measures are outlined within section 6.1, and these measures are agreed to represent good practice.

The measures given in section 6.1 of the air quality report are broadly represented in the TSL management plan. I would recommend that the TSL management plan be listed as an approved supporting document comprising an integral part of the scheme, so as to make it's contents (in principle) 'enforceable'. I don't believe that a specific compliance condition is strictly necessary.

If the Development Management service considers it necessary to include a specific condition requiring that the CMP be observed, please let me know and I will draft some condition wording which refers to compliance the submitted framework document & establishes a requirement for LPA approval to be obtained for revisions in respect of certain sections (e.g. working hours, dust suppression etc.).

Air Quality – Impact Assessment, Operational Phase

Comments relate to the Delta Simons Air Quality Assessment Report Ref: 20-1275.01 iss.2 (April 2021).

The report refers to the EPUK & IAQM industry guidance 'planning for air quality' v1.2 2017 in determining significance of any changes to local air quality. The report does reference both National & Local Policy, but does not recognise that the industry guidance pre-dates both the NPPF & LP2036 Policies, nor that there is a compelling argument to make that the significance scales given within the industry guidance is no longer compatible with prevailing policy. Relevant illustrative text from the NPPF is quoted within the report.

In addition, emerging policy from the LP2036 deliberately aims to better the degree of protection offered by the industry guidance, and the extant policy (DM10) includes wording which is compatible with the latest version of the NPPF (i.e. including 'health' focus in addition to a 'standards focus'. I refer to this policy context in light of uncertainty in the reliability of the outputs of the assessment, and of the conclusions that are based upon these outputs.

I note that the baseline traffic figures used for the assessment are crude; there is poor resolution in traffic flow estimates between road links and the figures quoted do not appear to correspond to the values given by the referenced source; differing substantially in the estimate of proportion of traffic representing HGV's, for example. Some values attributed to key road links differ significantly from estimates used in assessments undertaken for other developments – differing by up to a -1/3rd (Park Road North / Park Road South in particular). This will reduce the accuracy of the model. Where the verification points are close to the affected road links (e.g. DT22), this will serve to increase the magnitude of the adjustment factor that needs to be applied. Where verification points are not on affected road links (e.g. if adjacent to an accurately characterised link, effects will not be fully accounted for within the verification process.

It should also be noted that the quantitative assessment of development impact is based upon overall operational trip generation figures and 'net change in trip generation' estimates which are both disputed by the Highways Authority. This raises doubts as to the validity (or 'representativeness') of the estimate of development impact (both in highway, and air quality terms).

Contradictory (development operational-phase traffic) trip distributions are also given in the transport assessment, understood to be a result of a typographical error. Allocation of the development trips to the local road network is not stated clearly in the report, and is only possible to derive by calculation. It appears the air quality assessment may have been based upon a distribution broadly corresponding to Table 5.8 of the traffic assessment (though full calculations have not been undertaken). Table 5.8 is expected to represent the 'correct' figures. Given that 57% of development traffic being expected to access the strategic road network ('SRN', A27) at the Havant Junction (approaching from the local road network, 'LRN'), and Park Road (North / South) is a road link where kerbside exceedances of national air quality standards are known to be likely to occur at junctions; I am unclear as to why no receptors have been considered on this route.

The residents of Cardinal House (on the corner of Park Road South & Elm Lane are considered to represent the worst-case receptor, and the omission of this receptor undermines confidence in the conclusions of the assessment.

In terms of the actual volume of traffic accounted for, it would appear the air quality assessment has considered a net growth in traffic demand as +599 as 'total vehicles, AADT'. The vehicle type distribution assumed is unclear, and I note that both the net-change in flows and the development traffic routing choices assumed (considered as a binary choice from site access) both differ from the net figures given in the transport assessment (from -90 to +466 depending on scenario & 70/30 direction split, given in the transport assessment, compared with +566 & 60/40 split in the air quality assessment). This is illustrative of the 'fluidity' of estimates of transport demand, which I will return to in the sections below.

I would conclude that the air quality assessment has-;

- been based upon baseline figures of poor resolution which differ from the quoted source in both overall volume estimates and in vehicle fleet composition. Additional justification is required for these figures.
- accounted for an AADT net change in 'total traffic' which has not been agreed with the Highways Authority to be either reasonable or robust, and which may differ substantially from the 'true' net change associated with this development
- omitted a receptor which is arguably the most sensitive to changes in air quality, and;

- has referred to industry guidance which is not fully compatible with either local policy

It would seem to me to be irrational to accept the conclusions of an air quality assessment which is based upon a baseline scenario which is poorly justified, and a development impact scenario which has not been agreed to be reasonable. I would recommend that the assessment be considered to have been 'rejected' until these aspects have been resolved. In the event that the justification for the baseline scenario cannot be agreed, or that the Highways Authority will only agree a development impact scenario which differs significantly from that accounted for within the air quality report, it may be necessary to update the air quality assessment. Otherwise, following receipt of those assurances it may be possible to accept the report.

Development Transport Demand - General (Air Quality)

Comments here refer to the general scheme particulars, the Vectos Transport Statement dated February 2021, the Delta Simons Air Quality Assessment Report Ref: 20-1275.01 iss.2 (April 2021), and relevant representations made by consultees and local community groups.

I note that paragraph 4.4 of the Transport Statement suggests that *'the vehicle movements associated with the proposed development are already on the local road network as the proposed end user currently operates within the Havant area.'* I would challenge this statement on the basis that Table 5.6, which forms the basis of the 'trip distribution gravity model' indicates that 5% of freight delivery trips will be accounted for within the Havant Area. Given that the trip distribution model is based upon population density, it may be assumed that the employee commuting trips broadly correspond to the delivery demand distribution. Given that the operator doesn't currently operate *from* the borough, it may be assumed that the majority of HGV trips have both an origin & destination external to the borough, even though they may pass through the borough on the national strategic road network (A27 / A3(M)).

I would concede that the statement quoted above is probably true in relation to the 'regional road network', but it is unlikely to apply to the local road network within the Havant district, and it is the impact to the local road network that is most important when considering both the highway impact and the environmental impact of the development transport demand. This is relevant to the concept of 'net' development impact, and I would caution against accepting an offsetting of development trips from its net impact on the basis that a significant number of these trips are already on the local road network – this is very unlikely to apply to any more than 10% of trips, and may even be <5%.

It should be noted that whilst the HA considers gravity distribution model to be robust, the net generation figures have not been agreed. The Highways Authority requires additional junction modelling to be undertaken once a credible net figure has been agreed – as is suggested in the section above, it may be appropriate to update the air quality assessment model to reflect the agreed figures.

The Highways Agency objections relate to the degree of 'netting', meaning the degree to which the transport demand of the operational Pfizer site (whether theoretical, based upon consented floor area by landuse type, or whether based upon actual demand at a given date -) may be offset against the estimated transport demand of the proposed development. What is not called in to question per se is the transport demand estimate for the proposed development under the intended occupant's target operational model.

As regards the transport demand estimate for the proposed development, section 5.4 states

“The methodology of calculating traffic movements is based on the experience from [operating the sites listed in Appdx.G] and is applied to each proposed site on the basis of the number of parcels the site can process in a day, the number of vans operating from a site and the modal split journey to work for the area. This methodology is how the traffic data from the proposed development has been calculated.”

The methodology referred to at 5.4 remains opaque; it is not presented, nor explained in any greater anecdotal detail than described in the quote above. With reference to the data provided in Appendix F of the Transport Statement, I note that it omits the modal split which is apparently available with reference to table 5.1. It appears that there is additional detail available that has not been included within the Transport statement.

I note that some well organised community representation has been made which calls into question the likely trip demand of the development (and so the highway and air quality impact). With reference to certain statements given in the Transport Assessment, the scheme particulars, and to the transport demand estimates given; it would appear that closer scrutiny of the origin of the transport demand figures may be justified.

In particular, it would appear that the operational provision sought under the proposed scheme is substantially elevated relative to the identified need. This applies to both the employee parking space provision as it does to the capacity of the van storage deck, despite statements given at Section 4.25 which argues that the capacity sought is essential for operational efficiency and the viability of the site.

By my calculation, anticipated car trips account for 86% of the parking quantum, ignoring the capacity of the van storage deck for the parking of driver’s vehicles. Van storage deck utilisation accounted for is approximately 58%, implying that a 30% reduction in quantum would not harm the viability of the site.

The contrary conclusion is that this apparently redundant capacity is required for anticipated expansion of the operation at the site, which would mean that the transport demand figures given in the Transport Assessment, upon which both the air quality & highway impact assessments are based, may not fully reflect the intended transport demand of the development (i.e. the transport demand that is within scope of the consent under consideration).

It may be worth considering the point in time that the methodology referred to at 5.4 estimates the operational transport demand – it could be that it aims to estimate trip generation at the year of opening, or at a specific point in time (year 3, year 5 etc.). *It appears unlikely that the estimates represent target capacity, or maximum capacity.* This may be relevant to the consideration of a number of relevant policy matters – including whether the over-provision of parking spaces relative to SPD requirements is sufficiently supportive of sustainable transport policy, for example.

I am mindful of shifting trends in retail which no doubt underpins the business justification for this development, and would of course anticipate that a range of operational scenario’s may arise in practice. I would anticipate that for consideration of highway or air quality impact, consideration of a worst case scenario might be helpful (e.g. max. operational capacity) or a ‘bracketing’ approach may be appropriate (e.g. middle estimate, compared with a target operational capacity or maximum feasible capacity).

It is expected that these matters will comprise material matters for the scheme currently under consideration.

Development Transport Demand – Distribution, “Rat-Running” (Air Quality)

I have reviewed the representation of the ‘New Lane Neighbourhood’ (‘NLN’) group (response to the Highways Authority comments). The response provides an arguably rather unrealistic worst case as a counter to the rather opaque ‘middle estimate’ accounted for within the application documents. I have addressed the issue of the overall development transport demand in the sections above.

The bulk of the NLN representation concerns the LGV routing likely to arise in practice. I have considered the routes suggested, and would dismiss a number of them as not making sensible routing choices for day-to-day operational traffic. Some represent routes that could be helpful when problems exist on principle routes, but other routes highlighted fail to bypass strategic junctions on principle routes, and so don’t make good alternatives even under abnormal (congested) traffic conditions.

The exception to this is the Southbound routing option to A27 Warblington via New Lane, Beechworth Road, East Street & Emsworth Road. This route is more than 2km shorter than the anticipated route to this junction, and both routes are hampered by a controlled rail crossing that is not permanently available. This route would be preferable for all Westbound trips during peak periods or when abnormal conditions have caused congestion on the B2149 which hampers access to the A27 at Havant. It may be justified to consider the attractiveness of this route, and to assess the likely development impact along it’s route.

I am mindful that the planning process has limited power to control the routing of road- legal vehicles on the adopted highway network – for this reason I would consider this to be a matter of properly assessing the likely highway impact (and securing any necessary mitigation), rather than being an argument for seeking to control the routing of development traffic.

Air Quality – Emissions Offsetting and Sustainability

I would acknowledge the applicant’s positive response to comments about the loss of existing PV generation capacity, and the commitment to provide a PV provision within the development, as well as making a commitment to meet emerging policy requirements for sustainable construction.

The Electric vehicle charging provision of 20% van storage deck spaces, with the remaining 80% serviced with passive infrastructure to support future expansion is considered to be a proportionate response which represents good practice.

Other suggestions made at the pre-planning consultation have not been incorporated into the scheme design, but I do note that the scheme brought forward does have an enhanced landscaping scheme which will result in a net gain of ‘air pollution interception & absorption’ services within the development red-line area.

Whilst neither the Air Quality assessment, the Design & Access Statement, nor the Planning Statement make a specific response to the requirements of emerging policy E23 a., I would acknowledge that the above factors substantially contribute to the policy aims embodied by E23 a.. As such, I would raise no objections to the development on this basis.

SuDS – Surface Water Drainage (Pollution Prevention)

I note that 5no. proprietary petrol interceptors are included on the drainage network, and that a final stage of treatment via an Aco Quadrceptor* unit is proposed. All high-risk areas of the site are appropriately directed via the proprietary treatment units.

Coupled with the permeable surfacing to parking areas, the outline surface water drainage scheme exceeds the SuDS manual Ch.26 requirements for pollution control, representing best practice. The drainage proposals are supported on this basis.

Contaminated Land Assessment

Comments here refer to the EPS Ltd. Phase I Environmental Assessment Report Ref: UK20.5052 iss.4 (25/01/2021). Representations made by relevant consultees have been reviewed.

The assessment refers to a number of prior intrusive investigation reports which identified the presence of contamination in various areas of the site. Some remediation is referred to, alongside report conclusions which characterise the contamination as 'not requiring remediation'.

Some of the reports referenced have been previously reviewed by Environmental Health, others have not been submitted to the Council previously to the best of my knowledge.

I would highlight that both the conclusions of reports, and the standards of remediation that have been accepted in the past are applicable to the context of the site at the time of the assessment (or acceptance by Havant Borough Council). It should be noted that this context may differ under a scenario of 'comprehensive redevelopment' of the site.

The broad conclusions of the EPS Ltd. Phase I report are accepted. However, I do have some limited comments to make;

- Paragraph 7.3 envisages the primary risk drivers to be secondary aquifer & local surface water's (e.g. the Lavant) alongside the health of future employees of the site. The identified receptors / risk drivers are not disputed, however I would highlight that off-site migration of contaminants to 'contamination sensitive' human receptors that are external to the development red-line area may also represent a significant risk driver. This has been the case for other investigations / remediations in the vicinity of this site.
- Paragraph 7.3 also suggests that sufficient information is available to 'outline' a 'remediation strategy'. I would challenge the 'face value' interpretation of this statement, at least in the absence of a comprehensive synopsis of available results to present a comprehensive site conceptual model which accounts for the result of investigations which have not to date been reported to the Council.
- It is worth noting that the 'remediation strategy' is envisaged within the report to have broad scope, including both an 'assessment of data gaps', and 'additional phases of investigation'. I might disagree the overlapping distinction between the terms 'remediation' and 'assessment' given in the report, these conclusions are accepted.
- A 'high level' data-gap assessment has identified that for further Site investigation, understood to be underway. The assessment targets are broadly agreed, although I would like to see some additional stratified-random trial holes across the site in order to bolster knowledge of the general context of the site (to support statistical assessments & identification of discrete contamination sources / contamination-impacted areas).

The report acknowledges that additional work is required, and that the Local Planning Authority is likely to seek to secure this work by means of a Grampian-style planning condition. I note that the Environment Agency has requested a suite of conditions to this effect, and also that Portsmouth Water has made a pragmatic assessment in respect of the risks to the principle (abstracted) aquifer (with which I would concur).

The planning agent has also made representation directly to Environmental Health in respect to the contamination assessment, and the imposition of related conditions. I have reviewed the proposed wording of the Environment Agency conditions, and would note that it omits wording commonly used by Environmental Health to support a flexible approach to commencement & condition discharge, which the planning agent would prefer to be used in the event that conditions are sought. I would suggest that it would be helpful to apply consistent 'reason' for each 'contamination-related' condition, and to amend the reasons proposed by the Environment Agency to consistently include human health within the scope of the conditions.

Suggested revisions are presented below:

Condition 1

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation based on the previous assessments summarised within the EPS Ltd. Phase I Environmental Assessment Report Ref: UK20.5052 iss.4 (25/01/2021); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,*
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
- clearly defined proposals for mitigation of the identified risks.*

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: *Potentially contaminating activities have been identified on this site. In particular, various pharmaceutical and other industrial activities have been highlighted. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, these receptors could potentially be impacted by contamination present on this site. To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan*

(Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."

Condition 2

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: *To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

Condition 3

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

Condition 4

[As Environment Agency wording, with 'reason' substituted with that given below]

Reason: *To ensure that the proposed Piling or other deep foundation does not harm groundwater resources, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

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APPENDIX U Earlier Hampshire Highways Consultation Responses

Original Comments

Thank you for consulting the Highway Authority on the above planning application which seeks permission to redevelop the former Pfizer site located to the east of New Lane. The Highway Authority have reviewed the Transport Assessment (TA) submitted alongside the application and wish to make the following comments.

Pre-Application

The applicant has engaged in pre-application discussions with the Highway Authority to discuss the impact of the proposed development on the local road network. Conversations on the transport elements of the development have remained ongoing until the submission of the planning application.

Existing Conditions

The former Pfizer site is situated in the industrial estate located on the eastern side of New Lane. The site currently serves a number of industrial units which are internally connected via access roads. The site is currently served via 2 bellmouth junctions on New Lane. To the west of New Lane are a number of residential estates while Havant town centre is located to the south.

The site itself has been subject to a number of planning applications; however, the 2020 schedule of site uses (the most recently available), consisting of the planning permitted uses, is outlined below:

Land Use	Floorspace (sqm)
Office (b1a)	4,311
R&B (B1b)	2,427
Industrial (B1c/B2)	22,539
Warehousing (B8)	5,231
Total	34,508

Sustainable Transport

Pedestrian/Cycle

Footways are present on both sides of New Lane, separated from the carriageway by grass verges. The footway on the eastern side of the road terminates to the south past the allotments, requiring pedestrians to cross and utilise the existing provision on the western side of the carriageway.

A pedestrian refuge crossing is provided circa 200m north of the site, consisting of dropped kerbs, tactile paving and a refuge island. The site does not currently benefit from any pedestrian crossing facilities to the south; however, it is noted that the applicant is proposing to implement a new dropped kerb/tactile crossing facility to the south. The proposed crossing is very wide and could present a safety issue. Visibility splays should be shown from the mid-point of the crossing landings corresponding to the sight stopping distance (SSD) of the main road.

New Lane benefits from on-road cycle lanes which connect into NCN routes 2 and 22. The Highway Authority have highlighted to the applicant the existing safety concerns at the Crossland Drive/New Lane junction which impacts on cyclists. This matter is addressed under the Personal Injury Accident Data section of this response.

Bus

The nearest bus service facilities are located on St. Albans Road, to the west of the site,

approximately a 2-minute walk away. The number 20 and 21 bus provide two services an hour between Portsmouth and Havant.

The Highway Authority identified at the pre-application stage that the local bus facilities could be upgraded to improve the uptake of sustainable transport to the site. The existing stops on St. Albans Road consist of a flag pole and timetable only. The applicant should address the potential upgrade of these facilities in any follow up transport documents.

Rail

Havant railway station is approximately 1.1km south-west of the site. Services are provided to destinations including Southampton, Portsmouth and London. Services to Portsmouth are available 7 times an hour from the railway station and therefore represent an alternative mode of transport to the private car for those based in the on-site warehouse.

Personal Injury Accident data

The applicant has provided Personal Injury Accident data (PIA) obtained from Hampshire Constabulary for the most recently available ten-year period, up to 31st December 2019. The study area covers the lengths of New Lane, New Lane Industrial Estate Access, Crossland Drive/New Lane Junction and Crossland Drive/ St. Albans Road Junction. Given that the data is now over a year out of date, the Highway Authority have undertaken an internal review of accident data in the vicinity of the site

During the above time frame, a total of 11 recorded accidents occurred within the study area. Of these, 7 were recorded as slight, whilst there were 4 recorded as serious, no fatalities were recorded.

The Crossland Drive/New Lane junction recorded 3 slight and 3 serious PIA over the time period, 3 of these accidents involve cyclists utilising the on-road cycle lanes on New Lane. As previously noted, Hampshire County Council have expressed concerns about the collision rate at the junction and have agreed with the applicant during the pre-app stage that a scheme should be designed to address the accident record at this location. The junction has been subject to a number of improvements schemes implemented by HCC over the years to reduce the frequency and severity of accidents at this location. The historical concerns at this junction relate to the interaction between HGVs and cyclists.

During pre-application discussions, the applicant was requested to investigate an LTN 1/20 compliant scheme which would improve the safety of cyclists at the junction. The improvement scheme presented within the TA consists of two new traffic islands located either side of the New Lane/Crossland Drive junction, shown in drawing number 205452/PD03.

The TA states that the purpose of the islands is to reduce vehicle speeds on New Lane. The applicant has undertaken speed surveys on New Lane in September 2020 which recorded 85th percentile speeds as 37.3mph northbound and 36.8mph. Whilst the Highway Authority acknowledge that the new island may provide benefit in reducing vehicle speeds, it has also previously stated that the proposed improvement scheme does not address the accident history at the junction. The introduction of the traffic islands would reduce the working width of the cycle lanes which would not improve cyclist safety, nor does it meet the standards set out in LTN 1/20. It is noted that the safety auditor has identified this issue within the RSA. The PIA data does not indicate a link between the accidents and speeding on New Lane; instead, the accidents are attributed to the large visibility splays afforded along New Lane which results in drivers becoming making decisions about turning from the junction early and failing to see oncoming cyclists.

The Highway Authority requires the applicant to revisit the proposed improvement scheme at

the junction and would welcome further discussions around this point.

Development Proposal:

The proposed development would see the re-development of the former Pfizer site to convert it into a distribution centre 15,546 sqm in size, where parcels are delivered via vans to the local area. 868 delivery vans shall be branded and stored on site, this is opposed to the vans being stored by workers at home addresses.

It is proposed that the vans stored onsite will undertake what is referred to as the last mile of the distribution. The vans will leave the site in the morning between 07:00-12:00 and return between 16:00-21:00 and deliver within an hours catchment area from the depot site. The vans will be loaded to ensure they can deliver goods for 6 hours, thus ensuring only one trip to and from the distribution centre is required by the delivery vans. Additionally, onsite staff will have a shift pattern outside of the network peak hours (08:00-16:00, 16:00-12:00 and 12:00 – 08:00). Given the specific details on the operational requirements for the site forming the basis of the assessment, the Highway Authority would seek planning conditions restricting the use for the current applicant only. An open permission for any end user would not be appropriate as the assessment assumes that the impacts are reduced by the development type as a result of the operational model for this particular occupant. The Highway Authority would welcome further discussions with the applicant and the Planning Authority on this matter.

Access:

The proposed development will provide three separate vehicle accesses from New Lane, all in the form of a priority junctions. The southern and middle junctions are pre-existing and are not proposed to be amended as part of the development. The northernmost junction is new on the network and has been shown in drawing number 205452/PD02.

Movements between the 3 accesses will be disaggregated based on the employee's role. HGV access will be achieved solely via the existing southern access only. This will be secured through the design of the internal layout and should be conditioned appropriately. The existing central access will be used by staff based on site in the distribution centre and through design of the internal layout only provides access to the staff car park. Van drivers delivering goods from the site will use a mixture of the new northern access and existing southern access.

To confirm that the proposed accesses are suitable for the level of flow along New Lane, annual average daily traffic flows should be provided. The Highway Authority also require further information regarding the speed survey data undertaken by the applicant to confirm that it is inline with the Highway Authority's TG3 guidance. The speed surveys should have been undertaken in free-flow conditions and near to the expected 'y' distance of the access visibility splays and not at the junctions themselves.

The visibility splays have been shown to 43m; however, it is noted that the current speed survey data would require 62.0m and 60.0m visibility splays in the respective northbound/southbound directions. The existing and proposed accesses are spaced too close based on a 43m SSD, which is also too short considering the higher recorded speed values. Therefore, there is a greater risk of visibility obstruction caused by adjacent accesses which will need to be evaluated in safety terms against the proposed site usage and intensification of the accesses.

The tracking drawings have been provided at a 1:1000 scale which makes them difficult to assess. The Highway Authority will require 1:200 scale drawings to review.

Parking Provision:

The car park serving employees, accessed via the central vehicular access, will provide a total of 208 parking spaces. In their capacity as local parking authority, Havant Borough Council should determine whether the proposed quantum of parking meets adopted parking standards. The Highway Authority will need to be confident that the site development will not lead to on street parking by employees from the site.

In addition to the above parking facilities proposed, it is also proposed to include 866 van storage spaces within a van storage deck within the site. The intention is for all delivery drivers to travel to the site, pick up their van, load it up from the distribution centre before departing on their delivery route. For those delivery drivers travelling to the site via their personal vehicle, they will park in the operational van storage spaces whilst the deliveries are made.

Trip Generation:

Proposed Development Trip Generation

During the pre-application stage, the Highway Authority agreed that the applicant should base their trip generation assumptions on occupier-based data, given the lack of available and comparable TRICS data on last mile distribution centres. The total trip generation has been split between cars, LGVs and HGVs and is therefore agreed as follows:

Peak Hour	Car (two-way)	LGV (two-way)	HGV (two-way)
AM	121	216	2
PM	105	216	0

The applicant was also requested to run a comparison search of TRICS which confirmed that the two-way traffic movements noted above were robust when compared to the TRICS data.

Existing Site Trip Generation

During pre-application discussions, the applicant noted that the Pfizer operations on-site had been winding down for a number of years, but there remained some existing level of on-site traffic generation. It was therefore agreed that an element of the existing site traffic generation could be net from the proposed development trip rates.

Within the TA, the applicant has presented assessments which compare the proposed trip generation against the previous maximum site use (taken as the time at which consent was granted for an on-site Cold Storage unit in 2010) and the 'existing' site use by looking at TRICS data. During pre-application discussions, the Highway Authority raised that whilst an element of netting should be applied to the site, it is not proportional to do so against the maximum site use. The Highway Authority also expressed concern with assuming a blanket 'existing' assumption which bases the trip rate on the current occupiers GFA which is not representative nor reflective of the wind down in operation of the Pfizer site. Whilst the Highway Authority acknowledges that the site has planning permission and have, in the past, fulfilled their operational needs within the confines of the permission, this does not reflect the fact that the site has not been operating at full capacity for a number of years and therefore requires a new planning application to re-develop the site.

The Highway Authority therefore requires an assessment which robustly present the existing site use to net against the proposed development trip rates. Further discussions with the applicant would be welcome on this point. The purpose of netting the existing site use is to ensure that double counting is not taken when assessing junctions in modelling terms. The Highway Authority cannot permit the netting of trips beyond this level given the nature of the operation of the site for some period of time.

Traffic Distribution:

During pre-application discussions, the Highway Authority agreed the form and use of a gravity model to distribute traffic to and from the proposed development. The model assumes that deliveries are weighted based on the population of areas within a 1-hour drive of the site, forming the catchment area. Population data to inform the model has been extracted from the Census 2011 which is considered acceptable.

HGV's traffic distribution will not be based in peak conditions. This is down to the HGV's operating overnight delivering goods. The main networks associated with the travel of HGV's are along Crossland Drive, which is a designated HGV route. Whilst these may not be a concern for operational capacity these are relevant when considering the safety of the Crossland Drive/New Lane junction as set out above. Clarification is sought on the level of any increases or change in distribution of HGV traffic at the junction as a result of the proposed development.

Utilising the gravity model, Table 5.8 identifies that the Crossland Drive/New Lane junction will take 70% of the site traffic. This figure reduces to 66% at the B2149/Park Road North Roundabout and 57% at the A27/Langstone Road Roundabout when accessing the strategic road network. The remaining circa 30% of trips route north of the site to the New Lane/Bartons Road junction. To reaffirm the routes shown within the gravity model, a comparison has been drawn against the distribution agreed through the nearby planning application at 38 New Lane (APP/19/00660). It is noted that the distributions are comparable and therefore the gravity model distribution is considered robust.

Based on the identified percentage of traffic at each junction, a comparison has been drawn against the maximum and 'existing' site use. As set out above, the Highway Authority has queried this approach and will require an assessment of the existing site trip generation before the impact at individual junctions can be identified.

Junction Assessment:

The following junctions have been modelled to ascertain the impact of the development:

- New Lane site access
- Further to the comments raised above regarding the provision of AADT flows to confirm that the junction form is appropriate, junction modelling should also be undertaken for the 2 existing accesses to confirm that they will operate within capacity following the increase in traffic movements.
- The junction has been modelled under the following scenarios:
 - Baseline Future Year 2023.
 - Baseline Future Year + Development 2023.

The modelling for the new site access identifies a maximum RFC of 0.50 on the New Lane (S) in the PM peak hour. It is noted that the modelling has been based on the traffic distribution presented within Table 5.7 of the TA which states that 0% of traffic will use New Lane north, 29% of traffic will use New Lane south and 1% of traffic will use Crossland Drive. This data varies from the percentages set out in Table 5.8 which is outlined above. The applicant should therefore clarify what set of distribution data has been used and if Table 5.7 has been used for the assessment, why the localised impact of traffic has not been fully accounted for.

Until the applicant has provided an updated assessment which robustly analyses the existing site trip generation, the Highway Authority reserves its position to request further junction modelling on locations identified through the further assessment. However, it should be

noted that the following junctions receive an increase in 30 or more trips when comparing the proposed development against the 'existing' use and would therefore need to be considered for modelling:

- Crossland Drive/New Lane;
- B2149/Crossland Drive;
- B2149/Park Road North Roundabout; and
- A27/Langstone Roundabout.

Framework Travel Plan

The Framework Travel Plan is being reviewed by Hampshire County Council's Travel Plan team and any comments will be forwarded to the applicant direct.

Recommendation

The Highway Authority requires further information on the following points before a recommendation can be made of the application:

- Updated mitigation proposal for the New Lane/Crossland Drive Junction;
- Pedestrian visibility splays annotated on the southern crossing plan;
- Provision of further information regarding the site accesses;
- Updated assessment to net trips from the existing site from the proposed development;
- Junction modelling for the pre-existing site accesses;

Further discussions with the Highway Authority regarding junction modelling once the trip generation has been agreed

people. The petition can be found at the following link:
<https://www.change.org/stopthechophavantthicket>

Several members of the 'Stop the Chop' group made detailed deputations to the Planning Committee on 3rd June, which raised no new points, and all matters were considered in detail in the officer reports and by members of the Planning Committee.