

Environmental Health Officer in this regard, and appropriately acknowledge the 'agent of change' principle set out in the NPPF.

Negotiations over the proposals have also enabled the highways and drainage requirements associated with the scheme to be satisfactorily addressed, subject to additional requirements which can be secured by planning condition. Car parking provision meets the Council's SPD standards for residential development; and whilst there is a small shortfall in respect of the commercial element, given the existence of public on- and off-street provision in the area, coupled with the opportunity to use alternative modes of travel, this is not considered to give rise to a severe cumulative impact on the highway network or highway safety issues such as would justify the refusal of the application on highway grounds. Potential contamination issues associated with the historic uses of the site have been explored by a Phase 1 Study, and can be addressed by suitable pre-commencement conditions.

A Habitats Regulations Assessment and Appropriate Assessment have been carried out in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). The Appropriate Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites protected under the Habitats Regulations.

Overall the benefits of the proposed mixed use scheme, which would include much-needed housing in a Local Centre setting, are considered to outweigh any disbenefits - accordingly the application is recommended for permission subject to a S106 Agreement and a range of planning conditions.

1 Site Description

- 1.1 The application site is located on the southern side of Station Road, towards the eastern limit of the West Town Local Centre as defined by the Havant Borough Local Plan. Immediately to the west lies a public car park and to the east lies a terraced row of commercial units with flats above. Behind the row of commercial units, and accessed through the application site, is a single storey vehicle repair workshop occupied by Herons Autos whose open forecourt/servicing area adjoins the application site - it should be noted that this commercial premises does not itself form part of the application site.
- 1.2 To the north of the site lies the Barley Mow PH, as well as a two-storey terrace of residential properties comprising Nos 2-8 Station Road. To the south lies the open expanse of Hayling Park.
- 1.3 Currently the site is occupied by a range of eight single storey workshop units that have principally been related to B-Class uses associated with the motor industry; as well as a bungalow adjoining the western boundary of the site. Of the six workshop units recently occupied on the site, only one remains operating - the other occupants having relocated to alternative premises on Hayling Island or gone mobile. With regard to the bungalow, this is currently vacant.

2 Planning History

Relating to 5-7 Station Road

04/50083/007 - Outline application for the demolition of existing commercial units and bungalow and construction of 3 no. B1 units and 10 no. flats with associated car parking. Permitted 13/06/2005.

08/50083/008 - Reserved Matters Application for demolition of existing commercial units and bungalow and construction of 3No. B1 units and 10No. flats with associated car parking. Permitted 08/09/2008

Officer comment: *These permissions gave consent for a three storey residential development on the site; albeit they were not implemented.*

Other permissions of relevance in the Station Road area

Land at 1 West Lane and 36,38,& 40, Station Road:

APP/16/00060 - Demolition of existing buildings (shop, 1no. flat, workshop, associated compound and 2no. dwelling houses) and construction of 18no. new build flats and 3no. shop units (planning class A1) with associated bin store, cycle store, vehicle parking and landscaping. Permitted 29/09/17 and implemented.

Officer comment: *This scheme comprises a 2.5 to 3 storey scale of development in a prominent location at the junction of Station Road and West Lane.*

41 Station Road:

08/66979/007 - Erection of a block of 9No. apartments and a block of 5No. apartments with associated car parking utilising altered access to Station Road and landscaping. Permitted 21/05/08 and implemented.

Officer comment: *This scheme incorporates a three storey scale of development overlooking Hayling Park a short distance to the west of the application site.*

3 Proposal

- 3.1 The application proposes the demolition of all existing buildings on the site and the construction of a new development comprising 19 flats and 2 commercial units which the agent has confirmed are intended to be used for Class B1 purposes. The commercial units would front Station Road with flats above, with the built form then projecting to the rear of the site and adjacent the southern boundary.
- 3.2 The development would be served by revised access arrangements from Station Road - a westerly access serving the main development with a courtyard containing the majority of the communal parking spaces for the development as well as bin and cycle storage; and an easterly access serving a number of further parking spaces as well as providing servicing access to the Herons Autos premises to the rear of the site.
- 3.3 The development is a mixed two-storey/three-storey scale, with facing materials comprising a mix of brick and render, and roofing materials comprising a contemporary metal seamed roof.
- 3.4 The application has been submitted with a range of supporting documentation:
 - * Planning Statement
 - * Design and Access Statement
 - * Affordable Housing Viability Report
 - * Marketing Report
 - * Local Requirement Reports
 - * Transport Assessment
 - * Phase 1 Environmental Desk Study

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD

Havant Borough Council Parking SPD

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS21	(Developer Requirements)
CS4	(Town, District and Local Centres)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL3	(Town, District and Local Centres)

Havant Borough Pre Submission Local Plan 2036

H2*	(Affordable housing)
IN1	(Effective provision of infrastructure)
H1*	(High quality new homes)
H3*	(Housing density)
H4*	(Housing mix)
C6*	(Local centres, local shops and services)
C1*	(Protection of existing employment sites)
E16	(Solent Special Protection Areas)
IN3	(Transport and parking in new development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

A fire strategy should be provided for the proposed building. It would appear a small exit into the parking area/turning bay on the east elevation may not be suitable for a final exit. This will have implications for the travel distances for the flats in the building.

The strategy should also include the Fire Authority access into the building in the event of a fire.

The cladding on the east and west elevations should be 30 minutes fire resistant.

The location of the bin storage should be in accordance with Approved Document H - the distance between the proposed location and some of the flats would exceed the

distances stated in the document.

Officer comment: *These matters would be dealt with under the requisite Building Regulations application and as such are outside the remit of this planning application.*

Communities Manager

No comments received.

Community Infrastructure, Planning Policy & Urban Design

CIL

The CIL rate is set out in our Charging Schedule. The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If the permission were issued in 2019 the amount of indexation would be 39.73%.

The applicant states that there are to be two 'commercial' units, please note that if this use is retail then the floorspace will be CIL liable in accordance with the Charging Schedule and a revised 'CIL Additional Information Form' should be provided.

S106

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

1. Offsite Affordable Housing (subject to viability)
2. Monitoring Fees*
3. Management Company/Management Plan
4. Solent Recreation Mitigation Strategy (see further information)**
5. Education (HCC)
6. Highway Works (HCC)
7. Site Specific Transport Improvements (HCC)
8. Others

Crime Prevention -Major Apps

Having considered the application I have the following comments to make with reference to crime prevention.

The ground floor apartment number 1, overlooks the pedestrian access route from Station Road. It appears easily possible to access the windows of apartment number 1 from this access route, this increases the opportunities for crime and anti-social behaviour. Planning guidance advises, "There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security." To reduce the opportunities for crime and anti-social behaviour, some defensible space should be provided for these windows. The defensible space should be at least 1m wide and protected by a robust boundary treatment, perhaps hoop topped railings at least 1.2m high.

Ground floor apartments numbers, 2, 3 and 4, each have French windows overlooking Hayling Park. Reading the proposal it appears easily possible to access these doors from Hayling Park, this increases the opportunities for crime and anti-social behaviour. Planning guidance advises, "Good landscape design can help the natural surveillance of an area, creatively help differentiate public and private space and, where appropriate, enhance security." To reduce the opportunities for crime and anti-social behaviour a robust boundary treatment should be placed between the development site and Hayling Park. Additionally area immediately outside of the French windows should be enclosed within a robust boundary treatment at least 1.2m high.

The cycle store is shown with a window and double doors, planning guidance advises "Planning should promote appropriate security measures", it continues, "Taking proportionate security measure should be a central consideration to the planning and delivery of new developments and substantive retrofits." To provide for the security of the pedal cycles, the window should be removed from the approved scheme and the double doorset should be replaced with a single doorset.

There is very little natural surveillance of the door giving access to parking spaces numbers 20 to 24, and the parking spaces themselves this increases the opportunities for crime and anti-social behaviour. Planning guidance advises, "Natural surveillance of parked cars is an important consideration." To reduce the opportunities for crime and anti-social behaviour, a Closed Circuit Television (CCTV) system should be fitted with cameras deployed to provide images of the external door in the undercroft and parking spaces 20 to 24.

To provide for the safety and security of residents and visitors, lighting throughout the development (including the undercroft car park) should conform to the relevant sections of BS5489:2013.

Officer comment: *The originally submitted plans have been revised such as to ensure that:*

- (i) A defensible margin is provided to the ground floor windows of Flat 1;*
- (ii) Steel railings are proposed to the boundary with Hayling Park; precise details of which can be secured by condition;*
- (iii) The cycle store's door and window are directly overlooked by the flat block and thus benefit from a high level of natural surveillance; and*
- (iv) CCTV and lighting provision can form the subject of planning conditions.*

Developer Services, Southern Water

Initial comments

Southern Water would have no objections to the above proposal.

Our initial investigations indicate that Southern Water can facilitate foul sewerage and surface water runoff disposal to service the proposed development.

Further comments

Further to our previous correspondence dated 25/10/2019 regarding the above planning application consultation and revised information provided by the applicant regarding surface water drainage. Southern Water shall have no objections to the proposed drainage details as shown in drawing 414406-100 P4.

Economic Development

No formal comments received.

Education Department

A development of this size would generate approximately 4 primary age pupils and 3 secondary age pupils.

The application site sits within the catchment areas of the Mill Rythe pair of schools and Hayling College. In each case there are sufficient places within the schools to accommodate the anticipated yield of pupils.

Consequently I will not be seeking a contribution towards educational facilities from this development.

Environment Agency

No comments received.

Environmental Control Officer

I have reviewed the application documents, and would like to make some comments regarding contamination, drainage, and transport /sustainability (air quality).

Parking Quantum (Air Quality)

I note that drawing no 1200 revJ appears to omit parking space no. 10, overstating the no. parking spaces by 1. This would increase the parking shortfall from 8 to 9, or by more than 10%.

Having reviewed a selection of public comments, I note that a significant proportion cite parking issues as a reason for objection. The applicant acknowledges a shortfall for both commercial and residential uses, but has demonstrated that the adjacent car park had more than 50% capacity at all surveyed times / dates. The applicant also points out that the facility attracts no parking fee or usage restrictions (e.g. overnight parking).

I would agree that the Council-owned car park is suitable for serving the commercial need - that is presumably the reason for the Council to provide the facility. I am less clear on the reasonableness of residential development relying upon a public car park to satisfy its parking quantum, being aware that Hayling Island residents tend to be more reliant upon the private motor vehicle than is the case on the mainland. I regard this as a planning question, for others to determine the acceptability (or otherwise). This said, the site is very well located for local services, facilities, and access to public transport (the bus network). Links to Havant Bus & Rail Stations are reasonably frequent, and given the area-commuter bias to the city of Portsmouth, the Ferry does provide a viable mode of travel for commuters, via cycle transfer. The cycle parking is adequate, and conveniently located within the scheme, and from an air quality perspective, the reduced parking quantum could be regarded as a means of discouraging resident car ownership (by extension, encouraging residents to adopt sustainable and active travel modes).

The local perception that the parking is already 'bad' would appear incompatible with the results of the car park survey, and with the available aerial photography (it is accepted that this is a literal 'snapshot'). The 'no waiting at any time' restrictions on Station Road would suggest that overspill parking should not be a problem, and there doesn't appear to be any anecdotal evidence of significant overspill parking in side-roads - local businesses and facilities appear to have adequate parking. Notwithstanding the relative inaccessibility of the island in comparison to mainland locations; the site location does have some inherently sustainable characteristics, and I feel that a <SPD parking provision may be supported at this location.

Transport Assessment (Air Quality)

The assessment concludes net gain in AADT trip rate of <50 as a direct result of the development. The parking shortfall noted is addressed above.

I note that comments from local residents indicate a perception of roads operating at capacity - the available traffic flow figures would suggest that this is not the case, with the A3023 north of Langstone Bridge experiencing no absolute AADT traffic growth over the past 17 years, and growth north of Church Lane amounting to around +18% over the same period. The Church lane junction has recently been assessed to be operating with an RFC <0.85 (Adequate), with a base flow of around 27,000 AADT. The development contribution to these flows (<+0.2%), and the flows on Station Road (~+1%) is unlikely to materially affect any specific road junction when considered in isolation, or indeed as a contribution to the aggregate change unless the 2036 Local Plan represents a material intensification of development rates when compared to those experienced in recent history (since 2000).

On this basis, I cannot object to the development on Air Quality grounds, especially as

the development seeks to enhance the retail / service offering of the local centre by replacing general industrial use classes with 'town centre uses' which could be argued to encourage local shopping (and so avoid trips further afield).

Air Quality (General)

As previously noted, ambient air quality in the area is good, and there are no concerns.

Contamination

The submitted report is a phase 1 environmental desk study, authored prior to the Council making a substantive response to an EIR request by the authors. In this sense, it is relatively incomplete, and does not provide any information which is new to the Council. It's conclusions are agreed, and it is considered that the proposed site investigation should be secured by means of a pre-commencement condition.

Suggested wording is produced below, alongside a brief informative for the benefit of the applicant, highlighting the signposting the information held by the Council (in case a revised EDS was not issued by the authors to their client, and that the client approaches a different consultant to undertake the follow-up inspection work.

Drainage / SuDS (Contamination)

The draft drainage strategy appears to comprise a permeable system with overflow outlet to public sewer. It is unclear whether the permeable solution serves simply the storage (volume attenuation) requirement, or is intended to serve an infiltration function.

It is anticipated that the site will prove to be underlain by a mantle of made ground, variable river terrace deposits & Bognor Sand. Groundwater is expected to be relatively shallow. The site is currently almost entirely metalled, and as such contaminants within the vadose zone (above the water table range) are not subject to mobilisation / vertical migration pressure caused by percolation. Use of infiltration drainage may change this status, and could mobilise contaminants to groundwater, where they may migrate laterally.

The association of the site with automotive refinishing uses & classic vehicle services represent risk factors for VOC's which may affect neighbours by vapour pathways (e.g. from moderate depth).

For these reasons, until the contamination assessment is completed (until a robust site conceptual model is available, based upon site-won empirical data) I am cautious about the surface water drainage system including infiltration elements. I have not spotted any runoff calculations for the LLFA, and it may be that detailed design needs to be secured by condition in any event.

In the absence of comments from other consultees as regards drainage provision, I would recommend that the detail be secured by the following (bespoke) condition.

Officer comment: *With regards the drainage proposals, the applicants have confirmed their intention to install a sealed permeable paving system within the courtyard area, which will provide the necessary capacity to enable surface water to be discharged to the existing Southern Water sewer at the eastern extremity of Station Road. Infiltration elements are not included.*

Environmental Health Manager, Community Group

Final comments:

I have perused the revised documentation and drawings provided by the applicant, and can comment, as follows:

It is shown that the revised ground floor apartment is to have a non-opening window to the bathroom, and the revised layout of apartments in the south east corner of the structure depicts non-opening windows to a kitchen, all on the east elevation.

Whilst this office would have no objection in principle to this development as a whole, I would be asking for the following conditions to be imposed and the informatives below to be added to any decision notice, if consent were to be granted.

Condition 1:

The applicant to confirm, by means of an acoustic assessment / report, that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. Similarly for traditional external areas that are used for personal amenity space, such as gardens,patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise.

Condition 2:

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby properties, on and off site, from light disturbance / nuisance.

The following informatives should also be included. These should in all likelihood be addressed under the Construction & Environmental Management Plan when submitted.

Informative regarding Hours of Work

Informative regarding Bonfires

Informative regarding Dust Control

In addition to the above the following should also be addressed under the CEMP:

a. details of all proposed external lighting to be used during demolition, excavation, clearance and construction works and the measures used to limit the disturbance to any nearby properties, to be provided. Lighting shall be used only for security and safety;and

b. details of measures to be employed to control the emission of noise during demolition, excavation, clearance and construction. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria.

Initial comments:

After having been involved in the carrying out of a site inspection of the proposed development site, it was noted that there is another existing business sited off of the proposed site but with the address of 5G Station Road, namely Heron's Auto's. This business unit is situated to the south of and behind 3 Station Road and adjacent 67 Beach Road, and currently has right of access through the proposed site; it would appear that the future access is proposed as a road running alongside the boundary

with 3 Station Road, past the proposed undercroft parking and taking a ninety degree turn to the entrance to 5G.

With regard to the above, I would object to this development in its current format, and will comment as follows:

For the proposed ground floor 2 bedroom apartment with windows facing onto the undercroft parking bays, noise will be an issue. Plus with the openable windows and with or without trickle vents, there is the probability of impact from vehicle fumes.

The proposed access road as mentioned above, will also be carrying vehicular traffic to and from Heron's Auto's on most days, passing in close proximity to the bedroom windows of the proposed apartments situated on the south east corner of the development. Furthermore, I have concerns that noise, and potentially fumes, from a business whose core operations are mechanical repairs and MOT's to cars / vans, motorcycles & other vehicles, will impact adversely on residential receptors especially those closest to the source.

Whilst this office would normally have no objection in principle to a residential development of this nature on such a site, the presence of this business within such close proximity to residential receptors, will require that the abovementioned concerns be fully addressed, to ensure no adverse impact on any future residents.

Hampshire Fire & Rescue

No formal comments received.

Hampshire Highways

Final comments

An updated Transport Statement (TS) has been produced to address the comments raised in the Highway Authority's response dated 15th May 2019. Following an initial review of the TS, further information has been provided to address outstanding Highway matters. This response comments on the TS and further information submitted to date.

Pedestrian and Cycle Accessibility

As part of the Highway Authority's previous response, it was noted that there was an area of flush kerbs between the two site accesses which needed to be rationalised. It was also noted that pedestrian improvements were being investigated towards Mengham infants and junior school which this development should contribute towards. Drawing number 2019/4652/001 has been produced which details that full height kerbs will be provided in between the two access points. This is now considered acceptable.

Following further discussions with the Applicant, it has been agreed that the development will pay a £3,000 contribution towards improving local sustainable transport infrastructure. Specifically, this money will be pooled towards improving the walking route to Mengham Infant and Junior Schools to the east of the proposed development. This money will be secured within the S106 agreement.

Personal Injury Accident Data

Updated Personal Injury Accident Data (PIA Data) has been provided for the most recent period. While an analysis of the incidents has not been provided, it is noted that there are no patterns which indicate an existing safety issue in the vicinity of the site. This development will therefore not exacerbate any existing safety issues on Station Road.

Site Access

As mentioned, full height kerbs are now proposed between the two site accesses. As requested, speed surveys have been undertaken on Station Road to confirm the visibility requirements from the site. The speed surveys have highlighted that visibility splays of 33.1m to the east and 33.8m to the west are required which has been shown on drawing number 2018-4652-002 Rev B. This is now considered acceptable. Drawing numbers 2018-4652-005 and 2018-4652-006 have been provided, demonstrating updated tracking for two cars passing within the two accesses and a delivery van turning within the eastern section of the development. Access for pantechnicons will only be required during the construction period and will therefore be addressed via a Construction Traffic Management Plan.

Following a review of the updated drawings, the site accesses are considered acceptable in principle.

Construction Traffic Management Plan

It is agreed that the CTMP can be conditioned following the grant of planning permission. The Highway Authority should be consulted on this document with the view to discharging the condition, should the plan be adequate.

Parking

It is noted that the parking provision has been amended to provide 24 spaces. An updated swept path analysis has been undertaken which demonstrates that cars have sufficient space to turn within the site with the updated parking provision.

The proposed 24 parking spaces presents an uplift of 4 spaces from the original proposal. Whilst this is still short of HBC's parking standards, the public car park next to Hayling Park is proposed to accommodate these remaining vehicles. As the parking authority, Havant Borough Council should satisfy themselves that the proposed shortfall can be accommodated by this car park.

Recommendation

The applicant has overcome the Highway Authority's outstanding concerns with the application. As such, no objection is raised, subject to the following obligations and conditions:

S106 Agreement

Contribution payment of £3,000 to be made prior to occupation of the development.

Conditions

CONSTRUCTION METHOD STATEMENT REQUIRED

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which 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;

Demolition and construction work shall only take place in accordance with the approved

method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

Housing Manager (Development)

No formal comments received.

Landscape Team, Havant Borough Council

Final comments

I don't have any concerns with the general landscape strategy.

From a landscape perspective we have the following comments:

- A soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant specification schedules, comprising plant size, number and density.
- Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured surfacing treatments, which identify:
 - hard surfacing material type / product reference and colour
 - laying bond
 - edging or kerb detail / type
- 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.
- Further details on building material specification for the development requiring submission including material type, product reference and colour to understand how the proposed development will affect the existing landscape character.

Officer comment: *Hard and soft landscaping conditions are proposed which would secure the information requested.*

Local Lead Flood Authority HCC

Final comments

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application in our role as statutory consultee on surface water drainage for major developments.

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

- Existing Site Runoff Calculations revB
- Proposed Site Runoff and Tank Design Calculations revB
- New Storm Water Pipework Size Check
- Drainage Assessment Report dated 07/05/20
- Drainage General Arrangement ref: 414406-100P7

The drainage proposals have been amended such that a single discharge point is proposed limited to the existing brownfield runoff rates. This is proposed to be a complex flow control limited to the brownfield rates of the relevant storm events. It is not clear how this will work in practise and there is a risk that the flow control will not be able to provide the complex control identified to ensure flows are limited to the required flow rates.

There is still a small section of the plot that is not showing any drainage connections. I believe this is on the eastern edge but it is on the bottom of the drainage drawing and there is no north point shown. Given this is such a small area and the levels are such that it could be connected we can defer this detail to the next stage.

There are some concerns with the layout of the pipework particularly at the periphery of the car park. This will lead to maintenance issues through siltation and will also affect the hydraulics of the system which have not been assessed. We would usually expect to see an inspection chamber or manhole included whenever there is a change in direction of the pipe. This will need to be addressed as part of the next submission.

The level of information provided is still below the standard we would expect to see for a full planning application but given it is a brownfield site with minimal change in impermeable areas and some flexibility in terms of levels, we feel that there is some scope to amend the drainage design in future without affecting the building layouts.

Therefore on this occasion we are prepared to accept conditions to address the further work required on the drainage proposals. Please note, this flexibility is only for this specific site and we will not accept such a high level of information at this stage unless there are exceptional circumstances in future.

We recommend that the following conditions are applied.

1. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles outlined under planning reference APP/19/00324, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
 - a. A technical summary highlighting any changes to the design from that within the approved documentation submitted under APP/19/00324.
 - b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
2. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include maintenance schedules for each drainage feature type and ownership.

Natural England Government Team

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 an interim strategy using Grampian conditions to address nutrient impacts from developments currently in the planning system and we have been working with the Council to develop this approach. It is noted that the mitigation would be secured through a Grampian condition, requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development.

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. With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against the interim strategy, with measures to ensure this approach can be adequately secured and accounted for. For completeness, Natural England advise your authority to detail the nitrogen budget requiring mitigation within the HRA.

It is Natural England's view that in this case, provided 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.

Planning Policy, PPUD

Further comments:

Please note that extensive policy comments were provided on 29 April 2019. These comments form an addendum to those comments to update specific sections of them. The remainder of the original comments stand and are not repeated here.

Principle of development (loss of employment)

The April 2019 comments included the following as a conclusion:

The adopted local plan supports offices (B1) as a main town centre use and would therefore be supported in policy terms, though the emerging policy would not permit office uses at ground floor. As such, the development proposals would provide an active ground floor frontage in the context of the adopted local plan - but would not be supported under the emerging Plan.

In terms of the loss of the existing units, it is recommended the authorised use of each unit is confirmed, particularly with regard to whether Policy DM2 of the Adopted Local Plan should apply in terms of the loss of any "local shop".

A policy objection would normally arise in respect of the absence of an active and realistic marketing exercise for the loss of the existing Class B units, though the site is not included as one of the Borough's "established employment areas" (as proposed by emerging Policy C1). Further evidence, preferably in the form of primary evidence from the existing occupiers is required to demonstrate that there is available and suitable alternative premises which enables the business to relocate, including the existing automotive uses given they are vulnerable to displacement. Only then may this be sufficient to justify a deviation from the requirements of Policy DM3 (and Policy DM2) of the Adopted Local Plan.

Since then, the applicant and the current occupiers have provided further information in support of the application.

The current use of the different units and status of the previous occupiers has been confirmed as:

- * Unit 5: Station Road Tyres still operating from the site, though offers in place for premises on Hayling Island
- * Units 5B: Hayling Cars moved to Elm Grove Hayling Island 2 April 2020
- * Units 5C and 5D: Cash for cars moved his business to Hayling Industrial 132 Havant Road, Hayling Island PO11 0LJ in September 2019
- * Unit 5F: Back: (TVS) moved his business to Hayling Industrial 132 Havant Road, Hayling Island PO11 0LJ in September 2019
- * Front 5F Paintfix - went mobile in March 2020

As such, no units that could be considered local shops or community uses are on the site. As such, DM2 of the adopted local plan does not apply.

The information provided also provides information in respect of Policy C1a. This confirms that available and suitable alternative premises exist for the businesses in question where relevant. As all of the alternative premises are on Hayling Island, this is considered a reasonable distance from the application site. Many of the units are now vacant and so a marketing exercise would normally be required. However given that the current application has been with the LPA for an unusually long time, with the business moves taking place during the lifetime of the application, the status of the site at time of submission of the application is reasonable. As such, no marketing is considered necessary as the site was occupied at the time of submission.

Given the information that has been provided, no objection is raised in respect of Policy C1.

In respect of the two 'business units', as previously highlighted, these should be main town centre uses in order to comply with both the adopted and emerging local plans. It is considered that this could be secured through condition.

Initial comments:

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 Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by

the Council on 30 January 2019 and can be afforded limited weight.

The following policies are of particular relevance:

- CS2 Employment
- CS4 Town, District and Local Centres
- CS9 Housing
- CS21 Developer Requirements
- AL3 Town, District and Local Centres
- DM3 Protection of Existing Employment and Tourism Sites
- DM13 Car and Cycle Parking on Residential Development
- DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development

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

- E1 Protection of existing employment sites
- C6 Local centres, local shops and services
- IN1 Effective provision of infrastructure
- IN3 Transport and parking in new development
- E16 Solent Special Protection Areas
- H1 High quality new homes
- H2 Affordable housing
- H3 Housing density
- H4 Housing mix

Principle of Development:

The site falls within West Town Local Centre as defined by Policies CS4 and AL3, and Policy C6(5) in the emerging Local Plan. The submitted information indicates that commercial units would front onto Station Road and would therefore potentially provide an active ground floor frontage in conformity with Policy CS4 (5).

The submitted Planning Statement refers to these as “business units” though does not clarify their proposed use class. To be capable of support, the development proposal would need to include main town centre uses¹ to demonstrate that it would contribute to the vitality and viability of West Town Local Centre.

Policy C6 of the emerging Local Plan further clarifies that community, healthcare (D1) and small-scale main town centre uses (except offices B1a) will be permitted where they are proposed at ground floor level. However, there is currently insufficient information to conclude the development proposals would offer an active ground floor use and/or contribute to the vitality and viability of West Town Centre.

The submitted “Marketing Statement” indicates there are a total of 8 units on the site comprising a mixture of sui generis and B2 uses - though we would recommend undertaking a thorough planning history search to confirm the authorised use for each unit. For example, we note the last occupier of Unit 5A was ‘Cash for Clothes.’ In this respect, Policy DM2 (and emerging Policy C7) resist the loss of any premises or land last used for community facilities, including local shops.

Policy DM3 seeks to protect land or premises last in use for B use class employment purposes. An active and exhaustive marketing exercise would normally be required to demonstrate the site is no longer suitable for B use class employment. However, the submitted information argues there is no need to undertake a marketing exercise on the basis that the existing users are relocating (or have vacated) and highlights that the site could be completely empty by the end of 2019. In the absence of an active and exhaustive marketing exercise, a policy objection would normally arise.

Notwithstanding the policy objection in the context of the Adopted Local Plan, emerging Policy C1 in the Pre-Submission Havant Borough Local Plan 2036 can be afforded limited weight which may mean there is justification to deviate from this requirement: The site is not proposed to be defined within one of the established employment areas through emerging Policy C1 – though a wider interpretation of employment uses is to be taken, which would include automotive uses which currently operate from the site.

Outside of established employment areas, criterion a. of the policy permits the redevelopment of a non-employment use where there are available and suitable alternative premises within a reasonable distance of the employment site which enable the occupier(s) to relocate. Paragraphs 7.15-16 of the supporting text indicate that development proposals should be submitted with evidence from the occupier(s) which confirms there is available and suitable alternative accommodation which enables them to relocate. This could take the form of a letter on company headed paper or electronic correspondence from an official company e-mail address.

Where occupier(s) are unwilling to provide such evidence, the applicant should provide information detailing the number of businesses occupying the site/premises, the remaining lease length for each of the occupiers and evidence of suitable and available alternative accommodation which would enable the business to relocate. The submitted information includes some of the latter details, though it is recommended that primary evidence is obtained from the occupiers that demonstrates there is available and suitable alternative premises which enables them to relocate.

Parking:

Policy DM14 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new residential and non-residential development in the borough. Emerging Policy IN3 in the HBLP 2036 expects Electric Vehicle charging infrastructure to be provided for each new residential unit with private off-street parking, as well as an appropriate number of spaces in shared parking at residential and commercial development where long-term parking for staff or residents is provided. The Council expects 10% of spaces to have Electric Vehicle charging points in commercial developments as a minimum.

Recommendation:

The adopted local plan supports offices (B1) as a main town centre use and would therefore be supported in policy terms, though the emerging policy would not permit office uses at ground floor. As such, the development proposals would provide an active ground floor frontage in the context of the adopted local plan – but would not be supported under the emerging Plan.

In terms of the loss of the existing units, it is recommended the authorised use of each unit is confirmed, particularly with regard to whether Policy DM2 of the Adopted Local Plan should apply in terms of the loss of any “local shop”.

A policy objection would normally arise in respect of the absence of an active and realistic marketing exercise for the loss of the existing Class B units, though the site is not included as one of the Borough’s “established employment areas” (as proposed by emerging Policy C1). Further evidence, preferably in the form of primary evidence from the existing occupiers is required to demonstrate that there is available and suitable alternative premises which enables the business to relocate, including the existing automotive uses given they are vulnerable to displacement. Only then may this be sufficient to justify a deviation from the requirements of Policy DM3 (and Policy DM2) of the Adopted Local Plan.

Property Services Manager HBC

The land to the south & west of the proposed Development is in the ownership of Havant Borough Council. The land to the west is a car park and provides Vehicular and Pedestrian access to Hayling Island Recreation ground. The land to the south is directly adjacent to the recreation ground.

We have no comment in respect of the planning application though the boundary fences to remain.

Public Spaces

No comments received.

Traffic Management Team

The Traffic Team would raise concern that the minimum amount of car park spaces for this development has not been met, using the HBC Parking Supplementary Planning Document.

In the transport document it is stated that there was a car parking survey completed and it found that the additional vehicles would be able to use the adjacent car park as this is unrestricted. This is not true. This car park has a maximum stay of 24hrs. That means all vehicles must leave the car park within that time.

The parking survey was carried out on a Wednesday and Thursday at 1am, 9am, 7pm which does not reflect the current users parking habits.

This car park is currently under review and may have the 24hr restriction reduced. If this is permitted there isn't inadequate parking provision on site for all users and visitors at all times of the day and this includes weekends which is the busiest time for the car park.

The adjacent public car park is not suitable for any long stay parking or nor does it have the capacity to accommodate anymore vehicular movements this development may put on it.

The Traffic Team would comment that although there are restrictions in Station road, these may need to be amended ie loading restrictions but in place and/ or surrounding roads that have no restrictions may need to be considered for restrictions due to parking space not being to the minimum standard required.

If permitted the Traffic Team would like to request that provision is made for a sum no less than £5000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the new road layout or adjoining local highway network.

Waste Services Manager

No comments received.

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: 22

Number of site notices: Two

Statutory advertisement: 26/04/2019

Number of representations received: 28

Summary of objections:

- 6.1 Hayling Island cannot support more accommodation with no improvements to services and infrastructure (roads, doctors, sewage, schools) arising from both planned and windfall development. Station Road already has a number of significant developments taking place.
Comment: *The application site lies in a sustainable location within the Local Centre. No objections remain to the development from any statutory undertakers (including the Highways Authority, HCC Public Health team, HCC Education, Southern Water and Local Lead Flood Authority). Notwithstanding the presence of construction activity locally, the application falls to be determined on its individual merits.*
- 6.2 This type of development should not be agreed until the Hayling Infrastructure Plan is approved.
Comment: *The application site lies within the existing built up area where adopted Local Plan policies set out in the Core Strategy and Allocations Plan prevail. As such the scheme is not dependent on the approval of the emerging Local Plan 2036 or any of its supporting documents in order to be acceptable as a matter of principle.*
- 6.3 Development is one of many windfall applications which are not properly considered when assessing implications for infrastructure.
Comment: *No objections remain to the development from any statutory undertakers (including the Highways Authority, HCC Public Health team, Southern Water and Local Lead Flood Authority).*
- 6.4 Inadequate parking for residents of new flats and shops; overflow parking already taking place in public car parks and this development will take more spaces from them.
Comment: *Parking provision is discussed at Section 7(iv) below; the commercial units are intended to be Class B1 offices and so will not have the type of footfall associated with a shop.*
- 6.5 Concern regarding building on a Council car park.
Comment: *The application site lies outside the Council car park, which will be retained in its present form and capacity.*
- 6.6 The application fails to address Policy DM3 of the Core Strategy as no marketing evidence has been submitted; the Council must place significant weight to the need to protect B Class uses on the application site and adjoining.
Comment: *The Planning Policy responses to the application acknowledge that the lack of marketing amounts to a conflict with adopted Core Strategy policy; however when taking account of the emerging policies in the approved Pre-Submission Local Plan 2036 and its 'direction of travel', coupled with the departure of commercial uses from the site during the life of the application, no objection is raised to the application on grounds of loss of employment floorspace.*
- 6.7 Loss of established business and net loss of employment from the site arising from landlord lack of investment; loss of car repair facility which has important benefits for the local economy.
Comment: *The loss of businesses from the site is discussed in detail in Section 7(i)*

below; no objection is raised to the application by the Planning Policy team. Hayling Island supports a number of other car repair businesses that local residents can use. Commercial uses are to be retained on the site in the form of 2 Class B1 office units.

- 6.8 Inadequate assessment of foul water implications.
Comment: *Southern Water have advised that their initial investigations indicate that they can facilitate foul sewerage and surface water runoff disposal to service the proposed development.*
- 6.9 Transport Statement misses the point that current traffic is Hayling-based; with residential the traffic flows are likely to be on and off the Island. Public transport opportunities are limited, so the use of the private car will predominate.
Comment: *The site is located in a relatively sustainable location with local services and amenities, employment opportunities as well as a bus route nearby. There are therefore considered to be viable alternatives for residents accessing these facilities other than using the private car. No objection has been raised to the application by the Highway Authority.*
- 6.10 Development will have a detrimental effect on small private businesses surrounding the area.
Comment: *The development will retain 2 office units on the Station Road frontage, whilst adding additional residential accommodation could be argued to support local businesses.*
- 6.11 Proximity of development to adjacent motor repair business (Herons Autos) which has noise-generating activities, and is likely to harm the amenity of the proposed flat-dwellers. No noise assessment has been submitted with the application, which will place habitable windows facing the workshop and its access. This could have knock-on consequences for operation of that business. As such, proposal is contrary to 'agent of change' principle set out in the NPPF and established caselaw. **Comment:** *Following a site inspection by the Environmental Health officer, the design of the residential properties has been amended to mitigate the impact of the potential noise source at Herons Autos. The Environmental Health officer has raised no objection as a result.*
- 6.12 The applicant's reference to an appeal case in Purbrook has no relevance to this case.
Comment: *This application is being considered on its individual merits.*
- 6.13 Impact of potentially contaminated land.
Comment: *The application is supported by a Phase 1 Environmental Desk Study, the conclusions of which are agreed by the Council's Environmental Control Officer. Conditions are recommended to secure the necessary site investigations.*
- 6.14 Design of development is unsympathetic to local character, which is 2 storey generally, and will be visually incongruous by reason of its scale, massing and poor design.
Comment: *The impact of the development on the character and appearance of the area is discussed at Section 7(iii) below.*

Summary of support:

- 6.15 Support development on a brownfield site.
Comment: *It is agreed that the appropriate use of previously developed land is to be encouraged as a matter of principle, subject to all other material considerations.*
- 6.16 Site looks rundown currently; design would work well with street and look better than what is currently there.
Comment: *The impact of the development on the character and appearance of the area is discussed at Section 7(iii) below.*

- 6.17 Proposal is in keeping with what is happening in West Town and will help revitalise existing businesses whilst providing much needed accommodation.
Comment: *The impact of the development on the character and appearance of the area is discussed at Section 7(iii) below.*
- 6.18 As current occupiers intend to relocate, arguments about loss of commercial opportunities hold no water.
Comment: *The Planning Policy responses to the application acknowledge that the lack of marketing amounts to a conflict with adopted Core Strategy policy; however when taking account of the emerging policies in the approved Pre-Submission Local Plan 2036 and its 'direction of travel', coupled with the departure of commercial uses from the site during the life of the application, no objection is raised to the application on grounds of loss of employment floorspace.*
- 6.19 Parking provision of at least one car space per unit and cycle provision would be more than adequate, with underused public parking close by for any overflow.
Comment: *Parking provision is discussed at Section 7(iv) below; it is considered that the site is located in a relatively sustainable location with local services and amenities, employment opportunities as well as a bus route nearby.*
- 6.20 There are other established mechanical businesses nearby.
Comment: *Noted.*

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. The Council's assessment as competent Authority under those 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 both the increase in recreation and the decrease in water quality that would be results of the proposed development.
- 7.2 The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development. A S106 legal agreement would be required to secure the mitigation packages for the SRMS. A Grampian style condition, as outlined in the Position Statement, would be required in order to mitigate the impact of the developments in terms of Nutrient Neutral Development.
- 7.3 The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs 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) who have confirmed that they agree with the findings of the assessment. The recommendation in this case therefore includes both S106 and condition requirements to secure the mitigation packages.
- 7.4 Having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Nature of development
 - (iii) Impact upon the character and appearance of the area

- (iv) Impact upon residential amenity and adjoining uses
- (v) Highway and parking matters
- (vi) Flood risk and drainage
- (vii) Environmental issues
- (viii) S106 matters and financial contributions

(i) Principle of development

- 7.5 The application site is situated within an urban area as defined by Policies CS17 of the Havant Borough Local Plan (Core Strategy) 2011 (hereafter referred to as "Core Strategy") and AL2 of the Havant Borough Local Plan (Allocations) 2014 (hereafter referred to as "Allocations Plan") where there is a presumption in favour of sustainable development subject to other detailed considerations as set out in this report. The National Planning Policy Framework (NPPF) also emphasises the need to support sustainable development.
- 7.6 The site also lies towards the eastern limits of the West Town Local Centre as defined by Policy AL3 of the Allocations Plan, and here there is a presumption that permission will be granted for development proposals that provide main town centre uses and contribute to the vitality and viability of the local centre. Policy CS4 of the Core Strategy supports '*appropriate town centre development proposals*' in local centres that include proposals which support small and independent businesses and also encourage high quality mixed-use development that retain active ground floor frontages. The Allocations Plan defines town centre uses as "*retail, leisure, entertainment facilities, offices, arts, culture and tourist development*".
- 7.7 Currently the site is occupied by a range of eight single storey workshop units that have principally been related to B-Class uses associated with the motor industry and are laid out in a somewhat sporadic manner; as well as a bungalow adjoining the western boundary of the site. Of the six workshop units recently occupied on the site, only one remains operating - the other occupants having relocated to alternative premises on Hayling Island or gone mobile. With regard to the bungalow, this is currently vacant.
- 7.8 The application proposes the demolition of all existing buildings on the site and the construction of a new development comprising 19 flats and 2 commercial units which the agent has confirmed are intended to be used for Class B1 purposes. The loss of the existing workshop units engages Policy DM3 of the Core Strategy which normally requires marketing evidence to be supplied where the redevelopment of land last used for B Class employment purposes is involved. In the present case the applicants have argued that the existing buildings are in a poor state of repair and require significant investment; furthermore that the level of turnover and displacement of business from the site is a clear indication that the site is not able to attract or retain users. They have therefore argued that in the present case there is no need to undertake a marketing exercise, and have also pointed to emerging Policy C1 of the Pre-Submission Havant Borough Local Plan 2036, which allows for the redevelopment of an employment site such as this where there are available and suitable alternative premises within a reasonable distance of the site which enable the occupier(s) to relocate.
- 7.9 These considerations have been explored in detail in the Planning Policy updated response to the application, which, when taking into account the fact that the relocation of the businesses formerly on the site have largely taken place within the lifetime of the planning application, concludes that this is sufficient to meet the requirements of emerging Policy C1. There is therefore no objection in principle to the loss of the existing employment units on the site, notwithstanding the lack of marketing information and the conflict with adopted Policy DM3.
- 7.10 In other respects the application proposes a mixed use residential/commercial

development in a sustainable Local Centre setting, which will deliver two Class B1 units at ground floor on the Station Road frontage, and much-needed residential development in the form of 19 flats in an area well served by shopping, community and recreation facilities. Subject to a condition ensuring that the nature of the use of the frontage units is limited to Class B1(a) offices, the development is considered to be consistent with Policies AL3 and CS4 of the Local Plan as set out above.

(ii) Nature of development

- 7.11 The application proposes the creation of two Class B1 business units on the Station Road frontage, with a combined floor area of 122sqm; as part of a part two-storey, part three-storey block of 19 flats which lie both above and behind the business units. As discussed above, the provision of Class B1 offices fronting Station Road as part of a mixed use development is considered consistent with adopted Local Plan policies AL3 and CS4 which address appropriate uses in local centre settings such as this. It is also considered to comply with the objectives set out in the NPPF to secure effective use of land by encouraging a mixed use development of a previously developed, and now largely vacant site.
- 7.12 With regard to the residential development itself, with a site area of 0.183 ha the proposal would result in a residential density of 103 dwellings per hectare. Policy CS9 of the Core Strategy sets out that housing proposals should "*achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form*". The density thresholds set out under Policy CS9 show that what is proposed in this case amounts to a high density which is comparable with the levels that might be expected in town and district centres. The impact of the built form proposed on the character of the area is considered in more detail below, however as a matter of principle it is considered that this site is well located for shops, community services and recreation facilities. It also lies on a bus route and employment opportunities are available both locally and via the bus route on the mainland. There is therefore considered to be a reasonable justification for seeking to optimise the density of development in such a location.
- 7.13 With regard to the quality of accommodation to be provided, the 19 flats are proposed to be provided in the form of 15 x 2-bed and 4 x 1-bed units. The focus on smaller units is considered appropriate on a development of this type, whilst also supporting the Council's emerging policy on housing mix, which focusses on the provision of two-bedroom units in particular. All ground floor units, whilst predominantly single aspect, would benefit from westerly and/or southerly light with natural ventilation to all habitable rooms and defensible space in front of each flat. The first and second floor units would comprise a mix of single and dual aspect units, with the majority benefitting from full or juliet balconies to supplement their natural light. It is therefore considered that all of the flats would be of an appropriate quality and would provide a good standard of amenity - whilst also benefitting from the services and facilities nearby in the Local Centre and Hayling Park.
- 7.14 The proposal does not make provision for affordable housing; it having been submitted with a viability assessment which concluded:
"...the appraisal without any affordable housing shows viability deficit and for the site to come forward the developer will need to take a view to accept a lower profit level."
- 7.15 In accordance with the Council's normal procedures, the applicants' viability assessment has been the subject of a third-party review by an independent firm of surveyors. The surveyors have confirmed that the scheme will not support a contribution to affordable housing and have advised that it would take a significant increase in values alongside savings on the submitted build costs just to bring the scheme to what the NPPF indicates

is a suitable level of profit. The development therefore accords with Policy CS9 of the Core Strategy in that, whilst no affordable housing is proposed, this has been transparently justified on viability grounds.

(iii) Impact on the character and appearance of the area

- 7.16 The application site lies within an area of diverse architectural character and land use. The commercial buildings on the site itself are single storey, functional workshops which are of little architectural merit. The existing bungalow is of simple design and does not contribute significantly to the character of the street scene. The loss of these buildings in itself is not considered harmful to the character of the area; indeed it offers the opportunity to provide a replacement building which would add interest to the street scene.
- 7.17 Immediately adjoining the application site to the east is a two storey development of commercial uses at ground floor with two flats above. Behind this lies a single storey commercial workshop premises whose forecourt/servicing area adjoins the application site. Opposite to the north is the substantial two storey scale of the Barley Mow PH which directly adjoins the highway at this point, closing in vistas along Station Road. Also opposite is a two-storey terrace of properties comprising Nos 2-8 Station Road.
- 7.18 The application site adjoins more open land uses on its western and southern sides, with the former comprising a public car park with public conveniences, and the latter the open expanse of Hayling Park. From the Hayling Park frontage examples of a more substantial scale of development can be seen in the locality, with the inclusion of a number of three-storey Victorian/Edwardian properties in Beach Road, as well as recently developed blocks of flats further along Station Road to the west (see Planning History above).
- 7.19 In this context, the development is proposed to be of mixed two and three storey scale. It features a two-storey pitched roof commercial frontage onto Station Road, echoing the scale of development found in the street scene at this point, and lying closer to the highway than the existing workshops - in this way its relationship to the public domain is similar to that of the Barley Mow and Nos. 2-8 Station Road opposite. The scale of the proposal then develops into a two-storey form with a second floor within a mansard roof as the block progresses into the site; before finally expressing itself as a full three-storey form at the rear of the site where it adjoins the open aspect of Hayling Park. The facing materials proposed to be used in the development comprise a mix of brick and render, both of which are to be found in the locality. Contemporary materials are also incorporated in the design through the use of a metal seamed roof for the pitched roof commercial frontage and ground floor canopy; timber cladding within the courtyard; and metal balcony railings fronting Hayling Park. The varying materials, roof heights and detailing for the differing elements of the scheme are considered to deliver a high degree of articulation of the scheme which helps to break up the massing of the overall development. The three storey scale of the development is consistent with previous permissions on this site (see Planning History above), as well as a number of recent redevelopments and the Beach Road properties referenced above.
- 7.20 Whilst the built form of the development will be the primary feature on the site, the development also makes provision for access, car parking and bin storage off Station Road in the form of a courtyard which will be contained by the built form on its eastern and southern sides, and the boundary with the public car park on its western side. The hardsurfacing proposals for the development feature a mix of materials to add interest to this area, whilst detailed landscaping proposals have been submitted showing the intention to introduce new tree and shrub planting at the site frontage and within the courtyard to soften the appearance of the courtyard and screen the boundary with the car park. The resulting development is considered to have been designed with high quality

hard and soft landscaping as an integral part of the proposals, and as such is considered to accord with the Council's Design Guide SPD and Policy CS16 of the Core Strategy.

(iv) Impact upon residential amenity and adjoining uses

- 7.21 The residential properties lying nearest to the application site comprise the terrace of dwellings at Nos. 2-8 Station Road opposite, and the flats above No.3 Station Road to the east.
- 7.22 In the case of the terrace, the proposed development features a conventional two-storey scale of built form on the Station Road frontage which echoes that of the terrace itself; with this being largely offset to the east and with the open courtyard with landscaping most directly facing these existing residential dwellings. A minimum distance of 18m will separate the new built form from the front elevations of these dwellings, with the carriageway of Station Road intervening. Given the scale and layout of development proposed it is not considered that the proposals would give rise to any significant adverse impacts to the light and outlook available to these properties; whilst the relocation of the existing Class B car-related uses from the site and their replacement with Class B1 office uses and 19 residential flats is not considered to adversely affect their amenity by reason of noise or disturbance.
- 7.23 With regards to the flats above No.3 Station Road to the east, the westernmost flat features two windows on its west elevation, one of which is understood to serve a habitable room (a living room). The outlook from this window will significantly alter as a result of the proposed development, given that the development on the site is currently single storey in scale and this is to be replaced by a part two-storey, part three-storey development. That said, the development will have the effect of rationalising the current layout of buildings on the site and remove potentially unneighbourly car-related uses from affecting the amenity of the occupiers of the flat. Furthermore, the new building will lie approximately 17m to the west of the flat, with the access to Herons Autos and a number of car parking spaces serving the development intervening. Taken together, the proposed development is not considered to have an adverse impact upon the amenity of the flats above 3 Station Road.
- 7.24 In terms of the impact upon other adjoining uses, consideration must be given to the relationship of the proposed development with the vehicle repair workshop and yard located immediately to the south east of the application site, and which would remain following the development. Currently the premises is occupied by Heron Autos, and access to the workshop and yard is taken through the application site itself. The proposed development makes provision for an alternative access to the workshop and yard which runs along the eastern side of the new development and which will also serve as the access to six of the car parking spaces required to serve the scheme. Whilst no objections have been raised to the alternative access provisions, representations have been received raising concern that the relationship of the proposed block of flats to the retained vehicle repair workshop is not appropriate, and that the future flats' occupiers are likely to find the noise, odours, vibration and disturbance emanating from the workshop to be a nuisance. It is therefore contended that the proposed development, in introducing such a close relationship between an existing noise generating use and new residential occupiers, is not sustainable and is likely to put the workshop's continued viability at risk.
- 7.25 These concerns reflect the 'Agent of Change' principle, which places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development. As paragraph 182 of the NPPF states: "*Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed*".

- 7.26 In the present case, the application has been submitted without a noise or vibration assessment, and in light of this a site visit was undertaken by the Environmental Health Officer to assess the proposed relationship between the development and the Herons Autos premises. As originally submitted, the proposals included both bedroom windows and an open balcony directly facing the vehicle repair workshop, and this relationship elicited an objection from the Environmental Health Officer which echoed the representations received on the basis of the noise and fumes that would be likely to affect occupiers of the flats.
- 7.27 Following receipt of this objection the applicants have revised their proposals to ensure that no bedroom windows face either the access road or the vehicle repair workshop. The only windows facing these areas are either bathroom or kitchen windows which can be fixed shut as they do not rely on natural ventilation. All bedroom windows within the development now face the courtyard, Station Road or Hayling Park. Furthermore the design of the south east corner of the block has been revised to introduce a '*masking buttress*', a masonry projection to the corner which will have the effect of physically separating noise from the vehicle repair workshop from the principal windows and balconies of the adjacent flats.
- 7.28 The amendments made to the scheme have enabled the Environmental Health Officer to withdraw their objection, and can be seen to be a direct response to the 'agent of change' principle set out in the NPPF, whereby the scheme has evolved to mitigate the effects of locating new residential development close to a source of potential noise and disturbance. On the basis of the revised plans it is concluded that the development would meet the requirements of Policies CS16 and DM10 of the Core Strategy and Policy DM18 of the Allocations Plan.

(v) Highway and parking matters

- 7.29 A number of representations received in connection with the proposals highlight the challenges that Hayling Island faces with infrastructure provision, and express a concern that new housing development on Hayling should not be allowed to proceed until all the necessary infrastructure requirements associated with the emerging Pre-Submission Havant Borough Local Plan 2036 have been agreed.
- 7.30 In this regard it is important to note that the application site lies within the existing built up area where adopted Local Plan policies set out in the Core Strategy and Allocations Plan prevail. As such the scheme is not dependent on the approval of the emerging Local Plan 2036 or any of its supporting documents in order to be acceptable as a matter of principle.
- 7.31 That said, in analysing the infrastructure needs of the development the Highways Authority identified that pedestrian improvements were currently being investigated to improve the route to Mengham Infants and Junior Schools which it was considered that the development should contribute towards (given that two bedroom accommodation is included in the application proposals). Following negotiation it has been agreed that the scheme should contribute £3000 towards improving local sustainable transport infrastructure, to be secured through a S106 Agreement.
- 7.32 With regard to access arrangements, the various uses found on the site are currently served by two extended dropped kerb accesses directly fronting Station Road. The proposed development will see the access arrangements revised to give one access in the western part of the site, serving the courtyard area; and a further access in the eastern part of the site serving additional parking spaces and the approach to the Herons Autos premises. The Highways Authority consultation on the initial proposals highlighted the need for these arrangements to be fully rationalised in order to provide an improved

pedestrian frontage onto the development, and revised plans have been received detailing full height kerbs for the footway between the two site accesses.

- 7.33 Tracking and speed surveys in relation to the proposed development has demonstrated that the visibility splays and configuration of the access points are appropriate, and in the case of the eastern access makes suitable provision for a delivery van necessary to serve the Herons Autos use.
- 7.34 With regard to car parking, as originally submitted the application made provision for 19 spaces to serve the 19 flats proposed and the Class B1 office units. Based on the mix of flat types proposed at the time, this resulted in a shortfall of 9 spaces in car parking provision compared with the minimum standards set out in the Council's adopted Parking SPD. The Transport Assessment submitted with the application analysed the usage of the adjacent public car park and argued, on the basis of weekday surveys at 1am, 9am and 7pm, that there was sufficient spare capacity in the car park to meet the shortfall.
- 7.35 A number of representations received have cast doubt on the appropriateness of relying on a Council car park for residents car parking, whilst the Council's Traffic Team also expressed concern about the survey not covering the busy weekend period when demands on the car park are at their most intense.
- 7.36 In response to these concerns officers have negotiated improvements to car parking provision on the site. More efficient use of the courtyard area has enabled the provision of 24 car parking spaces on site, with the mix of flats also being adjusted to increase the proportion of 1-bedroom units. As a result the site will be able to fully accommodate the car parking requirements of the residential development (for which 23 spaces are required to meet the parking standards) with an additional space available for the office uses. Whilst this will still leave the office units with a shortfall of 3 spaces compared with the adopted standards, given that the predominantly weekday timing of the office uses more closely accords with the Transport Assessment's findings, it is considered that this shortfall is capable of being accommodated in the on- and off-street parking provision in the surrounding area. Notwithstanding this assessment, the applicants have also agreed to the Traffic Team's request for a sum of up to £5000 to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the new road layout or adjoining local highway network. This sum would be secured through a S106 Agreement.
- 7.37 It should also be recognised that the site is located in a relatively sustainable location with local services and amenities, employment opportunities as well as a bus route nearby. There are therefore considered to be viable alternatives for residents accessing these facilities, and office workers coming to the site, other than using the private car. Furthermore no objection has been raised to the application by the Highway Authority. It is therefore considered that the circumstances set out in Paragraph 109 of the NPPF would not be invoked, in that the development could not be said to have an '*unacceptable impact on highway safety*'; nor would the '*the residual cumulative impacts on the road network be severe*'.
- 7.38 In conclusion, it is considered that the proposals make suitable provision for access to the uses proposed, whilst the car parking provision is appropriate for the site in context. The development would therefore meet the requirements of Policies CS16 and DM11-14 of the Core Strategy.

(vi) Flood Risk and Drainage

- 7.39 The surface water drainage arrangements for the site entail the use of a sealed

permeable paving system within the courtyard area, which will provide the necessary capacity to enable surface water to be discharged to the existing Southern Water sewer at the eastern extremity of Station Road at a controlled rate, equivalent to the existing brownfield runoff rate. The capacity and design of this system has been the subject of extensive negotiations involving the Local Lead Flood Authority, who require further information to be provided to demonstrate that the system will perform as intended, but are content that this additional level of detail could be secured by way of condition. Southern Water have advised that they can facilitate surface water runoff disposal to service the proposed development, and that they have no objections to the proposed drainage details.

- 7.40 With regard to foul sewage, again this is proposed to discharge to an existing public sewer outside the site in Station Road which Southern Water have advised can facilitate the proposed development.
- 7.41 In terms of flood risk, the site lies within Flood Zone 1, whereby Government guidance advises that there is a low probability of flooding and all forms of development are appropriate.
- 7.42 Subject to further details being forthcoming as part of a condition discharge process therefore, it is considered that the drainage proposals for the site are appropriate and meet the requirements of adopted Policy CS15 of the Core Strategy.

(vii) Environmental issues

- 7.43 As a site featuring a variety of vehicle workshops and related uses there is the potential for redevelopment activity to expose possible contamination sources. A Phase 1 Environmental Desk Study has been submitted with the application which identifies those possible sources of contamination as being primarily (i) materials remaining from former buildings on the site which were demolished in the 1960s; and (ii) a range of contaminants arising from the current site's use as a former petrol filling station and as vehicle workshops.
- 7.44 The Environmental Desk Study recommends that intrusive investigations take place prior to development in order to further assess the risk of any contaminants present on the site and address them accordingly. These recommendations have been reviewed by the Council's Environmental Control Officer, who advises that the conclusions are agreed, and it is considered that the proposed site investigation should be secured by means of a pre-commencement condition. Subject to this condition being imposed on any permission it is considered that the contamination risks associated with the site can be satisfactorily controlled.
- 7.45 In other respects the Environmental Control Officer raises no objection to the application on air quality grounds, given the removal of general industrial uses from the site, and suggests that the relatively sustainable location of the site is one that lends itself to parking provision below the standards set out in the Parking SPD, which would be further beneficial to local air quality.
- 7.46 Taken together, these considerations demonstrate that the development meets the requirements of Policy DM10 of the Core Strategy and Policy DM17 of the Allocations Plan.

(viii) S106 matters and financial contributions

- 7.47 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the Council on the 20th February 2013. This followed two public consultation exercises and an

Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £100 (plus indexation) per square metre on new floorspace (measured as gross internal area) on Hayling Island.

- 7.48 It is considered that there is a CIL liability for this site. A credit has been given for the existing floorspace within the site as allowed for under the CIL Regulations. The contribution has therefore been calculated at £216,399.20. The applicants have been advised of this accordingly.
- 7.49 A S106 Agreement would additionally be required to secure the following matters, as discussed at paragraphs 7.2, 7.31 and 7.36 above, without which the proposals would not constitute sustainable development:
- (i) Financial contribution of £9,613.70 (including monitoring and administration fee) to the Solent Recreation Mitigation Strategy;
 - (ii) Financial contribution of £3000 towards improving local sustainable transport infrastructure i.e. the walking route to Mengham Infant and Junior Schools; and
 - (iii) Financial contribution of up to £5000 to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the new road layout or adjoining local highway network.

8 Conclusion

- 8.1 The application site lies within the urban area, in a relatively sustainable Local Centre setting on Hayling Island. The development would give rise to the loss of existing employment floorspace without marketing evidence having been supplied, and to that extent conflicts with the requirements of Policy DM3 of the adopted Core Strategy. However, when taking into account the 'direction of travel' of emerging Local Plan policies in this regard, coupled with the now-largely vacant nature of the site, it is not considered that this is sufficient to justify the refusal of what is otherwise a mixed use development which would accord with policies for the Local Centre in terms of providing a town centre use at the site's frontage, and a suitable mix of residential development in a sustainable location.
- 8.2 The development proposes a high density form of residential development, but one whereby the mix of accommodation is considered appropriate for its location. The absence of affordable housing has been transparently justified by a third party review. In terms of the form of the development, it is considered that it would constitute a high quality design which takes advantage of its position overlooking Hayling Park, and the scale of the proposal, at three stories, is not out of keeping with properties in the immediate locality.
- 8.3 The development is not considered to give rise to a loss of amenity to nearby residential properties. With regards to the relationship between the proposed residential properties and the adjacent vehicle repair workshop, amendments to the scheme have satisfied the Environmental Health Officer in this regard, and appropriately acknowledge the 'agent of change' principle set out in the NPPF.
- 8.4 Following detailed negotiations, the highways and drainage requirements associated with the scheme have been satisfactorily addressed, subject to additional requirements which can be secured by planning condition. Car parking provision meets the Council's SPD standards for residential development; and whilst there is a small shortfall in respect of the commercial element, given the existence of public on- and off-street provision in the area, coupled with the opportunity to use alternative modes of travel, this is not

considered to give rise to a severe cumulative impact on the highway network or highways safety issues such as would justify the refusal of the application on highway grounds. Environmental issues associated with the historic uses of the site can be addressed by suitable pre-commencement conditions.

- 8.5 Overall the benefits of the proposed mixed use scheme, which would include much-needed housing in a Local Centre setting, are considered to outweigh any disbenefits - accordingly the application is recommended for permission subject to a S106 Agreement as set out above and a range of planning conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00324 subject to:

(A) completion of a legal agreement under S106 of the Town and Country Planning Act in a form satisfactory to the Solicitor to the Council to secure the matters set out at paragraph 7.49 above; and

(B) the following conditions, subject to such changes and/or additions as 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:

Plans

Site Location & Block Plan 5531 1100 E
Proposed Ground Floor Layout 5531 1200 Q
Proposed First & Second Floor Plan 5531 1201 M
Proposed North & South Elevations 5531 1300 G
Proposed North & South Elevations 5531 1310 B
Proposed East & West Elevations 5531 1301 H
Proposed Perspectives 5531 1500 G
Proposed Bin Store Elevations 5531 1320 A
Landscape Strategy Plan 120 - 101
Landscape Maintenance Plan February 2020

Drainage

Existing Site Runoff Calculations revB
Proposed Site Runoff and Tank Design Calculations revC
New Storm Water Pipework Size Check
Drainage Assessment Report dated 07/05/20
Drainage General Arrangement ref: 414406-100P7

Reason: - To ensure provision of a satisfactory development.

- 3 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; all measures necessary to meet the agreed waste efficiency calculation must be installed before first occupation and retained thereafter;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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 for 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 of the Pre-Submission Havant Borough Local Plan 2036.

- 4 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:
- (a) A programme of and phasing of demolition 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;
 - (h) Details of all proposed external lighting to be used during demolition, excavation, clearance and construction works and the measures used to limit the disturbance to any nearby properties, to be provided. Lighting shall be used only for security and safety; and
 - (i) Details of measures to be employed to control the emission of noise during demolition, excavation, clearance and construction. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites - Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: To safeguard the amenities of the locality and in the interests of

traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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, 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 GCC Ground Condition Desk Top Study Ref: J19-005-R01; 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, including those off site;
- 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 (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: Having due regard to Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site, or contamination-sensitive receptors in the immediate vicinity.

- 6 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 5 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 as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2011, contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site, or contamination-sensitive receptors in the immediate vicinity.

- 7 No development shall begin until a detailed surface water drainage scheme for the site, based on the principles outlined under planning reference APP/19/00324, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. A technical summary highlighting any changes to the design from that within the approved documentation submitted under APP/19/00324;
 - b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations;
 - c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change; and
 - d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall thereafter be carried strictly in accordance with the approved scheme.

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

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

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

- 9 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.

- 10 No above ground construction works shall take place until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted

or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No above ground construction works shall take place until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

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

- 13 No above ground development shall take place until a scheme for the external lighting of the development has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby properties, on and off site, from light disturbance / nuisance, and in order to provide for the safety and security of residents and visitors in accordance with Policies CS8, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 No above ground development shall take place until a scheme for the provision of CCTV covering the development has been submitted to and approved in writing by the Local Planning Authority. The approved CCTV scheme shall be implemented in accordance with the approved details prior to the occupation of the development, and shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: In order to provide for the safety and security of residents and visitors in accordance with Policies CS8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No above ground development shall take place until a scheme for the provision of EV charging points covering the development has been submitted to and approved in writing by the Local Planning Authority. The approved EV charging point scheme shall be implemented in accordance with the approved details prior to the occupation of the development, and shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: In order to provide for more sustainable modes of transport in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Pre-submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

- 16 No dwelling shall be occupied until:

(i) a scheme of acoustic mitigation measures has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings will achieve and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms; and for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments; and

(ii) The approved measures have been installed and demonstrated through post validation testing to determine compliance with the approved acoustic performance levels.

The mitigation measures shall thereafter be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the dwellings hereby approved is not impacted upon by any external noise levels and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 17 The development shall not be brought into use until space for the parking and turning of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

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

- 18 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the commercial units shall only be used as Class B1(a) offices, and for no other purposes within Class B1 of the above Use Classes Order, without the prior written consent of the Local Planning Authority.

Reason: To accord with the terms of the application submitted; to ensure that the use of the commercial units is compatible with the Local Centre setting of

the site; to ensure that satisfactory car parking provision is available locally for the development; and having due regard to Policies CS4, CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL3 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

Appendices:

- (A) Site Location Plan
- (B) Proposed Ground Floor Layout
- (C) Proposed First & Second Floor Plans
- (D) Proposed North & South Elevations
- (E) Proposed East & West Elevations
- (F) Photo Images of Site
- (G) Proposed Perspectives