

Traffic Routing, Traffic Monitoring, Employment and Skills and Community Liaison Strategy. There would also be an incidental change to condition 2 to reflect the amended Operational Management Plan submitted. The recommendation is therefore to grant this application as set out in this report.

1 Site Description

- 1.1 The site is located on the eastern side of New Lane, within a long established industrial area. Wyeth was established at the site since the 1950s and Pfizer took over the site in around 2010. Pfizer reduced their occupation at the site in recent times and have now left the site and the buildings formerly on site have now been demolished.
- 1.2 The operations at the site historically concentrated on the manufacturing of pharmaceutical products but more recently related to the packaging and distribution of products that were manufactured off site and most recently the site also stored products during the Corona Virus response.
- 1.3 The extensive complex of buildings formerly on the site dated from various periods from the 1950s to the current decade. They varied in design and scale with the tallest and most imposing building on site being the high bay warehouse for storage of pharmaceutical products permitted in 2002. In 2011 the construction of a new cold storage warehouse facility was granted planning permission.
- 1.4 The site is accessed off New Lane (two access points). The Portsmouth to Waterloo railway line runs to the rear of the site. Parking was provided at the front of the site with further parking adjacent to the former high bay warehouse, and adjacent to the former north side distribution warehouse. The recently approved planning application (Reference APP/21/00200) shows access to the proposed site being taken from the Southern and Northern Access points and from a new central access to New Lane.
- 1.5 The closest residential properties are located on the west side of New Lane, to the east of the railway line (Nutwick Road) and to the south east and west in New Lane.
- 1.6 The recent planning permission APP/21/00200 related to the demolition of existing buildings on site and a comprehensive re-development comprising the erection of a distribution warehouse (class B8) with ancillary offices and facilities, vehicle storage deck, new access to New Lane and with landscaping and associated infrastructure. The current proposal is for the Variation of condition No's 4 (Operational Management Plan), 9 (Livery/Branding), 10 (Traffic Monitoring) and 28 (Employment and Skills Plan) of planning permission APP/21/00200 and the introduction of a new Community Liaison Strategy Condition.

2 Planning History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APP/10/00902 - Application for the temporary Planning Permission for the siting of 8No. Portacabin and 6No. steel containers with hardstanding area., TPP,17/01/2011

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GEN/20/00451 - Redevelopment of industrial land for the erection of a distribution warehouse building and a vehicle storage deck (Use Class B8), construction of an additional access, car parking and associated works ,25/08/2020 10:47:35

APP/21/00200 - Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure (approved 22.10.21). Request to discharge conditions 11 and 19 (received 27.10.21), PERM,22/10/2021

Officer Comment: *This is the planning permission that is sought to be varied by the current proposals. This permission included an associated S106 Agreement.*

APP/21/00783 - Application to determine whether prior approval is required for the method of demolition of buildings including slab removal and any proposed restoration. Prior Approval Required and Granted,01/10/2021

3 Proposal

- 3.1 Variation of condition No's 4 (Operational Management Plan), 9 (Livery/Branding), 10 (Traffic Monitoring) and 28 (Employment and Skills Plan) of planning permission APP/21/00200 and the introduction of a new Community Liaison Strategy Condition.
- 3.2 The applicant has provided an Operational Management Plan (OMP) along with a supporting note which details the suggested amendments to the planning conditions.
- 3.3 In relation to the conditions proposed to be varied these are as follows:

Condition 4:

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

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

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

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

Condition 9:

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

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

Condition 10:

Prior to the occupation of the development hereby permitted to install and maintain permanent traffic counters and monitor traffic levels across the 3 site accesses in accordance with the figures agreed at planning, as reflected in Appendix A of the Operational Management Plan. The monitored details shall be fed into Hampshire County Council's permanent traffic count database and available to view as required by the Local Planning Authority and County Highway Authority.

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

Condition 28:

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

Construction phase

- Deliver on all KPI's as per the submitted Employment and Skills Framework ensuring these opportunities are provided to Havant residents with particular focus on 16-24yr olds in Leigh Park*
- Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.*
- Six weeks from agreement of Planning Permission Contractor/Council initial E & S Plan meeting.*
- Monitoring meetings to be scheduled with Contractor and the council on a quarterly basis to review progress.*
- Contractor to submit evidence to the council proving Havant residents have benefited from the construction phase of the development.*
- Provide press/photo opportunities/case studies involving Havant residents before the end of the construction phase.*
- Contractor to provide report to the council at the end of construction phase with details of the job, apprenticeship, training, and site visits provided and who benefited.*

Occupation phase

- Provide end user HR contact for recruitment.*
- Continue quarterly monitoring meetings into recruitment phase to ensure opportunities are provided for Havant residents.*
- Ensure active marketing campaigns target the recruitment of permanent jobs for Havant residents with particular focus on 16-24yr olds in Leigh Park and the immediate area.*

• This includes working with agencies / contractors which provide flexible work and driver opportunities, with best endeavours given to prioritise or attract residents of Havant Borough.

• Provide two press/photo opportunity/case study involving Havant residents.

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

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS3	(Skills and Employability)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM16	(Freight Transport)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

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

Submission Version Havant Local Plan

E23	(Air Quality)
E22	(Amenity and pollution)
E21	(Aquifer Source Protection Zones)
E24	(Contamination)
DR1	(Delivery of Sustainable Development)
E20	(Drainage infrastructure in new development)
IN1	(Effective provision of infrastructure)
IN5	(Future management and Management Plans)
E1*	(High quality design)
IN2	(Improving transport infrastructure)
E3	(Landscape and settlement boundaries)

E12	(Low carbon design)
E19	(Managing flood risk in new development)
E15	(Protected species)
C1*	(Protection of existing employment sites)
E14	(The Local Ecological Network)
IN3	(Transport and parking in new development)
E18	(Trees, hedgerows and woodland)

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

5 Statutory and Non Statutory Consultations

Councillor Alex Rennie - Bondfields

No comments received

Councillor Imogen Payter – St Faiths

No comments received

Councillor J Branson - St Faiths

No comments received

Councillor Richard Stone - Bondfields

No comments received

Councillor T Pike - St Faith's

No comments received

Economic Development

Further Comments:

Economic Development accept these changes to condition 28 and 29.

Original Comments:

ED are happy with the change to condition 28. The developer and the occupiers responsibilities are separated in condition 28 and 29 respectively.

Condition 28 – Employment and Skills

- Condition 28 to be revised to state that:
- The construction stage of the development hereby permitted shall be carried out in accordance with the Construction Employment and Skills Framework Plan (developer and contractors' responsibility)
- Second Part of the Occupancy Condition to form part of a separate condition

(Condition no.29 – End-user's responsibility)

- Within 6 months of Occupation an Occupational Phase Employment and Skills Plan shall be sent to the Local Authority which provides the following details:
 - An end user HR contact for recruitment for direct employees
 - An inception meeting with the Economic Development Officer to detail the programme for launch recruitment
 - Provision for a follow up meeting to be attended by the Borough Council including members of the end-user's PR team.
 - Provision of details of the agencies/contractors that are being partnered with
 - Details of the marketing of direct employment opportunities, including specific

reference to the need to target Havant residents, including those in the 18-24 category and those in Leigh Park and the immediate area (noting that the end-user doesn't recruit people younger than 18 years old).

Environmental Health

No Comments Received

Hampshire Highways

The applicant is seeking to amend Conditions 4, 9, 10 and 28 associated with planning permission APP/21/00200 which primarily related to the monitoring controls in place to ensure that the site would operate under the parameters assessed at planning. It is noted that Condition 28 relates to a Construction Employment and Skill Framework which does not pertain to the Highway Authority. This response therefore comments on Conditions 4, 9 and 10 only.

The applicant has provided an Operational Management Plan (OMP) along with a supporting note which details the suggested amendments to the planning conditions. The Highway Authority has reviewed the documents and wishes to make the following comments.

Current Condition Wording

As noted above, Conditions 4, 9 and 10 were included within the case officer's committee report for planning reference APP/21/00200 which subsequently received resolution to grant planning permission, subject to signature of a S106 agreement.

The conditions associated with the extant permission read as follows:

Condition 4

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

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

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

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

Condition 9

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

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

Condition 10

Prior to the occupation of the development hereby permitted to install and maintain permanent traffic counters and monitor traffic levels across the 3 site accesses in accordance with the figures agreed at planning, as reflected in Appendix A of the Operational Management Plan.

The monitored details shall be fed into Hampshire County Council's permanent traffic count database and available to view as required by the Local Planning Authority and County Highway Authority.

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

The purpose of the planning conditions was to ensure that the site would operate in the manner considered acceptable by the LPA and Highway Authority during the planning stage. It is understood that the applicant considered the controls applied by the conditions to be overly onerous which has subsequently led to the current Section 73 application.

Revised Condition Wording

The applicant has proposed the following amendments to the planning conditions:

Condition 4

The Full Operational Management Plan document produced by Vectos Ltd, dated January 2022 shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

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

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

Condition 9

The site shall operate in accordance with the agreed routing strategy detailed within the approved operational management plan. This includes the following measures:

- A defined geography of households to be served by vehicles heading south down New Lane*
- Explicit routing signage on all exits from the site*
- Induction Packs/leaflets and training for all drivers*
- Monitoring of movements via CCTV with regular reporting via an independent third party to the Local Planning Authority in accordance with the parameters of the OMP.*

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

Condition 10

Prior to the occupation of the development hereby permitted the infrastructure to monitor traffic levels across the 3 site accesses as specified in the Operational Management Plan shall be installed. The occupier will comply with the monitoring and reporting measures specified in the Operational Management Plan, including the use of independent data monitoring company. Data will be used for monitoring the effectiveness of the Management Plans only.

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

The conditions are contingent on the measures outlined within the amended OMP which has been submitted as part of the application.

Operational Management Plan

Condition 4

The revised wording for Condition 4 requires the OMP submitted as part of the current planning application to be approved in its current form for implementation, as opposed to the previous framework arrangement. The Highway Authority has therefore undertaken an in-depth review of the document and has the following comments to make.

The OMP submitted by the applicant introduces revised monitoring proposals for the site which alters and, in some cases, replaces the monitoring methods outlined under the previous planning conditions. These are addressed in more detail below.

The OMP sets out the operation of the site, confirming the situation presented at planning whereby staff will visit the site before picking up a van which is subsequently loaded before departing to make deliveries for the day. The van driver will return to the site at the end of their shift to drop off the van and return home. The traffic assumptions made within the occupier data underpins the assessments previously undertaken under which the application was considered suitable, subject to sufficient measures within the OMP. This data has been included in Appendix A of the OMP, confirming that a total of 2,415 movements are allowed to the site, along with 339 and 329 trips in the AM and PM peak hours respectively. The tables further split down the trips by each access, which were a consideration at planning for determining that the site access junctions and the New Lane/Crossland Drive junction forms were suitable and safe for the anticipated traffic levels.

The traffic distribution set out in Section 4 of the OMP reflects the position at planning (75% of trips will route via Crossland Drive, 24% will head north to the junction with Bartons Road and 1% will head southbound).

The remainder of the OMP covers the specific monitoring methods which will be used to enforce Conditions 9 and 10. Following discussions with the applicant, the monitoring proposals are considered suitable. This is set out in more detail below. For the purposes of Condition 4, the revised OMP is considered suitable for addressing the revised wording of the condition.

Condition 9

Condition 9 previously required all of the vans associated with the site to be liveried, allowing for their identification. As per the extant permission, only 1% of the van traffic is allowed to route southbound from the site and the van livery requirements were conditioned by the LPA to enforce this matter. To help illustrate the area which southbound delivery vans can deliver to, Figure 4.1 has been provided in the OMP which provides a catchment area, highlighted in purple. The figure demonstrates the area which falls under the 1% of southbound van traffic and helps provide a basis for identifying which deliveries can be undertaken using New Lane to the south of the site. In lieu of all vans being liveried, the applicant has proposed to monitor van movements through ANPR cameras. The ANPR cameras will be positioned within the applicant's land and managed via an independent 3rd party company who will compile and collate the data into a quarterly monitoring report. For the first 18 months of operation, 4 weeks' worth will be collected each quarter and subsequently analysed within the monitoring report to identify whether van routing was being carried out in compliance with the OMP.

The weeks that the data is provided will be at the discretion of the Planning Authority. The data will be monitored for a 5 ½ year period (5 years of full operation on site alongside a 6-month period for the site to reach operational capacity) with a review mechanism in place on the first anniversary of the site becoming operational to determine whether the volume of data being provided and analysed can be reduced. This would be the subject of further discussions between the applicant and the Planning Authority.

If the number of vans travelling to/from the site to the south along New Lane is found to exceed the 1% agreed at planning (which is also reflected within the OMP), the monitoring report will clearly identify the breach and allow for action to be taken should this be considered appropriate by the LPA.

Condition 9 was requested by the LPA to address routing concerns. The Planning Authority should therefore confirm whether the revised monitoring proposal and condition wording is considered suitable. The Highway Authority raise no concerns in relation to the condition proposals.

Condition 10

The previous wording for Condition 10 required the applicant to install traffic counters across the 3 site accesses, with the traffic data fed into Hampshire County Council's permanent traffic count database to identify at any point in time whether the traffic figures agreed at planning were being adhered to.

The OMP has been revised to reflect conversations held with the Highway Authority, LPA and the applicant. The traffic counters will be located within the applicant's land and situated across the 3 site accesses to ensure that traffic movements can be counted.

The traffic data will be collected and analysed by an independent 3rd party company who will produce a quarterly monitoring report which analyses the data and provides the average peak hour flows and average daily flows across each site access. The flows will be compared to the occupier data which formed the basis for assessment at the planning stage and has been included within the OMP in Appendix A. The report will identify instances where the agreed traffic levels have been breached which will subsequently be reviewed and potential remedial action triggered following discussions with the LPA.

The quarterly monitoring report will analyse continuous data for the first 18 months of operation, with a review mechanism in place after the first anniversary of the site becoming operational (in a similar fashion to Condition 9). This would be the subject of further discussions between the applicant and the Planning Authority. The data will be monitored for a 5 ½ year period (5 years of full operation on site alongside a 6-month period for the site to reach operational capacity). 4 weeks' worth of raw data will also be available per quarter to confirm that the information reported within the monitoring report is accurate.

The occupier data included in Appendix A restricts the total daily movements to and from the site to 2,415, with the peak hour movements restricted to 339 in the AM and 329 in the PM. The peak hour traffic movements were previously utilised within the junction modelling undertaken within the applicant's Transport Assessment. Following a detailed review of the applicant's occupier traffic data and junction modelling outputs, the Highway Authority was satisfied that the development would not result in a severe impact on the local highway, subject to suitable controls. The average movements provided in the quarterly monitoring report will be assessed against the aforementioned figures to ensure compliance with the data assessed at planning. Any deviation from the figures will trigger a review and potential enforcement action through the monitoring methods set out in the OMP.

The occupier is committed to comply with the hourly movements from the site and, whilst these are not routinely reported on, the data and requirements to comply will be available for review and consideration if needed by the Planning Authority.

The Highway Authority is satisfied that the revised monitoring proposal provides suitable control which ensures that the site must operate under the parameters assessed at planning. Monitoring of the site traffic will take place by an independent company who will produce monitoring reports which identify the average daily and peak hour movements over the quarterly period. The report will identify if the trip generation figures have been exceeded and, if so, what remedial action will be taken following discussions with the LPA. The Highway Authority acknowledges that the revised monitoring proposal does not provide continuous monitoring for the lifetime of the development, as previously required under Condition 10; however, the controls within the OMP restrict the development to operate under the specific occupier data provided

at planning. The monitoring reports and amended conditions still provide the LPA with the powers to enforce on breaches in these figures which will be closely monitored through the reports.

Recommendation

Following a review of the revised OMP, amended condition wording and the updated monitoring proposals, the Highway Authority is satisfied that the measures in place are suitable for ensuring the site will operate as it has been assessed at planning. The Highway Authority therefore recommend no objection to Conditions 4, 9 and 10.

Drainage Civil Engineering

Please note that the Transforming Cities Fund project for upgraded cycling and pedestrian infrastructure along the Elmleigh Road corridor to the south of the application site includes measures to specifically reduce HGV access on this inappropriate route. This is planned for implementation in winter 2022/23. Whilst this therefore reinforces the applicant's proposal to route HGV traffic along Crossland Drive, it will also make Eastern Road / Elmleigh Road less attractive for some of the more local traffic as well.

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: 374

Number of site notices: 2

Statutory advertisement: 26/11/2021

Number of representations received: 51 Including Havant Climate Alliance and Friends of the Earth; Havant Civic Society/New Lane Residents Association

Highway Matters

- Impact on Park Road North Traffic Flow.
- Town Centre overloaded – impact on Emergency Vehicles – endanger life
- OMP – insufficient detail to monitor vehicles to south of New Lane.
- Vehicles use Fairfield Rd to New Lane to bypass congestion in Town Centre.
- OMP needs to detail how 1% not monitored and not exceeded.
- Does GDPR avoid monitoring?
- Rat run concerns
- Condition in OMP deliveries for south of New Lane by single preferably electric van. Would stop trick of putting delivery to that area on every van to legitimise rat running.
- Delivery numbers in OMP undercooked.
- New Lane already busy – monitoring essential so Havant not continuous traffic jam.
- Company applied to water down conditions shows will disregard neighbourhood concerns/objections.

- Planning Statement suggests OMP all that is required to achieve 100% compliance by drivers.
- This is nonsense – need means of monitoring and enforcement.
- Submission vehicles 'entirely occupier own fleet now allows subcontractors to be used.
- Will they be electric/how will we know vehicles from site/how tracked?
- Lower end of New Lane / Rail crossing / road by Fairfield School not suitable for HGVs or increase in traffic. Already overloaded by traffic from school and housing estate.
- Drivers show little / no consideration for rules of road as under tight delivery schedules.
- Original approval projected 2415 traffic movements a day- bad enough, now want limit removed - projecting double amount of traffic movements.
- 300+ objections to initial application mainly on increased traffic, concerns re traffic in town centre and surroundings. Original Traffic data grossly under estimated.
- Adjustment to traffic monitoring suggests developer / operator concerns over accuracy of traffic data.
- Existing Southleigh Road congestion and will get worse.
- If applicant can't make scheme 'commercially acceptable' by producing a scheme considerate to the local community, they shouldn't proceed.
- Traffic movement figures questioned.
- Delivery Service Partner model materially changes nature of business previously approved and traffic profile.
- Vans either individual owner or owned by third party businesses. Unlikely to be branded for occupier. Likelihood of them being parked overnight at site small.
- Original docs. referred to Delivery Vehicles as van fleet owned by intended occupier and parked overnight at 866 capacity van storage decks.
- OMP written to specifically support need to remove Cond 4 livery/branding as doesn't fit with Delivery Service Partners model and to disable Cond 10 since traffic volumes will be far higher.
- Reason 2,415 persisted is had to be close as possible to previous use to achieve approval.
- OMP refers only to Drivers and has no apparent ref to Delivery Service Partners,

Officer comments:

- *See part 7 – OMP and proposed conditions which restrict total vehicle numbers and traffic routing to the south of the site.*
- *GDPR is not anticipated to restrict appropriate monitoring.*
- *The operation of vehicles to the south on New Lane will be monitored to ensure that no more than 1% of vans are routed this direction.*
- *Applicants have a right to seek to vary planning conditions. Such proposals are treated on their planning merits.*
- *Monitoring will allow for enforcement if necessary by operator and/or the Council - See part 7*
- *HGV's would route down Crossland Drive. Monitoring will assess van routing.*
- *Drivers would be responsible for meeting highway code and any enforcement would be by police.*
- *Limit on the total vehicular movement remains in the revised OMP.*
- *Revised conditions are recommended to ensure that the site operates appropriately - the alternative conditions are considered in part 7.*
- *The revised OMP retains total vehicle number restriction.*

Livery/Branding - Condition 9

- Modifying as livery would exclude self employed drivers in unmarked white vans operating from site.
- Technical solution relies on perceived threat to drivers infringing rules - doesn't mention sanctions.
- Induction packs/leaflets/training ineffective beyond first weeks. Van drivers will take quickest route without sanctions – time is their money.
- Sanctions should be strengthened and/or regular reports to Council on infringements. Otherwise, point of stopping rat running gradually diluted and local residents will find traffic issues.
- Planning Statement - first ref. 'Distribution Service Partners', subcontract 'white van' staffing approach which virtually confirms Amazon. Previous documentation for APP/21/00200 referred to 'entirely occupier owned fleet' - on that assumption that Condition 9 correctly imposed.
- Unbranded vans will not adhere to proposal that they use Crossland Drive.
- Increase in traffic / pollution outside our house and ability to safely cross New Lane/Eastleigh Rd to take our small children to school /nursery.
- Increased volume of (unidentifiable) traffic using the southern end of New Lane as a rat run.
- No livery on vans/lorries - can't be identified using rat runs/speeding on New Lane/going down unsuitable roads.
- Other delivery companies have liveries.
- Should be liveried and easily identified for monitoring purposes - enable understanding of operator's traffic congestion, provides Council with data to negotiate any changes needed.
- Branded delivery vehicles (occupier owned) able to see company around town/ at key junctions though not vehicles belonging to delivery drivers travelling to/from site for work.
- Original planning application - told vans parked on site overnight and collected from site, returned to site after deliveries completed, and delivery driver travels to/from work in own vehicle.
- Monitoring cameras at gates would capture all vehicles entering/leaving, branded & unbranded. Cameras provide data required to ensure vehicle numbers provided on OMP not exceeded/ rat runs not used, at least by branded vehicles.
- Perhaps original operating model not implemented, delivery drivers arrive at start of shift in own (unbranded) van - take van home at night after deliveries without returning to site, or return to collect next load and take them home?
- Traffic cameras critical to validity of the application to support any remedial actions.
- Branded vans would be seen parked overnight outside homes - told would not happen.
- Plain white van will be difficult to track and identify where it has come from.
- Livery conditions ensure operators vehicles identified and volume of traffic movements can be monitored.
- Livery/branding requirements give community confidence in company & to report breaches in conditions.
- Amazon use business model for 'Delivery Partners', unbranded self owned vehicles that promotes use of rat runs and short cuts to enable them to meet strict aims of delivery numbers.
- HBC will have no control, ability or probably will, to prevent breaches or punish when this becomes clear it is not being adhered to. With current rules maintained there is some legal recourse for HBC to ignore.
- Local deliveries must be consolidated using dedicated, identifiable, electric vans.

- Routing for deliveries should be in OMP
- Condition 9 should be retained for all delivery vehicles

Officer comments:

- *Concerns noted; however, the total vehicle movement is subject to the OMP and remains unaltered.*
- *Monitoring of route to the South in New Lane will allow for operator and/or Council to impose sanctions. Number plate recognition allows the operator to identify drivers and legitimacy of using southern route.*
- *Regular monitoring would be secured via OMP.*
- *Branded or unbranded vans would be monitored by CCTV and number plate recognition.*
- *Van traffic to south will remain restricted.*
- *The proposed revised conditions allow for vans routing to be monitored and restricted south of the site.*
- *Monitoring cameras when combined with monitoring of vehicle types at the accesses will allow assessment of vehicle numbers, types and routing to the south.*
- *The amended conditions and OMP allow for monitoring, the assessment of breaches and the potential for appropriate enforcement action if required.*

Traffic Monitoring Condition 10

- Condition enables 24/7 monitoring of traffic movements at the three gates appropriate for high intensity three shift non-stop operation.
- Requires data to be uploaded to HCC/HBC repositories - monitoring can be done by Local Authorities whenever required.
- Gives successors at Council advantage they will gain from inevitable requests by occupier to increase traffic volumes. HBC will hold negotiating advantage.
- Current application seeks to reduce monitoring to 2 hours a day, over five day week, on two occasions in any year. 20 hours annual monitoring, managed by the occupier and supplied in arrears once a year as single report.
- Successors at the Council will have no advantage in any negotiation for increased volume, in fact volume growth will just happen, unchecked. It will happen from day one, since you won't get the first report until first anniversary of operations starting.
- Automatic Traffic Counters - which collect data 24/7/365, will be installed but data only available to Council once per year is bizarre. This annual data disclosure will be edited so covers two hours per day, for few days each year.
- Restricting Council's ability to request data from New Lane CCTV to four occasions/year derisory.
- How will Ward Councillors respond to fifth rat-run complaint from residents in a year - have no power to extract data from operator?
- Data needs to be available to Council 24/7 to enable them to negotiate with operator when issues arise. Otherwise in weak position when negotiating with operator.
- Operator powerful multi-national company, HBC needs to maintain a strong position in relation to them for the good of their residents.
- Concern over Christmas monitoring- dark days correlate with increase in collisions and injuries.
- Auto Monitoring with permanent road installed devices should not be removed.
- Necessary to have independent, accurate evidence base of traffic movement. Data should be collected and analysed continually over 24 hours given nature of business and shift patterns. Without evidence base not possible to make considered decisions for future applications to vary conditions.

- Independent traffic survey company must be acceptable to HBC/HCC Highways.
- Provide consolidated data feed direct to both authorities on weekly or monthly basis, Raw data must include 24 hours/7 days week.
- Monitoring should begin at start of operation and continue for duration of occupation.
- 1 hour peak periods meaningless in context of 24 hours 7 days week operation. Occupier will manage traffic flow in hour to meet condition.
- Concerns re means of monitoring traffic.
- OMP must make it clear rules must be encoded in auditable manner into Occupier's logistics systems and adhered to by all delivery drivers (employed or subcontracted).
- Condition 10 already captures detail of requirement but should be re-enforced to ensure ATC traffic monitoring data captured/retained for all movements at all times - equivalent to original occupier provided data. Directly uploaded to HCC Permanent Traffic database.

Officer comments:

- *See Part 7 of this report*
- *The OMP has been amended as set out in part 7 to allow for regular monitoring of the site over a 5 ½ year period*
- *The Council can specify periods for monitoring (for example at Christmas if considered appropriate).*

Impact on School / Nursery

- Fairfield Road infant school - risk unmanaged vehicle movements increasing danger of accidents.
- OMP needs to detail vehicle monitoring to avoid increasing traffic congestion, increased risk of accidents and pollution.
- Existing traffic at the 4 way junction, especially when train gates down, poses dangers to children walking/cycling to Fairfield Infant and Warblington Secondary schools.
- With more vehicles using route, its important Council able to identify the vehicles impact through regular monitoring of flow of traffic.
- As resident of Beechworth Road with young children in local schools concerned this doesn't become rat run to A27.
- Given school and nursery on this road the potential for road accidents may increase. Livered vans allow parents to monitor and report dangerous driving.

Officer comments:

- *See Part 7 of this report*
- *Van movements to the south in New Lane remain restricted.*
- *Monitoring of flow of traffic is considered to be achieved.*
- *The Council will be in a position to investigate increases in van movements beyond OMP expectations.*

Existing Planning Conditions

- Believe conditions absolutely correct as they stand and should not be altered.
- Object to four proposed changes for all the reasons HBC put the conditions in the first place.
- Conditions 9 and 10 in particular are there to ensure operation remains in line with traffic predictions made by intended occupier.

- No reason to alter conditions other than implied request from the applicant to 'make the conditions commercially acceptable' to their prospective client.
- Want conditions kept, & decision to reject application made by informed Planning Committee and Council's legal officer fully engaged with meeting.
- Support HBC having control.
- HBC must retain essential monitoring mechanism on development and keep control over the traffic generated in the public domain.
- Council wise not to relax well-written conditions which provide only small measure of control.
- Vehicle monitoring conditions were adequate and serve to protect local residents from increased traffic in area.
- Conditions must remain and modifications rejected so HCC/HBC can maintain some control over already very bad decision.
- Conditions placed on this application are entirely necessary and proportionate
- Original conditions for a good reason to control and monitor development – proposals allow developers / user of building to disregard interests of local community.
- Tests in Para 56 of the NPPF are correctly met by the conditions as written.
- Placed well crafted conditions on approval aimed at containing traffic impacts.
- Wise not to relax conditions which provide tools for HBC/HCC with tools to retain control volume of traffic.
- HBC/HCC must not mitigate developers risk by abdicating control at expense of pedestrian/cycle safety.
- Concerns over existing conditions not on portal.
- Conditions 9 & 10 meet tests of NPPF

Officer comments:

- *The Council need to consider the applications to vary conditions on their merits. Where it is considered that the aims of the original conditions can be met by alternative conditions permission can be recommended. This is considered in Part 7.*

Employment and Skills Plan (Condition 28)

- Why lower age for potential job opportunities? Surely this was a major reason for HBC to consider it.
- "The end-user doesn't recruit people younger than 18 years old" - Reflects badly on commitment to the local community and schools in particular.
- Governments Apprenticeships, 14 to 19 education and training for work programme makes it clear that 16 year olds, living in England and not in full time education, can be considered for apprenticeships.
- Unacceptable 16 and 17 year olds not considered for employment.
- Justification for allowing operator to use New Lane site is amount of local employment it is supposed to generate - position re 16 yr olds makes one doubt amount and type of employment available.
- Should give under 18's employment opportunities.

Officer comments:

- *See Part 7*

Community Liaison (Proposed Condition 30)

- Should be created during the construction stage to allow residents the opportunity to discuss concerns during this phase.
- Havant Civic Society and New Lane Residents Group would anticipate playing active and constructive role in local community panel.

Development Concerns (Relating to principle of development – already established)

- Wrong site for development
- 24/7 operation in very busy residential area asking for danger, chaos and is absolutely ridiculous.
- Working on site now and noise is constant/loud and very unpleasant.
- Added congestion.
- Extra vehicles not sustainable.
- More suitable sites.
- Havant's vision to be more green, more welcoming to visitors. Make town centre more appealing, instead of making journey through Havant more difficult.
- Massive development companies buy brown field site, badger local council with promises of mass local employment, attend planning meetings with fancy architectural consultants and walk over inexperienced people that sit on planning committee who then approve development and then come back later to alter what's already agreed.
- Firm opposite our road that operate all varying hours from 5.15 am and sometimes through night. Residents really have had enough.
- Planning only just approved - why start changing now - what else will they want to change next.
- Huge delivery hub working 24/7 in area where units work 06.00-21.00 in mostly residential area.
- Concerns over accuracy and credibility of traffic analysis.
- Traffic generated will cause severe problems with crossroads with Eastern Road, level crossing and chicane south of the level crossing.
- Air pollution/emissions/pollution (Portsmouth cutting down on it).
- Havant cannot cope with the as most days it is grid locked.
- Money orientated for plans to go through.
- Will be totally overrun by vehicle movements from this monstrous company.
- Aware it will bring some jobs, but few and at what cost - New Lane junction with Bartons Road already a death trap with lots of accidents / near misses all year round - what will it be like with this amount of movement.
- Covered in dust/powder all over windows and cars and through windows. Noise relentless and has caused damage to local houses. Disgusting this has been allowed to happen.
- Better suited to out of town.
- Bad effect on congestion and pollution.
- Increase in traffic in East Street.
- Noise and pollution day and night.
- More traffic coming through Havant, Leigh Park and Bedhampton.
- Roads cannot cope, major impact on Hayling Island.
- Should have been at Dunsbury site.
- Adding this amount of vehicles 24/7 outrageous.
- Living on and near this road creates dust, noise litter and foot traffic to our small Co-op shop via alley way off new land, school children and dog walkers that will be at risk. I cross New Lane daily. Large lorries, vans come too fast along that road as

it is, raised amount of traffic will need speed bumps or a limited /lowered speed limit. Traffic lights.

- Excessive noise all day, pneumatic drills, banging & diggers, light pollution - ruined quality of life from warehouses built in Stanbridge Road.
- Depot will have own lights on all night with associated noise from comings and goings. Unacceptable so close to housing estates, site should allocate to housing instead of green fields.
- Alternatives to vans i.e. electric cargo cycles, or constraints requiring use of electric vans, for ultra local deliveries as part of proposals.
- Site not suitable for mass traffic. Smaller roads will become rat runs for smaller vehicles.
- Tesco's/Hayling roundabout congestion this already causes rat runs for roads in local area.
- Council has responsibility to protect and develop- local area and residents who live in and support area must be protected too.
- Shops/ development of Local centre permanently changed if Havant too difficult to get through & recent developments will be waste of money.
- Industrial park with direct access to A3 more suitable.
- Distribution Warehouse should not be forced on residents of Havant by council that does not care about negative impact on traffic across borough.
- Alternative better located sites allocated
- Daily traffic 2,415/day represent business running at 58% capacity 505 vans but capacity for 866. Daily movements will increase by further 1,444 at capacity.
- Same day delivery expected to lead to multiple trips/day.
- Concerns re traffic data and trips including night shifts.

Officer comments:

- *These comments relate primarily to the principle of development which has been established by planning permission APP/21/00200.*

7 Planning Considerations

- 7.1 Section 73 of the Town and Country Planning Act 1990 allows for applications seeking to amend planning conditions including seeking minor material amendments. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.
- 7.2 Government guidance 'Flexible options for planning permissions' states that *There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.* It goes on to state in Annex A summary comparison table that an application under section 73 is considered against:

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

The report below will concentrate on the proposed changes to the approved details and other material considerations as it is not considered that there are any relevant changes to national and development plan policies partly due to the relatively recent date of the original Consent.

7.3 Section 73 of the Town and Country Planning Act states:

(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

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

- (i) Principle of development
- (ii) Highway implications of proposed changes to conditions 4 (Operational Management Plan), 9 (Livery/Branding) and 10 (Traffic Monitoring)
- (iii) Employment implications of proposed changes to condition 28 (Employment and Skills Plan)
- (iv) Proposed Community Liaison Strategy Condition
- (v) Amendment to condition 2 to reflect revised Operational Management Plan
- (vi) S106 agreement

(i) Principle of development

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

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

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

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

7.9 Whilst some of the third party objections received relate to the principle of the proposed redevelopment of the site and its operation as a Distribution Warehouse, the development itself was approved under planning permission APP/21/00200 on 22nd October 2021 following consideration by the Council's Planning Committee on the 9th September 2021. This application therefore relates to the proposed changes to conditions imposed in relation to that consent and not to the development itself which has already been established.

(ii) Highway implications of proposed changes to conditions 4 (Operational Management Plan), 9 (Livery/Branding) and 10 (Traffic Monitoring)

7.10 The highways implications of the development were considered in detail in relation to Planning Permission APP/21/00200, at which time conditions 4, 9 and 10 as set out in Paragraph 3.3 were imposed. In considering the current proposals it is necessary to consider why the original conditions were imposed and whether amended conditions would achieve the same aims as the original conditions.

7.11 This S73 application originally proposed to combine conditions 4, 9 and 10 into one planning condition although it is now accepted that it is preferable to retain three conditions, this is because they relate to different issues with the Operational Management Plan forming the basis for managing the way the site works in relation to highway matters, and the other conditions addressing the volume of vehicular movements to and from the site and the routing of the delivery van movements.

7.12 The overall purpose of the Operational Management Plan (OMP) is to outline the proposed operation of the site to ensure it is consistent with the submitted assessments which enabled the Local Planning Authority in consultation with the Highway Authority to grant the original planning permission.

7.13 The OMP confirms:

All of the delivery routes undertaken from the site are managed to ensure efficiency.

The signed route between the strategic highway network and the site is via Crossland Drive and the majority of traffic to/from this site will use this route. The exceptions being staff who live in local area travelling to/from the site and vans delivering to households in the local area around the site.

To reinforce the routes to be used to travel to/ from the site, the van drivers' induction when working at the site will include information to clearly state which route to use. This training will be refreshed and renewed as appropriate.

In addition to this, there will be signage within the site at each of the three accesses as a reminder for drivers leaving the site to reinforce the routes they should follow.

Staff who do not live in the vicinity of the site and who chose to drive will be told to travel via Crossland Drive during their induction.

The OMP then sets out development trip generation in peak hours and daily (as previously set out in the APP/21/00200 permission). The operation of the site will accord with the agreed traffic generation set out above with there being no material changes to the levels of traffic generation assessed. The traffic distribution is also confirmed as follows:

Junction	% Impact
Crossland Drive	75%
New Lane (north of site)	24%
New Lane (south of site)	1%

7.14 As can be seen from the above, the majority of site traffic generated by the development would route through the Crossland Drive junction with New Lane. Crossland Drive is the main vehicular route between the strategic road network and the employment area in New Lane. A particular concern in the consideration of planning application APP/21/00200 related to the routing of delivery van traffic to the south of the site and the OMP confirms that:

“.....New Lane South of the site will only be used by employees arriving/leaving the site from nearby areas of Havant or for parcels being delivered to local Havant residents south of the site (unless in very exceptional circumstances where traffic is unable to route along Crossland Drive).”

Vans travelling south on New Lane towards Havant Town Centre would deliver to local areas only as identified on a plan included in the OMP:

The areas shaded in purple are all the areas which will be served by vans arriving and departing the site via New Lane south of the site. These are the only areas that vans would deliver to/from by using New Lane south of the site.

Using census data and online mapping imagery, the total number of households that can be served using New Lane (South) has been determined as being circa 1,864 households. This includes all types of households including retirement apartments.

To put this into context, assuming a conservative drive time estimate of 30mins, vans could reach the wider Havant area in addition to Portsmouth and Chichester. The total number of households in these areas, according to 2011 Census data, is 188,643. Therefore, the total number of households that the site can serve to the south of New Lane represents 1% of the total number of households that vans are expected to serve. This ties in with the distribution of traffic presented with the planning application.

The approved occupier data states that there will be a total of 505 vans leaving the site daily. On this basis, only 5 vans are expected to route south on New Lane on any given day. It should be noted that a single van has the capacity to deliver to multiple properties which will follow a defined route. This ensures that there will not be increased van movements on the local road network due to consolidation and efficient journey planning.

It must be remembered that one van going to this area would delivery parcels to a number of properties and therefore 5 vans to this area in a day is likely to be an overestimate. This also would not be new traffic as deliveries are currently being made to this area by the occupier of the site.

- 7.15 Given the above previously considered and approved vehicle movements and routing of delivery vans to the south of the site the OMP then considers how this is to be monitored and this leads onto the conditions necessary to achieve compliance with the vehicle movements and routing. This will be compared with the original conditions 9 and 10 further in paragraphs 7.25-7.35 below.
- 7.16 The OMP confirms that the site would be monitored in two ways to allow the effectiveness of the OMP to be assessed.

Traffic Levels

- 7.17 The OMP states:

*The levels of traffic entering and leaving the site will be monitored through the installation and maintenance of Automatic Traffic Counters (ATC) to monitor traffic levels across the three site accesses in accordance with the parameters agreed at planning, as reflected in **Appendix A** of the Operational Management Plan.*

The ATC equipment will be situated wholly within the site and located to ensure they effectively count vehicles into and out of the site.

The data will be collected by an independent traffic survey company who will provide and maintain the equipment and will provide the survey data.

- 7.18 The requirements for reporting the ATC to the Council and County Council, the frequency of reporting, the extent of monitoring periods and the ability of HBC to agree the periods of monitoring have all been explored in detail by the Councils and the Applicants representatives and the position reached in the OMP is set out below in paragraphs 7.31 – 7.35.

Traffic Using New Lane South of the Site

- 7.19 The OMP states:

The routing of vehicles to/from the site will be monitored through the installation and maintenance of CCTV cameras within the site to cover the site accesses and one showing New Lane to the south of the site.

As the CCTV cameras will be situated within the site, all GDPR matters will be dealt with by the operator and the independent traffic survey company. A Data Protection Impact Assessment (DPIA) will be produced for the management of the data. The DPIA will be prepared by the independent traffic survey company.

The monitoring of the number of vehicles into and out of the site will be undertaken by the independent survey company reviewing the CCTV footage to match vehicles entering and leaving the site with those using New Lane to the south of the site using ANPR technology which is in line with DfT guidance.

- 7.20 The cameras would use Automatic Number Plate Recognition (ANPR); this would allow number plates from delivery vans travelling south of the sites southern access along New Lane to be matched to vans leaving the site. This when compared to the data from the Automatic Traffic Counters can identify the percentage of vans travelling to and from the site to and from the south.

- 7.21 The requirements for reporting the routing of vans to the Council and County Council, the frequency of reporting, the extent of monitoring periods and the ability of HBC to agree the periods of monitoring have all been explored in detail by the Councils and the Applicants representatives and the position reached in the OMP is set out below in paragraphs 7.25 – 7.30.

Condition 4

- 7.22 Condition 4 of planning permission APP/21/00200, reads as follows:

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

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

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

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

- 7.23 As set out above the reason for the condition is to ensure that any future occupier abides by the assumptions within the Transport Assessments agreed at planning. It is considered that the condition can be re-imposed with the following wording:

The Full Operational Management Plan document produced by Vectos Ltd, dated January 2022 shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

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

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

- 7.24 This condition provides the mechanism for ensuring that the OMP can be relied upon to manage the operation of the development in terms of vehicle movements and restricting routing of delivery vans to the south. This then links into conditions 9 and 10 considered below.

Condition 9

- 7.25 Condition 9 of planning permission APP/21/00200, reads as follows:

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

management plan.

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

- 7.26 As set out above the purpose of the condition was to allow for monitoring of the site operation in order to ensure that routes to and from the site utilise main routes in the interests of residential amenity and to avoid congestion. The original committee report set out the need for the livery condition in paragraph 7.68 as follows:

In addition to allow for the monitoring of van traffic routing associated with the site a condition is recommended to ensure that all vehicles operated from the site are clearly identifiable by their livery. A condition to this effect is therefore recommended.

The OMP confirms that 1% of vehicles would travel south of the site to deliver to the local area of Havant.

- 7.27 The main advantage of the livery / branding condition as currently written is considered to be the visibility of the operators vehicles operating to the site. The main disadvantage is that if there was a complaint about vehicles travelling south it would not be possible to test this against the 1% expectation without a manual survey taking place close to the site. This would have resource implications for the Council and would be very visible to any occupier which could in theory lead to routes being altered from the site whilst the survey was taking place.

- 7.28 The current proposal is for CCTV cameras to be provided within the site at the three accesses and monitoring New Lane to the south of the southern access (also from within the site). This would use number plate recognition to register delivery vans travelling south and link them to matched number plates entering and leaving the site. When combined with the total van numbers provided under Condition 10 this can provide a % of delivery vans leaving and entering the site from the south.

- 7.29 The monitoring by the cameras would be 24 hours / 7 days a week and would be collected by an independent traffic survey company who would provide and maintain the equipment and provide the survey data. The OMP sets out the proposed monitoring as follows:

- In the first 18 months of operation the monitoring of vehicle routing is undertaken for 4 weeks in every quarter.
- The weeks that monitoring is undertaken would be at the request of HBC (so HBC can choose the weeks information is provided for).
- If no specific period is requested it will be agreed which weeks data is presented for.
- Subject to review on the first anniversary of the site being operational the same approach would be undertaken for the data being supplied for two weeks data each quarter for each year from the second to five and a half year anniversaries of the site being operational.
- Data from CCTV cameras will be available for 6 months from date of footage recorded. This means HBC will have sufficient time to choose which weeks data is required.

- The data presented in the monitoring report will be in the form of how many vans are recorded travelling to/from the site via New Lane to the south of the site in a day and will be on an hourly basis. This will be compared to the overall van traffic travelling to/from the site taken from the ATC equipment.
- The form of the monitoring reports will be agreed between the independent traffic survey company and the LPA in advance of the first report being prepared.
- If the monitoring report shows van movements to/from the site on New Lane to the south of the site exceeds 1% of the total van traffic to/from the site further analysis will be undertaken by the occupier to identify whether the vans identified are delivering to the identified area to the south of the site.
- If New Lane to the south of the site is being used to travel to/from the site by drivers not delivering to the identified area the operator will take action requiring drivers not to use this route unless they are delivering to the identified local area.
- Drivers' inductions and training will instruct drivers on how routes around the site can be used with New Lane south only used if they are travelling to/from work or to deliver parcels to local residents within the defined area.
- Delivery routes are planned for drivers as part of efficient routing which is key to all logistic processes. The most direct route to the strategic network is via Crossland Drive which means the majority of traffic will use this route in any event and the additional controls will ensure this is the case.
- CCTV cameras will be used to monitor the operation for 5 ½ years after the commencement of the proposed operation on site.
- The data will be used for monitoring the effectiveness of the OMP in terms of levels of traffic using New Lane to the south of the site.

7.30 For the first year this would provide quarterly reports to HBC covering a four week period to be agreed with the Council. This will allow the Council to assess the data for a period that for example a third party has identified as a concern for traffic routing to the south across the level crossing, or for a peak period such as Christmas. The monitoring would pick up exceedances of the anticipated 1% routing to the south by delivery vans and enable the operator to identify why this took place and if necessary to allow them to take this up with individual drivers (as number plates would be known). After the first year there would be a review mechanism for the on going monitoring requirements (either carrying on as four weeks monitoring per quarter or moving to two weeks monitoring per quarter) depending in part on exceedances of the 1% routing.

7.31 It is considered that the alternative means of monitoring routing of delivery vans would provide detailed information which would demonstrate whether the development is meeting the anticipated routing and therefore ensuring that impacts to the south of the site including to Fairfield Road and Beechworth Road, residential roads including Fairfield School, routes to Warblington School and Glenhurst Nursery and Pre-School are limited and acceptable both in terms of highway impacts and air quality. It is therefore recommended that the condition be amended as follows:

The site shall operate in accordance with the agreed routing strategy detailed within the approved Operational Management Plan. This includes the following measures:

- *A defined geography of households to be served by vehicles heading south down New Lane*
- *Explicit routing signage on all exits from the site*
- *Induction Packs/leaflets and training for all drivers*

- *Monitoring of movements via CCTV with regular reporting via an independent third party to the Local Planning Authority in accordance with the parameters of the OMP.*

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

Condition 10

7.32 Condition 10 of planning permission APP/21/00200, reads as follows:

Prior to the occupation of the development hereby permitted to install and maintain permanent traffic counters and monitor traffic levels across the 3 site accesses in accordance with the figures agreed at planning, as reflected in Appendix A of the Operational Management Plan. The monitored details shall be fed into Hampshire County Council's permanent traffic count database and available to view as required by the Local Planning Authority and County Highway Authority.

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

7.33 As set out in the reason for this condition, this is to confirm that the traffic levels presented in the OMP at planning are reflective of the on-site operation in the interests of amenity and the efficient operation of the Highway Network.

7.34 The main advantages of the current condition are that monitoring of traffic movements from the three access points is fed directly to HCC's permanent traffic counter database and can be assessed if required by HCC and/or HBC. The alternative arrangements as set out in the OMP are as follows:

- Data will be collected by the independent traffic survey company who will provide and maintain the equipment and provide survey date.
- During the (first) 18 months of operation a quarterly monitoring report will be provided to include data for that quarter. Data will be collected at the same time as when monitoring of traffic using New Lane to the south of the site is undertaken to ensure co-ordination.
- On the first anniversary of the site becoming operational the frequency of monitoring will be reviewed with HBC and subject to agreement. If there have been no concerns, this will be reduced to two weeks monitoring data every quarter for each year from the second to five and a half year anniversaries of the site being operational.
- The ATC's will be used to monitor the operation of the site for 5 ½ years after commencement of the proposed operation on the site.
- In each quarterly report the average traffic levels for the quarter will be reported together with the actual data for the identified weeks. The identified weeks will include average daily movements, and analysis of the peak period. This data will also include a classification of vehicle types between cars, vans and HGV's. It will also be presented for each of the three accesses as well as cumulatively for the whole site.

- Within the monitoring report, the level of traffic to/from the site will be compared to that used in the assessment undertaken in support of the extant planning consent (the data contained in Appendix A of the OMP). In the event that peak period traffic levels to/from the site are higher than those predicted then an assessment will be made to identify whether changes would lead to any material impact on the operation of the highway network around the site. If necessary, changes will be identified to how the site is operating to ensure that it is in line with the requirements of the OMP.

7.35 The current proposal would continue to propose Automatic Traffic Counters at the three access points; however rather than HCC receiving the data, the data would be collected by an independent traffic survey company who would provide data on the same basis as for Condition 9. In the first two years this would be quarterly with four weeks of data per quarter provided. The frequency of monitoring would be reviewed at the end of the first year as above. The information provided would include total vehicle movements including by type (cars, delivery vans and HGV's). It would provide daily and peak hour movements. The period for detailed assessment would match that for condition 9 and HBC can specify the weeks within the reporting period to be assessed (for example if concerns are raised by residents about volume of traffic in a particular period).

7.36 Overall it is considered that the alternative mechanism proposed by the applicant offers a robust means of ensuring that HBC and HCC can assess whether vehicle movements are as anticipated by the peak and daily traffic figures considered with the original planning application. The condition is recommended to be amended as follows:

Prior to the occupation of the development hereby permitted the infrastructure to monitor traffic levels across the 3 site accesses as specified in the Operational Management Plan shall be installed. The occupier will comply with the monitoring and reporting measures specified in the Operational Management Plan, including the use of independent data monitoring company. Data will be used for monitoring the effectiveness of the Management Plans only.

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

7.37 The Planning Statement makes reference to drivers and 'Delivery Service Partners'; an issue which has been highlighted in a number of the representations received in respect of the application. This indicates that not all vans will, at least initially, operate from the site. The more recent supporting information (Consultation Summary) states: *It should be noted that this application is not seeking to change the proposed operation at the site, only the way in which the operation is measured and monitored. It was for example indicated at the planning committee that there were issues of procurement in terms of acquiring the operators own van fleet on day one.*

7.38 It is understood that there are issues with procurement of vehicles at the outset of the operation and that therefore there will be vans coming to the site from other depots at least for a period of time whilst vehicles are procured. The OMP, however, states: *The occupier is looking to consolidate their operations on one site. This is opposed to vans being stored in the local area on separate sites.*

- 7.39 The OMP therefore sets out the model becoming the site based van operation as anticipated in the original consent. It is noted that the Table 3.1 Development Trip Generation in the OMP continues to cap the daily trip generation at 2,415 vehicles. This will be monitored under proposed Condition 10 from the automatic traffic counters and any exceedances could be addressed. Thus any additional traffic flows arising from vans arriving from off-site depots in the initial stages of the site's establishment will still not be able to exceed the daily trip generation cap.
- 7.40 In this regard it should be noted that Appendix A of the OMP (Traffic Data) provides further details of movements of vehicles across the day including for example no vans coming into the site before 11am. Again this reflects the anticipated model of operation following the procurement of the fleet of vehicles by the occupier, and not the initial establishment of the business on the site.
- 7.41 The recommended Condition 10 will allow for peak period traffic monitoring. The routing of vans to avoid New Lane south will also be monitored and controlled via the proposed condition 9 and CCTV automatic numberplate recognition. It is noted that no highway objection has been raised by the Highway Authority.

(iii) Employment implications of proposed changes to condition 28 (Employment and Skills Plan)

- 7.42 Condition 28 of planning permission APP/21/00200, reads as follows:

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

Construction phase

- *Deliver on all KPI's as per the submitted Employment and Skills Framework ensuring these opportunities are provided to Havant residents with particular focus on 16-24yr olds in Leigh Park*
- *Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.*
- *Six weeks from agreement of Planning Permission Contractor/Council initial E & S Plan meeting.*
- *Monitoring meetings to be scheduled with Contractor and the council on a quarterly basis to review progress.*
- *Contractor to submit evidence to the council proving Havant residents have benefited from the construction phase of the development.*
- *Provide press/photo opportunities/case studies involving Havant residents before the end of the construction phase.*
- *Contractor to provide report to the council at the end of construction phase with details of the job, apprenticeship, training, and site visits provided and who benefited.*

Occupation phase

- *Provide end user HR contact for recruitment.*
- *Continue quarterly monitoring meetings into recruitment phase to ensure opportunities are provided for Havant residents.*
- *Ensure active marketing campaigns target the recruitment of permanent jobs for Havant residents with particular focus on 16-24yr olds in Leigh Park and the immediate area.*
- *This includes working with agencies / contractors which provide flexible work and driver opportunities, with best endeavours given to prioritise or attract residents of Havant Borough.*
- *Provide two press/photo opportunity/case study involving Havant residents.*

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

- 7.43 The above condition was agreed in consultation with the Council's Economic Development section and is aimed at providing local employment opportunities at the site. The proposal is to split the condition into two conditions which would relate to the construction phase and occupation stage as the on site operations would be managed by separate entities for these differing periods. This is considered acceptable. The main other change relates to the age of potential recruitment for the occupation stage which has been changed from 16-24 year olds to 18-24 year olds. The planning agent has provided the following comment in relation to this change:

The proposed end user does have an apprenticeship programme for 18-24 year olds across England, Scotland and Wales. Throughout the selection process, applicants are offered various roles and locations to identify the best fit for them. The nature of the industry means that on-site roles incorporate overnight shift patterns in order for deliveries to be ready in the morning. As 16-17 year olds are by law not allowed to work overnight, it isn't possible for the scheme to extend to these age categories. In addition, the warehouse handles a wide variety of goods, some of which under 18s are prohibited from handling.

They comment further on the construction phase:

An initial Employment and Skills meeting has already been held between the Council and Department for Work and Pensions for the construction phase. It was attended by the developer and the contractor, with further meetings currently being diarised.

- 7.44 The Council's Economic Development Team have confirmed that they have no objections to the proposed amendments and the splitting of the original condition into two parts. It is recommended that the proposed changes are imposed to replace the original Employment and Skills Plan condition and these will help to ensure local employment opportunities at the site:

Condition 28 – Employment and Skills (Construction Phase)

Throughout the construction period to comply with the Construction Employment and Skills Framework Plan and to:

- *Deliver the approved Employment and Skills Framework Plan*
- *Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.*
- *Six weeks from agreement of Planning Permission Contractor/Council initial E&S Plan meeting.*
- *Monitoring meetings to be scheduled with Contractor and the council to review progress.*
- *Provide case studies involving Havant residents before the end of the construction phase.*

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

New Condition 29 – Employment and Skills (Occupation Stage)

Prior to Occupation an Occupational Phase Employment and Skills Plan shall be sent to the Local Authority which provides the following details:

- *An end user HR contact for recruitment for direct employees*
- *An inception meeting with the Economic Development Officer to detail the programme for launch recruitment and beyond initial occupation*
- *Provision for a follow up meeting to be attended by the Borough Council including members of the end-user's PR team.*
- *Provision of details of the agencies/contractors that are being partnered with*
- *Details of the marketing of direct employment opportunities, including specific reference to the need to target Havant residents, including those in the 18-24 category and those in Leigh Park and the immediate area*

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

(iv) Proposed Community Liaison Strategy Condition

- 7.45 The applicant noted the comments made at the Planning Committee meeting of the 9th September 2021 where members discussed whether the occupier would liaise with Local Residents representatives and Ward Members on an ongoing basis in order to seek to address potential operational impacts. As a result, an Informative was added to the original consent which stated:

It is requested that consideration be given to the establishment of a liaison board by the operators of the site to work with local residents and businesses should they need to address any conflicts arising from the operation of the site. This shall include an invitation to local Havant Borough Ward Councillors representing the Bondfields and St Faiths wards.

- 7.46 The Planning Agent has provided the following comments:

The proposed operator has an excellent track record of engaging with the community and is content for a requirement to be imposed which requires them to provide a strategy post-occupation which will set out the measures to be undertaken to engage with the community in a positive way. This will cover a whole raft of matters that the community would want to engage with but linked to the above two issues (highway impacts) would also provide a way for the community to engage directly with any concerns about operational transport issues. This includes a local community panel to

be established with key stakeholders and interested parties.

This condition sets out a clear commitment from the intended occupier to engage with the local community.

This is considered a positive approach which should provide a forum for positive engagement to seek to address any issues. The detailed wording is under discussion with the applicants agent and subject to this the following condition is recommended:

New Condition 30 – Community Liaison

Within 6 months of occupation the operator will produce a community liaison strategy, which will include:

- *Contact details for any queries to be forwarded;*
- *Details of membership of a local community panel to be established with key stakeholders and interested parties*
- *A schedule of meetings to be offered to the identified panel*
- *Record-keeping of engagement with the local community*

To provide residents and stakeholders an opportunity to feedback to the site operators on the effectiveness of the arrangements in place. Comments received will be used to make improvements to the site operations as and where appropriate.

Reason: *To allow for community engagement and to seek to address issues raised by the community in the interests of amenity having due regard to policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

(v) **Amendment to condition 2 to reflect revised Operational Management Plan**

7.47 The current submission includes a revised Operational Management Plan which would need to be listed under the revised condition 2. This incidental change can be supported given the conclusions above.

(vi) **S106 agreement**

7.48 The original planning permission APP/21/00200 included a S106 Agreement dated 22nd October 2021. This included Transport Contributions, Planting Contributions, Highway Works and Travel Plan requirements. The S106 Agreement included in the Definition of "Planning Permission" *the full planning permission subject to conditions to be granted by the Council pursuant to the Application (a draft of which is appended at schedule 2 to this Deed) or any variations of those conditions determined by the Council under section 73 of the Act or any non-material amendment to the Full Permission under section 96A of the Act.*

As this is a S73 application it is not considered that a Deed of Variation to the S106 Agreement is required in this case.

8 Conclusion

- 8.1 The current proposal is seeking to amend conditions applied to the original planning permission reference APP/21/00200 under a S73 application. The conditions relate to the Operational Management Plan, Routing of Vehicles, Traffic Counts and Employment and Skills requirements. In addition a further condition is proposed in relation to community liaison. The proposed changes have been assessed in detail. Given the short time between the original consent and the proposed variation in conditions it can be confirmed that there have been no relevant changes to the policy background relating to these considerations.
- 8.2 It is considered that the proposed amended and additional conditions would allow for appropriate controls and monitoring of the site to ensure that the development would have an acceptable impact on the locality. Planning permission can therefore be recommended subject to conditions as set out below.
-

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01244 subject to the following conditions:

- 1 The development must be begun not later than 22 October 2024.
Reason: To comply with the requirements of Sections 73 and 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

To be provided in an update paper to the Committee

Reason: - To ensure provision of a satisfactory development.
- 3 The construction phase of the development shall be carried out in accordance with the approved Construction Management Plan (produced by TSL) Issue No.3, unless otherwise agreed in writing by the Local Planning Authority. This includes construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

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

- 4 The Full Operational Management Plan document produced by Vectos Ltd, dated January 2022 shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

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

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

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

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

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

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

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

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

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

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

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

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

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

The Photovoltaic panels and Electric Vehicle charging provision shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 The site shall operate in accordance with the agreed routing strategy detailed within the approved Operational Management Plan. This includes the following measures:

- A defined geography of households to be served by vehicles heading south down New Lane
- Explicit routing signage on all exits from the site
- Induction Packs/leaflets and training for all drivers
- Monitoring of movements via CCTV with regular reporting via an independent third party to the Local Planning Authority in accordance with the parameters of the OMP.

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

- 10 Prior to the occupation of the development hereby permitted the infrastructure to monitor traffic levels across the 3 site accesses as specified in the Operational Management Plan shall be installed. The occupier will comply with the monitoring and reporting measures specified in the Operational Management Plan, including the use of independent data monitoring company. Data will be used for monitoring the effectiveness of the Management Plans only.

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

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

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

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

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

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

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

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

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

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

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

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

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

- 14 Construction of the development (except for demolition and preparation works) shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved details.

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

- 15 Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior the development being brought into use. The submitted details shall include;

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

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

- 16 The drainage system shall be constructed in accordance with the Drainage Strategy Report; ref: C200810-PIN-XX-XX-RP-C-02. Surface water discharge to the public sewer network shall be limited to 174l/s (1 in 1 year), 395l/s (1 in 30 year) and 395l/s (1 in 100 year). Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.
Reason: To ensure suitable drainage and to avoid flood risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 17 No piling or other deep foundation using penetrative methods shall take place unless and until details of the piling proposals are submitted to and approved in writing by the Local Planning Authority. If the piles/foundations are proposed to penetrate the full depth of the Clay cover at the site a piling risk assessment and method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including pollution prevention measures shall be submitted. The development shall be carried out in accordance with the approved details.
Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways for contaminants and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 18 Prior to use of the site commencing, an assessment of noise of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, to be installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the local planning authority before installation. The noise emitted from the use of this plant, machinery or equipment shall not exceed the noise criteria provided in Tetra Tech's Noise Constraints Assessment A118298 rev 3 dated 09/02/21. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.
Reason: In order to safeguard the amenities of adjoining residential occupiers having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. The details are needed prior to the use of the site commencing so that any additional mitigation measures can be incorporated.
- 19 The development including any demolition shall not commence unless and until a pre-commencement site meeting with the site agent, the applicants Arboricultural Consultant and a Havant Borough Council Arboricultural representative has taken place to ensure that all tree protection is correctly in place. The tree protection shall thereafter be retained and maintained as approved for the duration of the demolition works.
Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 The development including demolition shall take place in full accordance with the Arboricultural Impact Assessment and Method Statement Rev 02 Lizard Landscape Design and Ecology and Tree Retention and Protection Plan Drawing No. LLD2177-ARB-DWG-002 Rev 04. In addition all works within the Root Protection Areas of retained trees shall be supervised by the Applicants Arboricultural Consultants.
Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 21 The landscaping works shown on the approved plans Drawing No. LLD2077-LAN-DWG-010 Rev 03 and detailed in Landscape Design Strategy Lizard Design and Ecology LLD2177-LAN-REP-001 Rev 02 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 22 Prior to the commencement on a phase of the development (excluding demolition and temporary works), a Draft Design Stage Assessment demonstrating that the development will achieve at minimum 'Excellent' against the BREEAM Standard, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.
- 23 Within 6 months of any phase of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 'Excellent' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.

- 24 The development hereby permitted shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Impact Assessment (Lizard, May 2021 Rev 03) and as shown in the Landscape Masterplan Strategy (Drawing No. LD2177-LAN-DWG-010 Rev 03, Lizard, February 2021) unless otherwise agreed in writing by the Local Planning Authority. All ecological measures shall be implemented and installed in accordance with ecologists instructions and retained in a location and condition suited to their intended function.
Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 25 No part of the development shall be first brought into use until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls and acoustic fences have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 26 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 27 Notwithstanding any description of materials in the application no above ground construction shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The details shall include:
- Fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:
- finished levels
 - hard surfacing material type / product reference and colour
 - laying bond
 - edging or kerb detail / type
 - retaining structures or steps
- The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

28 Throughout the construction period to comply with the Construction Employment and Skills Framework Plan and to:

- Deliver the approved Employment and Skills Framework Plan
- Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.
- Six weeks from agreement of Planning Permission Contractor/Council initial E&S Plan meeting.
- Monitoring meetings to be scheduled with Contractor and the council to review progress.
- Provide case studies involving Havant residents before the end of the construction phase.

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

29 Prior to Occupation an Occupational Phase Employment and Skills Plan shall be sent to the Local Authority which provides the following details:

- An end user HR contact for recruitment for direct employees
- An inception meeting with the Economic Development Officer to detail the programme for launch recruitment and beyond initial occupation
- Provision for a follow up meeting to be attended by the Borough Council including members of the end-user's PR team.
- Provision of details of the agencies/contractors that are being partnered with
- Details of the marketing of direct employment opportunities, including specific reference to the need to target Havant residents, including those in the 18-24 category and those in Leigh Park and the immediate area

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

30 Within 6 months of occupation the operator will produce a community liaison strategy, which will include:

- Contact details for any queries to be forwarded;
- Details of membership of a local community panel to be established with key stakeholders and interested parties
- A schedule of meetings to be offered to the identified panel
- Record-keeping of engagement with the local community

To provide residents and stakeholders an opportunity to feedback to the site operators on the effectiveness of the arrangements in place. Comments received will be used to make improvements to the site operations as and where appropriate.

Reason: To allow for community engagement and to seek to address issues raised by the community in the interests of amenity having due regard to policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices:

- (A) Location Plan
- (B) Existing Site Plan (Pre-Demolition)
- (C) Proposed Site Plan (As Approved)
- (D) Proposed Warehouse Elevations (As Approved)
- (E) Proposed Parking & Vehicular Movements (As Approved)
- (F) Area South of the Site Accessed via New Lane (South)