
Site Address: Brockhampton West, Harts Farm Way, Havant
Proposal: Outline application for the development of new employment units to provide up to 29,000 sq m (gross internal area) for flexible use across use classes E (light industrial), B2 and B8 with ancillary offices, car parking, service yards, drainage works, landscaping and associated works to prepare the site for development. All matters are reserved except the means of access to the site.
Application No: APP/21/00189 Expiry Date: 25/05/2021
Applicant: Clowes Developments (UK)
Limited
Agent: Mr Matthew Thomas Case Officer: Lesley Wells
MSA
Ward: Bedhampton

Reason for Committee Consideration: Large Scale Major Application

HPS Recommendation: **GRANT OUTLINE CONSENT**

Executive Summary

The proposal is an Outline Planning Application with all matters reserved except the access, for the erection of new employment units to provide up to 29,000 square metres floor space (gross internal area) for flexible uses including use classes E (light industrial), B2 (general industrial) and B8 (storage and distribution) with ancillary offices, service yards, drainage work, landscaping and associated works to prepare the site for development.

The site is located to the north of Harts Farm Way with the A27/Harts Farm Way (Teardrop Junction) to the West. To the north the site is bordered by the A27 and beyond that, agricultural fields, with footpath 30 and the Hermitage Stream to the east. The site is located approximately 170 metres to the north of the internationally important statutory designated sites: Solent Marine Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Areas (SPA) and Ramsar site, as well as the nationally important Langstone Harbour Site of Special Scientific Interest (SSSI), which along with Chichester Harbour SSSI is a component part of the SPA.

The site is reclaimed land that has previously been used as a landfill site, for drainage operations and recreation. It is undeveloped and currently accommodates a gravel parking/turning area, with vegetation covering the majority of the site with trees and shrubs around much of the perimeter and within parts of the site. The site is generally elevated from the surrounding land.

In terms of the principle of development, the site is allocated for employment use in the adopted Local Plan for up to 23,400 square metres. This employment allocation was taken forward in the withdrawn Local Plan. Therefore, the principle of employment use has been established by adopted policy.

The site has been assessed against the three overarching objectives for sustainable development in the National Planning Policy Framework: which are economic, social and environmental and it is concluded that overall these objectives can be met by the development, subject to appropriate conditions and legal agreement requirement.

The indicative layouts, contamination, noise and air quality issues have been assessed and are considered to be acceptable for future employment use of the site subject to appropriate details being provided at the reserved matters stage.

The indicative layouts have been assessed in terms of their impacts on the character and appearance of the area and Langstone Harbour and it is concluded that, subject to the final design and layout (to be considered at reserved matters stage) there would be an acceptable impact on the surrounding landscape and from public vantage points.

The highway impacts have been considered in detail and improvements to sustainable travel are proposed through the provision of a shared cycle/ footway from the teardrop roundabout from the west to the main access and a pedestrian crossing over Harts Farm Way and a footpath to the east.

Flood risk and drainage proposals have been considered and subject to suitable foul and surface water drainage conditions, an appropriate drainage regime can be provided which mitigates contamination leachates from this landfill site into Hermitage Stream and Langstone Harbour. Conditions are recommended to secure appropriate mitigation measures.

Ecological impacts have been subject to detailed consideration and where necessary appropriate mitigation for example in relation to bats and slow worms would be provided. Conditions are recommended to secure mitigation.

Impacts on trees and proposed landscaping has been assessed and subject to appropriate conditions and the reserved matters application it is considered that an acceptable development can be secured.

A package of infrastructure requirements would be secured in relation to the development via a Section 106 Legal agreement and conditions in order to ensure that the proposal constitutes sustainable development.

Prior to Natural England (NE) recently updating its advice on calculating, and therefore addressing, nutrient neutrality, the Council has conducted a Habitat Regulation Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, which included an Appropriate Assessment (AA) under Regulations 63. The screening under Regulations 63(1) (a) found that there was likely to be significant effect on Chichester and Langstone Harbour Special Protection Area (SPA) and a low level Brent Geese and Waders Site requiring mitigation.

The subsequent AA included a package of measures:

- to reduce the pathway for leachates to enter the groundwater and water courses;
- to secure the appropriate scale of mitigation set out in the Solent Waders and Brent Goose Strategy (SWBGS); and
- to mitigate measures from construction impacts and noise, disturbance and construction related pollutants.

The AA concluded that this was sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. This conclusion was accepted by Natural England.

Since the acceptance by Natural England of the conclusion in the AA, NE have updated its advice on nutrient neutrality. It has therefore been necessary for the Council, as Competent Authority, to review the HRA/AA previously undertaken by the Council to ensure it is robust and based on the most up-to-date scientific evidence. At the time of writing this report officers are working with Ricardo (who provided the specialist advice to the Council for the original HRA/AA for the site) to ascertain if this is the case, or if further work is required on the HRA/AA. The Committee will be updated on the outcome of this work.

Notwithstanding, to conclude, the site is allocated for employment use which would contribute to jobs and employment opportunities within the Borough in an accessible location. In assessing the proposal (including associated evidence) against the adopted development plan and the National Planning Policy Framework this scheme is considered to represent sustainable development and is therefore recommended for permission, subject to the matter of the HRA/AA being satisfactorily resolved.

1. Site Description

- 1.1 The site lies on the north side of Harts Farm Way with the A27/Harts Farm Way (Teardrop Junction) to the west. To the north the site is bordered by the A27 and beyond that, agricultural fields, with a public footpath (Footpath 30, part of the long distance Wayfarers Walk) and the Hermitage Stream to the east.
- 1.2 Broadmarsh Coastal Park is to the south and west of the site. Beyond the coastal park is Langstone Harbour which is designated as a Site of Special Scientific Interest (SSSI), with the Farlington Marshes nature reserve to the south west of the Harbour.
- 1.3 The nearest heritage assets are the Grade II listed Old Mill House, approximately 300 metres to the north-east of the site; and Old Bedhampton Conservation Area, approximately 150 metres north-east of the site. Both of these heritage assets are to the north of the A27.
- 1.4 The site is approximately 8.36ha in area and is reclaimed land that has previously been used as a landfill for a variety of refuse materials. It was also used for informal recreation. It is undeveloped and currently accommodates a gravel parking/turning area, with vegetation covering the majority of the site with tree planting around much of the perimeter. The site is generally elevated from the surrounding land, characterised by two main areas including a broadly level plateau with sloping sides to the west and a more elevated, rounded and undulating tip to the east. The southern boundary of the site has an overhead electricity line running along it, suspended on timber posts.
- 1.5 The main body of the site is situated within Flood Zone 1, with the Hermitage Stream corridor to the east lying within Flood Zone 3.

2 Planning History

26081 – Construction of mounds and the landscaping of the site for recreation and ancillary car parking – all land (excluding A3(M) land) lying to south of A27 and to the west of the Hermitage Stream – granted 17/2/77

26081/1 - Use of land for the disposal of controlled waste – granted 24/9/79

26081/2 – Variation of approved programme of tipping operations – granted 20/9/86

98/54097/002 - Land raising by one metre, granted 18/03/1999
97/58653/001 - Renewal of temporary permission for the retention of 4 portable changing units, 1 portable toilet and 1 storage unit for grounds maintenance machinery, granted 29/12/1997
98/54097/2/HBC – Land raising by one metre – granted 18/3/99

3 Proposal

- 3.1 The proposal constitutes an outline application with all matters reserved except the access, for the erection of new employment units to provide up to 29,000 sq m floorspace (gross internal area) for flexible uses across use classes E (light industrial), B2 (general industry) and B8 (storage and distribution) with ancillary offices, car parking, service yards, drainage works, landscaping and associated works to prepare the site for development. The Site Location Plan is attached as Appendix A.
- 3.2 If planning permission is granted, there will need to be a further planning application submitted to address the 'Reserved Matters' namely the development's Appearance, Landscaping, Scale and Layout. It is however critical at this stage to consider whether the quantum of development proposed is acceptable and can be appropriately provided on this site together with securing the necessary infrastructure to support that level of development. The application is accompanied by indicative site layout plans which seek to demonstrate that the three options proposed could be accommodated together with a suite of supporting information including the following:

Air Quality Assessment
Breeam Report
Construction Environmental Method Statement
Design & Access Statement Parts 1 & 2
Drainage Strategy
Ecology Report
Energy Strategy
Geo-Environmental Assessment
Remediation Options Appraisal & Verification Strategy
Habitats Regulations Assessment
Landscape & Visual Impact Assessment (LVIA)
Lighting Strategy
Planning Statement
Heritage Statement
Transport Assessment, including Travel Plan

- 3.3 As to the main access off Harts Farm Way this would be to the south east of the site, with a second access to the south west. A pedestrian access to the west is also proposed.
- 3.4 From the Teardrop roundabout to the main access a new 3m wide cycle/footway is proposed on the north side of Harts Farm Way, which would link into a toucan crossing onto Harts Farm Way to the west of the main access, together with a footpath to the east of the main access linking to an existing footway on the north side of Harts Farm Way at the bridge over the Hermitage Stream.
- 3.5 As previously mentioned, the planning application includes three indicative site layout options, to reflect a range of options to suit different potential occupiers. The applicant has advised that the final development will be driven by market demand

and specific occupiers' requirements, albeit it has been indicated that there is interest to use the site for Class B8 use (storage and distribution) and Class B2 use (general industry).

3.6 The indicative site layout options are:

Option 1. A single unit running east to west along the north section of the site with the internal access road and service yard located to the south of the unit. Offices would face westwards towards the perimeter of the site, with associated parking areas in front. Two vehicular and one pedestrian access would be provided off Harts Farm Way. This one-unit scheme would have a 28,392 sqm gross internal area (GIA), with a height from first floor level (FFL) above Ordnance Datum (AOD) of 18.5m. Indicative Site Layout Plan Option 1 is attached as Appendix C.

Option 2. Two units located at the northern side of the site. Unit 1 would be orientated east to west at the western end of the site, with a height from FFL of 17.5m AOD level. Unit 2 would be orientated north to south at the eastern end of the site, with a height from FFL of 17.8m AOD. The units would be linked by the internal spine road running east to west. Offices would face out towards the perimeter of the site, with associated parking to the front, with two vehicular and one pedestrian accesses off Harts Farm Way. This two-unit scheme would have a 27,985 sqm GIA. Indicative Site Layout Plan Option 2 is attached as Appendix D.

Option 3. Three units located at the northern side of the site. The three units would be set at different levels and linked by an internal spine road running east to west. Unit 1, the largest unit would be orientated east to west at the western end of the site, with a height from FFL of 17.5m AOD. The offices to this unit would face westwards and front onto the office parking that would have a separate access from Harts Farm way. Units 2 and 3, which would be smaller, would sit within the same building envelope orientated north to south at the eastern end of the site. Unit 2 and 3 would have a height of 17.8m AOD. The offices for these units would be on the west side of the units, fronting onto the office car parking areas. This three-unit scheme would have a 27,471 sqm GIA. Indicative Site Layout Plan Option 3 is attached as Appendix E, with Indicative Elevations attached as Appendices F and G.

3.7 The maximum external height of the buildings would be 18.5m from FFL, with a maximum gross internal floor area up to a total of 28,392 sqm. The main vehicular access would be off Harts Farm Way in the south east of the site; with a second point of access further to the west along Harts Farm Way; and with a separate pedestrian access linking to the Teardrop junction.

3.8 With all three options, significant landscape buffers would extend around the perimeter of the development. These would be made up of existing and new areas of landscaping with landscaped bunds along the west and south boundaries. The height of the landscaped bunds would be 3m to the west and 5m to the south. Specific details on the bund and landscape would form part of the reserved matters.

3.9 In order to make the site viable for the proposed development, regrading and cut and fill operations would be required to provide a capping layer to the former landfill facility, which will be discussed further under Section 7 below.

3.10 As to foul drainage this would link into a public sewer, with surface water discharge directed through a culvert headwall into the Hermitage Stream to the east.

3.11 Since the submission of the application, a number of amendments to the scheme have been made to include:

- Reduction in height of the buildings in Options 2 & 3, by 1m for unit 1 and 0.7m for units 2 & 3.
- Provision of a toucan crossing on Harts Farm Way to the west of the main access;
- A cycle way/footpath from the Teardrop junction to the main access, with a footpath to the east of the main access;
- Foul drainage to be connected into a public sewer;
- Re-arrangement of pedestrian/cycle access on eastern boundary to provide overlapping bunds and improved screening;
- Redesign of the bunds to the south and west of the site with shallower gradient 1 in 3 slopes on the outer bunds and steeper 1 in 1 inner slopes to allow for a wider depth of woodland buffer planting, to improve visual screening of the development.

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

CS1	(Health and Wellbeing)
CS2	(Employment)
CS3	(Skills and Employability)
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)
CS18	(Strategic Site Delivery)
CS19	(Effective Provision of Infrastructure)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
DM20	(Historic Assets)
DM23	(Sites for Brent Geese and Waders)
AL1	(Presumption in Favour of Sustainable Development)
AL2	Urban Area Boundaries and Undeveloped Gaps
AL7	Hermitage Stream
HB2(BD1)	(Havant and Bedhampton Employment Allocations)

Hampshire Minerals & Waste Plan (HMWP)

Policy 19 - Aggregates wharves & rail depots

Policy 26 – Safeguarding waste infrastructure of the HMWP

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

5 Statutory and Non Statutory Consultations

This section provides a summary of the consultation responses. Where appropriate, the full main consultation responses are found in Appendix R.

Arboriculturalist - No Objection

Response to additional information

Extensive new planting will mitigate for the lower quality trees being removed and will provide and enhance the area in terms of providing greater quality tree canopy cover in the area.

The Tree Survey within the Landscape and Visual Impact Assessment is comprehensive and to a high standard.

No objection to application based on a full Tree Protection Plan and planting plan being conditioned.

Officer Comment: *If permission is granted a condition relating to the Tree Protection Plan is recommended. As to a planting plan, the information provided is indicative only at this stage. The detailed Landscape Scheme for the site, would be a Reserved Matter.*

Building Control

No comment.

Coastal Engineering - No Objection

The site is Flood Zone 1 and is therefore considered to be at low risk (<0.1% annual probability) of experiencing an extreme tidal flood event.

The nature of the proposal does not alter tidal flood risk at the site. The present day 1:200 year extreme tidal flood level for Langstone Harbour is 3.3 mAOD, increasing to a predicted 4.4 mAOD by the year 2115 (design tide level), due to the effects of climate change.

Recommend that when the finished floor levels are considered as part of the detailed design process, this should be taken into account.

Officer comment: *If permission is granted the above comments relating to tidal flood level for Langstone Harbour, would be an informative on the decision notice.*

Community Infrastructure

Monitoring fees will be required for the Section 106 agreement.

Conservation Officer - No Objection

A revised Heritage Statement (HS) has been submitted with the application by RPS Planning. This assesses the significance of the nearby heritage assets, that being the Old Bedhampton Conservation Area and the listed buildings within it. The HS then assesses the impact of the proposed development on that significance, including the setting which forms part of the significance.

The HS concludes that the application site does not contribute to the significance of the Old Bedhampton Conservation Area with regards to how the heritage asset is experienced or understood as a historic village with a rural character.

The closest section of the CA to the development site would be the Old Manor Farm – Character Area 5, which sits to the south of Lower Road and framed by open fields which carry on until the A27. Given the proposed heights of the industrial units at 16-18m (approx.), it is likely that these will be visible from this part of the CA. However, given the long distances involved and that the application site is located to the south of the A27, which already forms a physical division, it is considered that the proposals would not result in harm to the designated heritage asset or its setting which forms part of that significance. It is also noted that a landscape buffer will surround the development site which will assist to mitigate its visual impact to some degree.

Conclusion

Overall, it is considered the development would not result in harm to the adjacent conservation area. No objection to the application is raised.

Councillor Gary Robinson

No comment.

Councillor Kenneth Smith

No comment.

Councillor Mark Inkster

No comment.

Countryside Access Team - No Objection

Likely effect on Footpath 30 in terms of dust, noise or other obstruction during the period of the work. The proposals require a temporary diversion of Footpath 30 for a period of one week – applicant should contact HCC over this matter.

Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

- i. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.
- ii. Any damage caused to the surface of the Public Right of Way will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.
- iii. There must be no surface alterations to a public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any

such works without this permission would constitute an offence under s131 Highways Act 1980.

Officer Comment: A contribution of £55,210.50 to Hampshire County Council was initially agreed with the applicant to secure improvements to Havant footpath 30. However, following further negotiations, it has been agreed with the Highway Authority that the applicant would fund the provision of a toucan crossing over Harts Farm Way and a cycleway/footpath to the south of the site. This would link into the existing cycleway/footpath to the west and the footpath over the bridge to the east. The funding for this is in the region of £220,000 - £230,000.

A condition relating to reinstatement works to footpath 30 is recommended following the surface water drainage works, together with an informative advising of the need to secure a Temporary Closure Order from HCC, if permission is granted.

County Archaeologist - No Objection

Archaeological sites have been recorded at this location, but they were revealed during the preparation of the site for landfill use. It is probable that any archaeological remains associated with the site were destroyed (albeit recorded) at this time.

Council's Ecologist (NB Full response in Appendix R 1.1)

The main areas of comments:

Development will result in the loss of a designated Low Use Solent Waders and Brent Geese site.

Mitigation/compensation will be required for loss of this designated site.

Enhancement to Broadmarsh Coastal Park should be secured.

Mitigation for loss of greenspace required.

Lack of engagement with embedding biodiversity within the built form; enhancements to the built area can be undertaken.

Minded to grant, recommending conditions as to a detailed Ecological Mitigation Compensation and Enhancement Strategy and a Construction Management Plan.

Officer Comment: As to the loss of the Low Use Solent Waders and Brent Goose area on part of the site, an HRA/AA has been undertaken. The HRA/AA sets out that a financial contribution in accordance with the Solent Wader and Brent Goose Strategy has been agreed with the applicant to address the loss of the Low Use site. Natural England was consulted over the HRA/AA and agreed that the loss of this supporting habitat should be addressed through a financial contribution. This would be secured through a legal agreement.

If permission is granted the above conditions are recommended, together with a landscape condition to secure further ecological mitigation and embedding biodiversity enhancement within the development.

County Minerals - No Objection

The south-eastern corner of the application site sits within the safeguarded buffer zone of Bedhampton Aggregates Wharf, as defined within the adopted Hampshire Minerals and Waste Plan (HMWP) (2013). This area is safeguarded to prevent inappropriate (non-waste) development from hindering the operation of the wharf by 'encroachment' near to the existing site. The application site is also located in close proximity to the following safeguarded waste infrastructure: Harts Farm Way Household Waste Recycling Centre (HWRC), Harts

Farm Way Waste Transfer Station and Budds Farm Wastewater Treatment Works.

Consideration should be given to any impacts that the proposed development may cause on the operation of the above named safeguarded sites. Should we as the MWPA consider the development to pose risks to the operation of the safeguarded sites then appropriate buffers and mitigation measures will be required.

Officer Comment: *No specific buffers and/or mitigation measures for the Bedhampton Aggregates Wharf have been requested by County Minerals at this stage. If permission is forthcoming the County Minerals comments relating to the safeguarded buffer zone of Bedhampton Aggregates Wharf would be included on the decision notice as an informative.*

Crime Prevention -Major Apps

No Comment

Department of Transport, National Highways – No Objection (NB Full response in Appendix R 1.2)

Response to additional information

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

In the case of this development proposal, our interest is in the A27 and A3(M).

National Highways has no objection subject to conditions relating to a Construction Environmental Management Plan, a foul sewerage and surface water drainage scheme, external lighting, Operational Management Plan, details as to the construction of the bunds.

Officer Comment: *If permission is granted, the above conditions would be consolidated with the conditions recommended by the Highway Authority.*

Southern Water – No Objection (NB Full response in Appendix R 1.3)

Response to additional information

Following negotiations, it has been agreed with Southern Water that they can facilitate foul sewerage disposal to service the proposed development.

Officer comment: *Reference to SuDs is also made by Southern Water, however the development does not propose this.*

Economic Development – Support

The proposed development will provide needed business units on a site that has been derelict for some time. The development is of a significantly large size, that will hopefully provide a large number of jobs for the borough. The Economic Development team receives queries from businesses, especially in the advanced manufacturing and engineering (AME) sector looking to

move to or grow within the borough.

Given the scale of the development, a Local Employment & Training Agreement is sought to increase employment and career opportunities.

Officer Comment: *If permission is forthcoming an Employment and Skills Plan would be a requirement of the Section 106 Agreement.*

Engineering/Drainage

No Comment.

Environment Agency – Final Comments – No Objection (NB Full response in Appendix R 1.4)

Response to additional information

The Environment Agency have reviewed the updated “Draft for comment” Remediation Options Appraisal and Geo Environmental Assessment. Confirm that the contents are in line with our previous discussions on the site.

No Objection, subject to conditions regarding: no further development if contamination not previously identified is found during development; provision of a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation; and no piling or deep foundations shall be constructed until a method statement has been produced demonstrating how groundwater will be protected.

Officer Comment: *The draft Remediation Options document was subsequently finalised with some agreed minor additions sought by the EA. The finalised document has been submitted and uploaded and the conditions recommended would be consolidated with those recommended by Environmental Health, if permission is granted.*

Environmental Health Manager - Contamination – No Objection (NB Full response in Appendix R 1.5)

Summary Response to final comments

Some potentially material aspects of the contamination assessment have been identified which could be interpreted to be contrary to National Planning Policy, if a strict interpretation were applied. A more nuanced interpretation is arguably available, and additional planning considerations (such as both reasonableness & proportionality) may well apply.

These comments do not make a specific recommendation as to the approval - or refusal - of these proposals, and instead aim to inform the planning decision (against a broader public interest test) of both sides of the possible interpretations.

The interaction of the various related documents (Construction & Material Management Plans, Ecological Assessment, Factual & Interpretive Contamination Assessment, Water Quality Monitoring, Remedial Options Appraisal & Verification Strategy) are discussed, and a consolidated suite of amended conditions is suggested in substitution to those proposed by the Environment Agency (EA), and that previously recommended by Environmental Health.

It was intended to broaden the scope of EA proposed conditions to specifically incorporate Ecological risk drivers and those aspects only relevant to the Local Authority (i.e., Human Health, Built Environment). The EA may wish to review the proposed amendments, particularly

in relation to managing the risks of piling via a method statement.

No objection subject to conditions relating to: Remediation Method Statement; contamination 'watching brief'; verification report on the satisfactory completion & efficacy of works; and Method Statement demonstrating how ground water would be protected.

Officer Comment: *Due to the former use of the site as land fill, Environmental Health (EH) has provided, amongst other matters, detailed comments on contamination issues. The applicant's latest Geo-Environmental Assessment and Remediation Options Appraisal & Verification Strategy was submitted in November 2021, following a meeting with EH, the Environment Agency (EA) and the applicant's Consultant. EH and the EA have commented on these documents and recommended conditions, (i.e. Remediation Method Statement, contamination 'watching brief, verification report on approved remediation method statement, Method Statement for piling or deep foundation columns), which seeks to amend the EA's conditions, which are referred to above. EH's recommended conditions cover a Remediation Method Statement, a contamination 'watching brief, verification report which demonstrates both the completion & efficacy of work in the remediation method statement, and no piling or deep foundation columns until a Method Statement demonstrates how groundwater would be protected.*

The latest comments from EH (contamination) are based on the most updated information, together with EH's summary.

Environmental Health Manager - Noise - No Objection

A number of additional requirements relating to no bonfires, noise, vibration, dust, airborne pollutants and piling should be added to the Construction Environmental Method Statement (CEMS).

Officer Comment: *If permission is granted the additional requirements would be consolidated into the CEMS.*

Hampshire Highways – No Objection, subject to further information – Second Response (NB Full response in Appendix R 1.6)

Response to additional information

In order to address the highway authority's concerns regarding pedestrian access to the site from the east, the applicant has proposed to implement a toucan crossing along Harts Farm Way to the west of the eastern vehicular access to connect to a shared use footway/cycleway within their site boundary which will be adopted as highway. This will tie into the existing footway and crossing provision at the teardrop junction. The provision of a footway eastwards from the main access to connect to the bridge over Hermitage is also proposed.

The principle of the scheme is agreed, with other highways matters agreed at the S278 detailed design stage.

As to a recommended condition a construction method statement is required, together with obligations in the legal agreement which are concerned with a full travel plan, monitoring fees and associated bond; and implementation of both site accesses and pedestrian infrastructure both prior to occupation.

HSE (Hazardous Substance Consent matters)

No Comment

This application does not fall within the Consultation Distance Zones of either a Major Hazard Site or Major Accident Hazard Pipeline.

Landscape Team – Final Comment – Objection

From a landscape perspective we feel the site is suitable for development, but this must not be to the undue detriment of the landscape character of the local vicinity and our comments to the applicant's response are as follows:

We still have concerns with the height of the units (18m on a +14m FFL slab height) being too overbearing and having a negative impact on the surrounding landscape character.

The size of the units are too tall and the disproportionate height in comparison to neighbouring units is deemed to be contrary to planning policy CS16 and HBC design guides;

Given the principle of screening as the sole mitigation strategy for the superfluous unit heights there appears to be a disparity between the level of screening required and what can be achieved given the proposed planting by year 15.

A decision on the site layout needs to be made as having 3 indicative layouts only creates ambiguity. Given the sites topography there is a significant difference between options 1 and options 2/3.

Officer comment: *Whilst the quantum of development of the site is material, the only matter at this stage to be determined is the access. A Reserved Matters application would need to be submitted in respect of the layout, scale, appearance and design.*

The employment development of the site is allocated in the adopted Local Plan (and also featured in the now withdrawn Submission Local Plan). As a consequence, it is recognised that the development would have an impact on the locality; such impact to be mitigated by the proposed height of the development and by landscaping, which is a Reserved Matter.

Langstone Harbour Board – Objection

The Board's Planning Sub Committee has considered this application and wish to OBJECT to this proposal for the following reasons:

1. The Langstone Harbour Management Plan states that "The open area around the harbour is part of the harbour's landscape and nature conservation value and should be retained and managed for these purposes in association with the harbour itself".
2. The field is categorised as "low use" for wading birds in the Solent Wader and Brent Goose Strategy – further survey work should be undertaken to understand the importance of the field as a high tide feeding site for SPA bird species. (The most recent survey data contained within the Planning Statement is from 2014, and although my visit to the site revealed the current management regime there does not make the site particularly attractive for Brent Geese/Waders it is important to understand how designated species are currently using the site).
3. The Langstone Harbour Management Plan includes the following objectives: to conserve and improve the landscape of the harbour and of the surrounding area visible from the water, including the built environment, and to encourage land use and management practices on land around the harbour that will maintain and enhance its value to nature conservation and the quality of its landscape. The proposal for a large

commercial building on this site is not compatible with these objectives.

The committee understands that the site of this proposal is included in Havant Borough Council's Regeneration Strategy, meaning it is certainly possible that this building will ultimately be taken forward. Should this be the case, the Langstone Harbour Board wish to be fully consulted throughout the application process in order to ensure that this potential development does not negatively impact upon harbour views.

Officer Comment: *The employment development of the site is an allocation in the adopted Local Plan (and also featured in the withdrawn Submission Local Plan) and it is recognised that the development would have an impact on the locality; such impact to be mitigated by the proposed height of the development and by landscaping, which is a Reserved Matter.*

As to any further application(s) for the site the Langstone Harbour Board would be consulted.

Local Lead Flood Authority HCC- No Objection

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through a tumble manhole with an unrestricted discharge into the Hermitage Stream. This is acceptable in principle subject to any required consent from the Environment Agency and the Marine Management Organization.

Therefore, the County Council as the Lead Local Flood Authority has no objection to the proposals subject to recommended surface water drainage conditions.

Officer Comment: *Due to the ground conditions SuDs drainage is not an option in this case. If permission is granted a consolidated condition relating to foul and surface water drainage is recommended.*

Marine Management Organisation – Comment

Marine Licensing

Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that would affect a UK or European protected marine species.

Marine Planning

As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore

marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist.

The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply. The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

Officer Comment: *If permission is granted, then the Marine Management Organisation comments, would be added as informatives with none of the works taking place below the mean high water mark.*

Natural England – Final Comments - No Objection (NB Full response in Appendix R 1.7)

Response to additional information

Your appropriate assessment, dated 6th December 2021, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Officer Comment: *As mentioned earlier in this report, since the acceptance by NE of the conclusion in the AA, NE has updated its advice on nutrient neutrality. It has therefore been necessary for the Council, as Competent Authority, to review the HRA/AA previously undertaken by the Council to ensure it is robust and based on the most up-to-date scientific evidence. At the time of writing this report officers are working with Ricardo (who provided the specialist advice to the Council for the original HRA/AA for the site) to ascertain if this is the case, or if further work is required on the HRA/AA. The Committee will be updated on the outcome of this work.*

Open Space Society – No comment

Planning Policy – No Objection (NB Full response in Appendix R 1.8)

NB Policy comments were previously provided in March 2021. The position with regard to the emerging Local Plan has since changed, with the Havant Borough Local Plan being withdrawn in March 2022. The following comments are written to address this material change in the local policy position.

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough. Following the receipt of the Inspectors' Interim Findings, the Examination was concluded, and the Havant Borough Local Plan was formally withdrawn on the 16th March 2022.

The following policies are of particular relevance:

- CS2 – Employment
- CS14 – Efficient Use of Resources
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking on Residential Development
- HB2 (BD11) – Brockhampton West

In addition, Policy 19 – Aggregates wharves and rail depots of the Hampshire Minerals and Waste Plan is of relevance.

Principle of Development

The site is allocated for 23,400 square metres of new manufacturing and/or warehousing floorspace, supporting between 334 and 650 jobs under site reference BD11 in Policy HB2 of the Havant Allocations Plan. It should be noted that the description of the development is to provide up to 29,000 sq.m (gross internal area) for flexible use across use classes E (light industrial), B2 and B8 with ancillary and the proposals would therefore slightly exceed the quantum of development envisaged by the allocation in the Adopted Local Plan.

In summary, the quantum of development envisaged by the development proposals would slightly exceed that envisaged by the allocation in the adopted local plan. Subject to the detailed matters being satisfactorily addressed including landscape, SWBG, BREEMA standard, parking and minerals and waste, the development proposals are supported in policy terms.

Portsmouth City Council

No Comment

Portsmouth Water Company - No Objection

The site is situated to the south of the Source Protection Zone 1 for an essential public water supply source, north of Harts Farm Way. The surface water drainage from the site is treatment via SUDS features with final discharge to the adjacent watercourse. A packaged treatment plant with final discharge to the adjacent watercourse will treat the

foul water drainage. No infiltration drainage is permitted for the site and there will be no drainage in the Source Protection Zone 1. Providing there are no discharge off site that could impact the underlying Chalk aquifer, Portsmouth Water have no further comments on this application.

Officer Comment: *A SuDs system is no longer proposed, due to ground condition. As to foul water, following an objection from the Environment Agency, a treatment plant is no longer proposed, with foul water from the site to be linked into the public sewerage system.*

Public Spaces

No comment

Ramblers Association - No Objection

Footpath Havant 30 runs along the east edge of the development site. The Solent Way and the proposed route of the Coastal Path follow the southern end of footpath Havant 30 and continue east on Harts Farm Way touching the south east corner of the development site.

The following issues should be addressed in any development.

- 1) The current connection between footpath Havant 30 and Harts Farm Way is via a steep path through the south east corner of the development site. This connection must remain.
- 2) The east side of the development must have screening to maintain the rural nature of path Havant 30.
- 3) If path Havant 30 is to receive additional usage as a result of the development then consideration should be given to improving its surface and connection to Harts Farm Way.

Officer Comment: *The 'footpath' in the south east corner of the site is not a definitive footpath, and would not be accessible following the development. However, access from Harts Farm Way to footpath 30 would still be secured from the south side of this road, opposite the site. As to enhancements to landscaping, this would be a reserved matter. As mentioned above, initially a financial contribution was agreed to enhance footpath 30. However, this has been superseded by the provision of a cycleway/footpath along Harts Farm Way, linking into the cycleway/footpath to the west and east.*

Royal Society for the Protection of Birds – Objection

The RSPB **objects** to these proposals because the application fails to consider indirect impacts towards adjacent functionally-linked land to internationally designated sites and therefore is not compliant with The Conservation of Habitats and Species Regulations 2017. The RSPB would like to focus its response around the Solent Wader and Brent Goose Strategy (SWBGS) and impacts towards sites H08, H07A, H07B, and H07C.

The RSPB welcomes the applicant's commitment to contributing to the SWBGS for the loss of Low Use site H08 through S106 agreement. However, the Applicant fails to consider the indirect impacts of the development on the three adjacent SWBGS sites, listed below:

- H07A – Core Area
- H07B – Secondary Support Site
- H07C – Low Use Site

The SWBGS aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPAs). Land identified within the SWBGS supports the functionality and integrity of the Solent SPAs due to the use of the sites by SPA species and is therefore granted the same level of protection. Due to the proximity of the three SWBGS sites (H07A, H07B, and H07C) to the proposed site location, likely significant effects on the integrity of the Solent SPAs through impact pathways such as noise, vibration and light pollution during construction and operation cannot be excluded. Therefore, a Habitats Regulations Assessment (HRA) must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 to assess the potential negative impacts upon SWBGS sites H07A, H07B, and H07C.

Officer Comment: *A Habitats Regulations Assessment and an Appropriate Assessment has been undertaken, which considered the loss of this Solent Wader and Brent Goose site and the financial mitigation package to compensate for this, on which Natural England (NE) was consulted. Compensation funding to address the loss of this Solent Wader and Brent Goose may include payment towards the management and enhancement of the wider waders and brent geese ecological network, which has been agreed with NE.*

It was only considered necessary in the HRA, to address the indirect impacts of the proposed development on the remainder of site H05A located to the south of the development site as identified in the Solent Waders and Brent Goose Strategy. This would be addressed by a Construction Environmental Management Plan, which has been agreed with NE.

SE Hants Clinical Commissioning Group - No Objection

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

South Eastern Hampshire Clinical Commissioning Group does not wish to make any further comments at this time.

Southern Electric

No comment.

Southern Gas Network

No Comment

Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

SE refers to the need to consider guidance in the NPPF and Playing Pitch Strategy or Built Sports Facility Strategy if the development relates to the loss or the provision of new sports facilities.

Officer comment: *The proposal would not result in the loss of or new sports facility on the land, or additional housing. The proposal, which is in outline, is for employment uses, which is established in the adopted Local Plan.*

Traffic Management Team - No Objection

The Traffic Team has no adverse comment to make.

Waste Services Manager - No Objection

Access Requirements:

- Access routes must allow for the safe passage of a standard RCV i.e. 11.5 metre long.
- Any height restrictions must allow for the safe passage of a standard RCV i.e. 4.5 metres high.
- Access/Service Roads need to be capable of taking a 26 tonne Refuse Collection Vehicle (RCV).
- Parking needs to be controlled to allow to allow the RCV to safely manoeuvre and turn.

Officer comment: *The above matters have been considered in detail in Section 7 of the report.*

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: 57

Number of site notices: 1

Statutory advertisement: 05/03/2021

Number of representations received: 6

The following is a brief summary of Objections raised. Most of the issues are addressed below in Section 7. Where this is not the case, the Officer's comment is set out below.

Objections

Character and appearance of area

Bulk and scale of building – severe impact on local environment
Overdevelopment of the site
Land part of Broadmarsh Coastal Park – resulting in the loss of the bulk of the Park
No need for development - empty, part built commercial buildings available.
Building should be built to highest BREEAM standards.
Loss of much needed open green space
HBC is short of open space – shorter still when housing developments completed.

Trees

Loss of trees – HCC advised would be retained
No trees on northern boundary
Tree/shrubs cover to be retained around site and enhanced with native species – to assist with CO2 absorption.
Adequate tree planting must be provided, with native species support local biodiversity

Ecology/Environment

Huge loss of wildlife habitats in area - cumulative impact with other developments unacceptable
Compromise wildlife
Adverse Impact on ecology.
SINC on site not referred to.
Light pollution may impact on ecology.
Solar panels on roof – so power self-generated for the development.
Electric vehicles for deliveries vehicles.

Pollution

Complex environmental problems with site – includes gas emissions, leachate, asbestos, ammonia, other contaminants and settling.
Delta Simmons report found low to moderate risk of contaminating the surrounding environment – during the development and after.
Serious risks to the environment posed by the landfill site Geo-Environmental Assessment provides detail advice on pre-construction & construction managed – important adhered to – either EA or Council should oversee all works.
Risk of releasing asbestos during construction.
Pollution from chemicals seeping into Hermitage Stream (HS) and Langstone Harbour (LH). Pollution will lead to destruction of the wildlife and prevent leisure activities in the harbours.
Pollution from foul and surface water into HS and LH - no treatment for surface water.
Environmental issues will increase due to the location next to stream and a large water table.
Landfill sites emits carbon gases – needs to be counteracted by planting,
Development would not fit into tackling environmental issues at their origin.
What are the environmental effect and problems of the development and can they be mitigated?

Mitigation measures on pollutants from the site must be addressed before development built.

Policy

Size of development in excess of that in adopted and emerging Local Plan - 29,000 sqm as opposed to 23,400 sqm or 20,000 sqm.
Government policy on the environment should be embedded in design.

Other Matters

Managed land as a green amenity space or as a site for solar panels.
No comment from Langstone Harbour Board.
Loss of a playground – previously used for football – should be compensated elsewhere.

Officer comments: *The site is allocated for employment development in the adopted Local Plan. The adopted Local Plan identifies that the site is currently semi-natural open space. There is a specific policy based criteria in Policy HB2 in the Local Plan to secure enhancements to Broadmarsh Coastal Park to mitigate the loss of the greenspace. If permission is granted the required enhancements would be secured via a legal agreement.*

In terms of the site's history, under reference 26081 on 17/2/77 permission was granted for 'Construction of mounds and the landscaping of the site for recreation and ancillary car parking – all land (excluding A3(M) land) lying to south of A27 and to the west of Hermitage Stream'.

That said, it is understood from the 2012 Feasibility Study prepared to support the site's inclusion in the Allocations Plan that "Subsequent to land filling, the western flatter part of the site was used as a playing field until approximately 1999. After this time the site level was raised again due to further land filling from the site works on the road junction and the area became unsuitable for use as a playing field. The surface of this part of the site is uneven with some parts containing holes" Planning permission for 'Land raising by one metre' was granted on 18/3/99.

The undulating and uneven ground conditions (which is very apparent when walking around the site) did not allow for safe formal sports use, for which there were no ancillary facilities, such as changing rooms and toilets, as required to facilitate formal sports activity.

As to the use of the land as a site for solar panels, this is not before the Planning Committee to consider. The Planning Committee has to determine the development as submitted, on its individual merits, having regard to its status in the adopted Local Plan.

The site does not have a SINC designation, and the Langstone Harbour Board has commented and objected to the proposal.

7 Planning Considerations

7.1 Habitats Regulations Assessment/Appropriate Assessment (HRA/AA)

Impacts on European Sites/Water Quality/ Loss/Degradation of Supporting Habitats/ Construction impacts

7.2 As part of the application process, a Habitats Regulations Assessment including Appropriate Assessment was undertaken in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England was consulted in relation to the assessment and have concurred with the assessment conclusions, providing that all mitigation measures are appropriately secured. The Habitats Regulations Assessment concludes "...there is the potential to provide mitigation to remove the significant effects that otherwise would have been likely. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above."

7.3 The following was covered in this HRA/AA.

Water Quality

7.4 The proposed site is located to the south west of Havant, off Harts Farm Way, which is a former landfill site. The site has been allocated for development for employment uses within the Development Plan, thus the principle of this development has been established.

7.5 The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA.

7.6 The main risks to water quality identified during either the construction or operational phase of the development are:

- Piled Foundations
- Waste Settlement and Leachate
- Leachate Mobilisation
- Ammoniacal nitrogen

7.7 The proposed development includes a number of mitigation measures and remedial works with the aim of minimising environmental risks to sensitive controlled waters receptors during both the construction and the operational phases. These include:

- Reduced Infiltration
- Removal of a portion of the waste material
- Derelict Drainage
- Surface Water Quality Monitoring Plan

7.8 It is considered that the proposed mitigation is sufficient to prevent further deterioration of water quality from the development, with the potential for betterment (although difficult to quantify). If permission is granted, these mitigation measures would be secured through appropriately worded planning conditions.

Loss/degradation of supporting habitats

7.9 The application being assessed would result in the loss / degradation of an existing Low Use Solent Wader and Brent Goose Strategy habitat that has the potential to contribute to the function of the wader and brent goose network.

7.10 Policy DM23 of the Havant Borough Local Plan (Allocations) sets out HBC's approach to securing the appropriate mitigation measures to address the in-combination impact. This policy states that:

“Proposals on or adjacent to important Brent Geese and wading bird sites must be assessed and subject to the tests of the Habitats Regulations, in order to demonstrate levels of impact, alone and in combination with other proposals. Suitable avoidance and mitigation measures will be required, proportionate to the level of risk to the SPA bird populations, and those measures put in place prior to development taking place. “

7.11 The methodology for calculating off-site mitigation is set out in the Solent Waders and Brent Goose Strategy Guidance on Mitigation and Off-Setting Requirements. This sets out in paragraph 32 that for a Low Use site, £35,610 per hectare of habitat lost is an appropriate scale of mitigation package. With the proposed development of 4.47ha, this equates to £159,176.70. The applicant has indicated a willingness to provide a mitigation package scaled to this amount.

7.12 Notwithstanding the withdrawal of the Submission Plan, Policy E25 allocated land at 'Broadmarsh' for a Brent Goose and Wader Refuge, which is in the Council's ownership. This site is close to the proposed development site. The mitigation from this site could be reasonably used to bring forward this refuge project. Nonetheless, it may be that other equally or more suitable projects emerge and so the package would be sufficiently flexible that the refuge can be provided at Broadmarsh, an alternative location or a mixture.

7.13 If permission is granted a legal agreement would secure the avoidance and mitigation package in perpetuity.

Construction impacts

7.14 During the construction period, noise, pollution and activity has the potential to impact on the designated sites located to the south of the development site. A noise assessment was prepared to support the application for the development proposals, which considered potential impacts from piling and other construction activity. This concluded that piling activity was unlikely to have any significant impact, as maximum noise levels from piling activity will be at a similar level to the existing noise climate. Measures were proposed in the assessment that could be incorporated at construction stage to further reduce any likely noise impacts.

7.15 Such impacts and the mitigation measures to remove them can be addressed in detail through a Construction Environment Management Plan (CEMP). Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, has been suitably avoided and mitigated. As such, no likelihood of a significant effect remains on this issue subject to a CEMP being secured by condition, if permission is granted.

Appropriate Assessment Conclusion

- 7.16 The Appropriate Assessment conclusion is that there is the potential to provide mitigation to remove the significant effects that otherwise would have been likely. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites in Chichester and Langstone Harbours. As mentioned above, Natural England concurred with this conclusion subject to the required mitigation being secured through conditions and a legal agreement.
- 7.17 As previously mentioned, since the Council carried out the above HRA/AA with NE's acceptance of its conclusions, NE has updated its advice on nitrates. It has therefore been necessary for the Council, as Competent Authority, to review the HRA/AA previously undertaken to ensure it is robust and based on the most up-to-date scientific evidence. At the time of writing this report officers are working with Ricardo, the Council's appointed consultants, to ascertain if this is the case, or if further work is required on the HRA/AA. The Committee will be updated on the outcome of this work.
- 7.18 In other respects, having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Design & impact upon the character and appearance of the area
 - (iii) Impact on neighbouring development/uses
 - (iv) Ecology
 - (v) Trees
 - (vi) Impact on Heritage Assets
 - (vii) Archaeology
 - (viii) Contamination, Air Quality, Noise & Dust
 - (ix) Flood Risk and Drainage
 - (x) Minerals
 - (xi) Highway Implications & Parking
 - (xii) Rights of Way
 - (xiii) Utilities Assessment
 - (xiv) Sustainability
 - (xv) Developer Contributions/CIL
- (i) Principle of development
- 7.19 The National Planning Policy Framework (NPPF) sets out a clear presumption in favour of sustainable development; and describes the three dimensions that the planning system must have regard to when determining applications - an economic role, a social role and an environmental role. These three roles are to be seen as mutually dependent:
- * **an economic role** - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - * **a social role** - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

* **an environmental role** - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

- 7.20 When making decisions on planning applications, this presumption means that development proposals that accord with the development plan should be approved without delay; but where the development plan is out-of-date, permission should be granted unless the adverse effects of doing so would significantly outweigh the benefits.
- 7.21 The NPPF also sets out core planning principles, which in relation to this application include the need to proactively drive and support sustainable economic development; take account of market signals; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas; encourage the effective use of land by reusing brownfield land; promote mixed use developments; conserve heritage assets; and focus significant development in locations which are sustainable.
- 7.22 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise. The application site is allocated in the adopted Allocations Plan Policy HB2, for development uses falling within the definition of Economic Development within the NPPF. Specifically, Policy HB2 (site BD11 – Brockhampton West) defines the site for employment, with an indicative floor space of 23,400 sqm. Policy HB2 advises that floorspace which is broadly consistent with this indicative provision will be granted, provided the proposal takes account of all the site's specific development requirements, which are set out below. The employment uses proposed in this application accord with Policy HB2 in the Allocations Local Plan. However, the development is in excess of the allocation in Policy HB2. Therefore, the proposal has been scrutinised in detail to ensure that the level of development proposed (up to 29,000 sqm) can be sustainably achieved.

(ii) Design & impact upon the character and appearance of the area

- 7.23 The only matter to be considered at this stage is access. The appearance, layout, landscape and scale of the development would be agreed at the reserved matters stage. That said, a Parameters Plan (see Appendix B) has been submitted, which sets out some key parameters, which if accepted, the Reserved Matters application can be expected to have regard to as to the height of buildings, the area for the development and the landscape strategy, which includes bunds to the south and west of the site. That said as mentioned above, indicative elevations for Unit 1 (Option 1) and Units 1,2 and 3 (Option 3) have been submitted which show flat roofed contemporary designed buildings for the three units, with the indicative colour being grey. This type of contemporary design would be similar to other sites along Harts Farm Way to the east, which have been developed in recent years. Therefore, the design approach, whilst indicative only at this stage, if taken forward, would not be out of keeping with the character with the area. The indicative design of units 1, 2 and 3 are set out in Appendices F and G.

Layout

- 7.24 Although the precise layout would be agreed at a later stage, it is still necessary to

consider whether the quantum of the development proposed can be satisfactorily accommodated on the site. The development as shown on the indicative layouts for the three options would be accommodated to the north of the site, with landscaped woodland bunds to the west (3m high) and south (5m high). The existing tree line to the north would be retained and enhanced.

- 7.25 To the south of the bund, the indicative Landscape Masterplan shows the 'Proposed Slow Worm Translocation Area'.
- 7.26 Vehicular and a pedestrian access would be off Harts Farm Way to the south and west, with an internal road to service parking areas, both commercial and domestic.
- 7.27 It is considered that the layout of the proposed three options, which may come forward under subsequent reserved matters applications, would be capable of according with policy CS16 of the Havant Borough Local Plan (Core Strategy) and policy E1 of the Submission Havant Borough Local Plan.

Scale

- 7.28 The precise scale would be agreed at the reserved matters stage. However, the application has included indicative plans indicating the likely scale of the proposed buildings, to retain a degree of flexibility to accommodate different layouts and unit types.
- 7.29 The ground level of the application site varies in height across the plot. One of the objectives of the development is to minimise the removal of landfill material and to provide an appropriate capping layer to seek to provide a betterment to the site in terms of potential pollution risks from the retained landfill material. *(As to the capping of the site, this is discussed further under the 'Contamination, air quality, Noise & Dust' heading below)*. In sustainability terms minimising the removal of the landfill material on site is appropriate. However, this does have implications on the height of any development on the site and its impact on the surrounding locality.
- 7.30 With regards to the proposed height of the three Options for the site these are set out below, in Figures 1, 2 and 3. Based on current market demand, the applicant has indicated that the form of development that they are likely to progress is a 2 unit option based on the illustrative layout attached as Appendix D. The heights of these 2 units, above AOD are set out below in Figure 2.
- 7.31 Notwithstanding this, the applicants have also sought to demonstrate the scale of the development which would occur in the other options presented – i.e. the one and three unit schemes. These are set out in Figures 1 and 3 below.

Figure 1

FFL and Unit Dimensions for 1 unit layout Plan 31383 PL 202

	<u>Unit 1</u>
Proposed Finished Floor Level (FFL)	+11.3m AOD
Proposed Unit Haunch Height (from	15m

FFL)	
Proposed Max Unit Height (from FFL)	18.5m (+ 29.8m AOD)

Figure 2

FFL and Unit Dimensions from 2 unit layout Plan 31383 PL 203 Rev A

	Unit 1	Unit 2
Proposed Finished Floor Level (FFL)	+11.3m AOD	+12m AOD
Proposed Unit Haunch Height (from FFL)	14 m	14.3 m
Proposed Max Unit Height (from FFL)	17.5 m (+28.8 m AOD)	17.8 m (+29.8 m AOD)

Following discussions, there has been a reduction of the unit heights (from FFL) by 1 metre for unit 1, and 0.7m for unit 2, from that previously promoted, as set out in Figure 2 above.

Figure 3

FFL and Unit Dimensions from 3 unit layout Plan 31383 PL 204

	Unit 1	Unit 2	Unit 3
Proposed Finished Floor Level (FFL)	+11.3m AOD	+12m AOD	+12m AOD
Proposed Unit Haunch Height (from FFL)	14m	14.3m	14.3
Proposed Max Unit Height (from FFL)	17.5 m (+28.8 m AOD)	17.8 m (+29.8. 5 m AOD)	17.8 m (+29.8 m AOD)

A reduction in height of 1m was also secured in respect of the height of unit 1 and 0.7m for units 2 and 3.

- 7.32 The proposed haunch heights are based on standard institutional requirements for modern employment units to provide the occupiers with flexible space for use across use classes E (light industrial), B2 and B8 (storage and distribution). Modern employment units are used in respect of their volume as much as their floorspace and the proposed haunch heights are required to serve occupational requirements. From officers' assessment a degree of landscape and visual effects would be

inevitable given the fact the site is changing from an open area to one that will accommodate employment development, as identified in the Local Plan. Notwithstanding the existing belt of trees around parts of the perimeter, there would be an impact on the wider landscape, particularly in the short to medium terms, before the landscaping of the site matures, which would provide screening of the development from the harbour.

- 7.33 As to screening, the proposal seeks to mitigate the landscape and visual effects, with landscaping and bunds (i.e. 5m high landscaped bund to the south and a 3m high landscaped bund to the west), details of which are set out in the Indicative Landscape Masterplan, attached as Appendix H.
- 7.34 To support the application a Landscape and Visual Impact Assessment (LVIA) has been submitted. This includes a photomontage of the site, with a viewpoint from the south west (Langstone Harbour frontage), which shows existing views and the potential impact of the proposal on the landscape in 1 and 15 years after completion of the development and the establishment of the landscape planting. These photomontages are set out in Appendices J & K.
- 7.35 The Landscape Officer has been consulted over the application and has expressed concerns over the height of the proposed buildings, (maximum height up 18.5 m) and the ability to effectively screen the development from Langstone Harbour. Concerns were also raised about the design of the bunds and whether they would be stable and capable of supporting the required tree planting. Both the landscaping (including the bunds) and the layout would be considered in detail at the reserved matters stage. However, on the indicative information provided it is considered that the site would comfortably accommodate the scale of development proposed. As to the screening of the site the indicative Landscape Masterplan shows how this could be established over the next 15 years, to effectively screen the scale of development proposed, from wider views, and those from Langstone Harbour over time. Indicative Wireline Views from the Wayfarers Trail, Harts Farm Way/A27 Junction, Harts Farm Way/Heritage Stream Overbridge, Lower Road and Portsdown Hill Road are attached as Appendices L – P.
- 7.36 The scale of development (and landscaping) is reserved. The landscaping of the site would clearly take a considerable number of years to mature; in the meantime the indicative development would have a clear impact on the wider landscape views. In the planning balance it is recognised that the proposal would change the appearance and character of the site from an undeveloped grassed/treed area to built development which would have a visual impact on the surrounding area, particularly Langstone Harbour, in the short to medium term, which would gradually recede as the landscape matures. This short/medium visual impact is considered in the overall planning balance set out below.

Design & appearance

- 7.37 The appearance of the buildings is also not for consideration at this time and would be agreed at the reserved matters stage. That said and as mentioned above, indicative elevations for Unit 1 (Option 1) and Units 2 and 3 (Option 3) (Appendices F & G) have been submitted which shows the design of the buildings which are contemporary in nature, flat roofed and coloured grey, which is reflective of other more recent development in Harts Farm Way to the east. The final design and appearance of the commercial units will be influenced by the future operator(s) and would form part of the Reserved Matters application. No specific operators have been put forward by the applicant at this time.

(iii) Impact on neighbouring development/uses

7.38 The proposal lies immediately to the west of the existing Harts Farm Way commercial/industrial cluster, with the nearest residential properties to the north on the other side of the A27, off Mill Lane. Due to the separation distance of approximately 0.5 km, with the disturbance of the A27 in between, the proposal would not impact on the residential occupiers of these properties. As to the Wharf to the southeast of the site, the proposal should have no material implications for their operations. The same is considered for other commercial uses in the locality.

(iv) Impact on Ecology

7.39 The site is not covered by any statutory wildlife site designation and does not support ancient woodland or protected trees. However, the western part of the site is identified as a Low Use Waders and Brent Goose Site and is located approximately 170m to the north of the internationally important statutory designated sites Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Areas (SPA) and Ramsar site, as well as the nationally important Langstone Harbour Site of Special Scientific Interest (SSSI), along with Chichester SSSI, a component part of the SPA.

Solent Waders and Brent Goose Strategy (SWBSG) Low Use Site

7.40 The western part of the site is located within a SWBSG 'Low Use' site H08. All Low Use sites have the potential to be used by waders and Brent geese and the unmitigated loss of these sites would in combination negatively affect the long-term resilience of the network. Policy HB2 in the HBLPCS requires satisfactory mitigation for SWBSG in accordance with policy DM23 and that there is no net loss of important habitat for Brent Geese.

7.41 A stand-alone assessment of past and current use of the site by Brent geese was undertaken as part of the ecology information provided. The conclusion of the assessment was that the recorded use of the western part of the site by Brent geese in 2007/8 appears to have been only short-term and transient, with no further sightings recorded since this date. Further, since 2007/8 the suitability of the site for Brent geese has declined due to its progressive enclosure by existing and new boundary hedges and trees, the absence of grassland management which has led to the development of tall and rank swards unsuitable for geese grazing and through increased informal recreational dog walking.

7.42 The Council's Ecologist has been consulted over the proposal and has raised concerns, amongst other matters, over the loss of this Low Use site and that "...the unmitigated loss of these sites would in combination negatively affect the long-term resilience of the [ecology] network."

7.43 To mitigate against this loss, compensation is proposed in the form of a financial contribution, based on the loss of 4.47 ha of SWBSG. A financial contribution of £159,176.70, would be secured by a legal agreement, if permission is granted.

7.44 Policy E25 of the withdrawn Submission Havant Borough Local Plan allocated land at 'Broadmarsh' for a Brent Goose and Wader Refuge. This site, which is in the Council's ownership lies to the south of the application site on the other side of Harts Farm Way. The mitigation from this site could be reasonably used to bring

forward this refuge project. Nonetheless, it may be that other equally or more suitable projects emerge and so the package would be sufficiently flexible that the refuge can be provided at Broadmarsh, an alternative location or a mixture. Compensation funding may include payment towards the management and enhancement of the wider waders and brent geese ecological network. As mentioned above, a legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity.

- 7.45 This compensation package formed part of the Habitats Regulation Assessment and Appropriate Assessment (HRA/AA) carried out by the LPA in respect of the proposal. Natural England, as the statutory consultee, was consulted over the HRA/AA, and have confirmed the acceptability of the proposed financial mitigation package for the loss of the Low Use Brent geese and waders' site.
- 7.46 To sum up, the site is allocated for employment use in the adopted local plan for up to 23,400 sqm; thus carrying with it a reasonable expectation that this Low Use site for Brent geese and other waders would be lost, when developed. However, other policies in the adopted plan require mitigation to be provided at this stage, to compensate for the loss of this Low Use site. Such provision has been agreed and if permission is granted for the proposal, a financial compensation package of £159,176.70, would be secured via a Section 106 agreement.

Hazel Dormouse

- 7.47 Following survey work the Council's Ecologist is content that the site is unlikely to support Hazel Dormouse, as this species is not recorded in this part of the Borough "...and I would consider it unlikely that such an urbanised locality would support a population."

Bats

- 7.48 The bat surveys undertaken to accompany the application were completed in the second half of the summer and autumn in 2020, which according to the applicant's Ecologist was undertaken at a time of maximum bat activity. The Council's Ecologist has raised the point that the bat surveys undertaken did not cover spring and the first half of the summers as would normally be expected. The applicant's Ecologist response to this is that sufficient bat surveys have been undertaken to inform a reliable assessment of bat use of the site and to enable the development of a meaningful mitigation strategy based on new habitat creation and the provision of a bat friendly lighting strategy that ensures that the new habitats around the site would be kept in the dark for the benefit of bats and other nocturnal wildlife.
- 7.49 In response to the additional information provided by the applicant's ecologist, the Council's Ecologist has stated, "Whilst it may be true that surveys in the period April to July may not have highlighted substantial differences from later season surveys this is not a valid reason for not undertaking them and is not in accordance with published best practice survey guidance". However, the Council's Ecologist has not raised an objection to the information provided by the bats surveys undertaken, which indicates they are acceptable. The mitigation measures referred to above would be secured by a condition if permission is granted.

Water Voles

- 7.50 The part of the site which extends towards Hermitage Stream was surveyed for

evidence of water voles. The Council's Ecologist has advised that in accordance with good practice guidelines, further survey work should have been undertaken in most cases during the breeding season. However, it was acknowledged by the Ecologist that "...this waterbody will not be directly affected by the proposal and provided that an appropriate buffer and soft landscaping scheme is implemented, I raise no major concerns."

- 7.51 An Indicative Landscape Masterplan forms part of the proposal, which shows the retention of existing vegetation and proposed planting along the eastern boundary which indicates that an appropriate buffer with the Hermitage Stream would be provided. A landscape condition is recommended if permission is granted.

Reptiles

- 7.52 Following surveys slow-worms have been identified within the site and the findings suggest that the species is present throughout most of the grassland at moderate density.
- 7.53 All areas of open grassland within the site will be impacted during construction. To avoid the killing and/or injury of slow-worms during the site clearance a mitigation strategy is proposed which would require them being caught and moved to a temporary receptor area, which would be located beneath the existing power lines to the south of the site, which would be cleared of scrub and subject to hibernacula creation in advance of construction and then post development relocated onto wildflower grassland around the site's boundary, and/or on the earth screening bunds, which would be designed to incorporate scalloped edges and a variety of slopes and aspects to directly benefit reptiles.

Semi-improved Grassland

- 7.54 This former landfill site has been colonised by semi-natural habitats, which contain a range of species that are considered to be of interest at the County level (so-called axiophytes such as grass vetchling, corky-fruited water-dropwort, meadow barley). Whilst these species are not rare at the County level, they are nevertheless indicative of better-quality semi-improved grassland. The development of the site would result in the loss of the majority of grassland habitat on site, which forms part of the local ecological network. If permission is granted, to mitigate against this loss, species rich grassland, consistent with that currently on site would be required within the proposed landscape scheme – this would form part of the landscaping reserved matters.
- 7.55 To conclude, the proposal would result in the loss of an open grassland area and a Low Use Brent goose and waders' site. However, as mentioned above, the site is allocated in the adopted Local Plan for commercial development, which established that the land would be developed for employment uses, which would provide economic and employment benefits for the area.
- 7.56 As to mitigation and compensation measures these would be secured via a legal agreement to ensure improvements to the Broadmarsh Coastal Park immediately to the south, or elsewhere if found appropriate. Furthermore, if permission is granted, conditions suggested by the Council's Ecologist in respect of a detailed Ecological Mitigation, Compensation and Enhancement Strategy and a Construction Environment Management Plan are recommended, as is a requirement in the proposed landscape condition that species-rich grassland consistent with that currently on site is incorporated into the scheme.

(v) Impact on Trees

- 7.57 The site benefits from trees around the site, particularly along the northern, eastern and southern boundaries. There are also some trees within the site.
- 7.58 A Tree Survey within the Landscape and Visual Impact Assessment has been submitted. The extent of the tree and vegetation removal is shown in the submitted Arboricultural Impact Assessment (AIA) and the Tree Retention/Removal and Protection Plan. The trees and vegetation to be removed are inevitably within the central area of the site. The Tree Survey found that many of the trees are generally suppressed in growth due to the vegetation density, bramble encroachment and lack of management. However, the more sensitive woodland area adjacent to the Hermitage Stream would be retained, with the exception of the route for the surface water drainage pipeline (considered at 7(ix) below).
- 7.59 It is considered that the site's allocation for employment development of the scale set out in the Local Plan carries with it a reasonable likelihood of impacts on tree cover on the site. However, the Indicative Landscape Masterplan (Pegasus dwg. P.21-1528_13_Rev F) shows that extensive woodland planting is proposed on the outer bounds to compensate for the tree losses and help provide visual screening for the development.
- 7.60 The Council's Arboricultural Officer has been consulted over the proposal. Whilst an objection was initially raised, following clarification on the new planting to compensate for the lower quality trees being removed the objection has been withdrawn, based on the submitted Tree Retention/Removal & Protection Plan. A condition as to the Tree Retention/Removal & Protection Plan is recommended if permission is granted. As to a tree planting plan, the information provided with the application is indicative only. Such a plan would form part of the Landscape details required under the reserved matters application.

(vi) Impact on Heritage Assets

- 7.61 North of the site is the Old Bedhampton Conservation Area (OBCA), which is made up of 5 separate character areas. The closest section of the OBCA is the Old Manor Farm – Character Area 5 – which sits to the south of Lower Road, approximately 0.8 kilometres to the north of the site. There are a number of Listed Buildings within the OBCA, with the Old Mill House the closest to the development to the north of the A27.
- 7.62 A revised Heritage Statement was submitted, and the Council's Conservation Officer (CO) consulted. Whilst the height of the development, between 11.3m – 18.5m above FFL, is likely to be visible from the OBCA, due to the separation distance and its location to the south of the A27, which already forms a physical division, the CO considered "...the development would not result in harm to the adjacent conservation area".
- 7.63 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA 1990) require Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72 of the PLBCAA 1990 requires, with regard to Conservation Areas, that special attention shall be paid by Planning Authorities to the desirability of preserving or enhancing the character or appearance of that area. Special regard has been given by the LPA as

to any potential impacts on the listed buildings and the OBCA. The proposal is not considered to contribute to the significance of the OBCA, nor result in harm to any of the Listed Buildings. Further, having regard to the separation distance of the development from the OBCA and the physical division of the A27, the proposal is not considered to have an impact on these heritage assets. Therefore, no objection is raised to the development on heritage grounds.

(vii) Archaeology

- 7.64 The County Archaeologist has been consulted and is of the view that due to the former use of the plot as a landfill site, there would be no archaeological issues in relation to further development of the land. Therefore, there are no archaeological objections to the proposal, or conditions recommended.

(viii) Contamination, Air Quality, Noise and Dust

Contamination

- 7.65 Due to the former use of the land as a landfill site and the potential for contamination as a result of the development, Environmental Health (EH) and the Environment Agency (EA) have been consulted over the proposal. Following subsequent discussions between EH, the EA and the applicant's Consultant, further monitoring of the site has taken place following the submission of the application. This has resulted in a revised draft Geo-Environmental Assessment 2021 and Remediation Option Appraisal & Verification Strategy 2021 being produced by Delta Simons, the applicant's consultants. Both EH and the EA were consulted over these revised draft documents, which subsequently have been confirmed to be the final copies (dated 2022), subject to a minor change in response to EH's comments.
- 7.66 The latest Remediation Option Appraisal & Verification Strategy 2022 for the site presents a summary of the remediation requirements for this contaminated landfill site, to facilitate the proposed development. One of the Key Findings of this Strategy is that it is evidenced that the site is likely to be discharging ammoniacal nitrogen into a eutrophic environment into the Hermitage Stream and Langstone Harbour.
- 7.67 The proposed development is considered to provide environmental betterment by virtue of limiting rainfall infiltration into the waste mass, thereby limiting contaminate leaching and mitigation to offsite sensitive controlled waters receptors. This would apply not only to the Hermitage Stream but also to the Langstone Harbour which is a site of significant ecological importance.
- 7.68 The reduced rainwater infiltration into the site would be achieved by the provision of hard surfacing across the majority of the site, (which would include buildings). This would reduce the amount of leachate and nitrogen reaching the Hermitage Stream (and Langstone Harbour) due to reduced infiltration of rainfall into the waste materials; this would be coupled with a formal surface water drainage strategy to store rainfall falling onto the site into underground tanks and the stored rainwater would then be discharged into Hermitage Stream at a rate based on greenfield run off values, which would be achieved by the proposed development.
- 7.69 As set out in the latest Remediation Option Appraisal & Verification Strategy 2022, during the remedial works for the site, it would be the responsibility of the Contractor to ensure that the works are managed in an appropriate way as not to further contaminate the ground and/or water courses (Hermitage Stream/Langstone Harbour) and pose a risk to offsite receptors, as the works would involve the

disturbance of soil which may contain contaminants including asbestos. A Construction Environmental Management Plan (CEMP), which is recommended if permission is granted, includes measures to prevent the emission of contamination to air and the wider environment to include, amongst other measures:

- Control of water including surface water run-off and water in excavations to prevent escape to adjacent water courses;
- Surface water quality monitoring in the Hermitage Stream during any groundworks (including installation of Controlled Modulus Columns, piling and significant reduced level excavations into the waste material);
- Asbestos in air monitoring during earthworks (including boundary and personal monitoring); and
- A detailed Asbestos Management Plan and Surface Water quality Monitoring Plan – full details of which would be communicated to the relevant staff during the Site Induction.

7.70 As to the Remediation Works Overview the Enabling Phase Works would cover:

- Locate and remove any relict land drainage, particularly in the east of the site, as the condition and location of exiting surface water drainage is currently unknown;
- Decommissioning of any previous boreholes installed into natural strata, in accordance with the EA's guidelines. This would be documented and verified
- As part of the cut and fill programme, material intended for reuse would need to be segregated, tested (if necessary) and stored appropriately in line with the requirements detailed in a Materials Management Plan; and
- A watching brief to be employed during the earthworks specifically in areas of site level reduction. All observations during the watching brief to be recorded in order to provide evidence to confirm no unanticipated/gross contamination is present within the cut material, beyond what is expected.

7.71 As to the Construction Phase Works this would cover:

- Provision of ground gas protection measures across the site. This would include but not limited to: the proposed building, service corridors, service inspection chambers and external areas in the form of venting to prevent gas migration to the buildings, which should be considered in the design of the development by a ground gas specialist, with verification by a specialist contractor;
- Provision of a clean cover system in soft landscaping areas of the site where the made ground (landfill waste and re-engineered cover system specifically) is present at the site, this would include: a high visibility membrane or hard dig layer installed on top of the made ground upon which the covered layer would then be placed; within proposed area of soft landscaping, the clean cover layer shall be a minimum thick of 450 millimetres, consisting of 300 millimetre subsoil and 150mm top soil; and where trees are to be planted as part of landscaping, the cover system will be deepened to accommodate the root ball; the depths of top soil shall not exceed 300mm but the depths of subsoil should be at least double the depths of the top soil.
- Verification of the clean cover system by an environmental consultant to confirm depth and chemical/physical suitability of the clean cover system;
- Installation of clean service corridors and upgraded water supply pipes; and
- Verification report to be produced upon completion of the remedial works to confirm that the work was undertaken in accordance with this remediation

strategy, relevant legislation and planning conditions.

7.72 The EA in response to the revised documents, has advised that the only way to reduce leachate outfall from the site would be to reduce water infiltrating/flowing onto the site. As such the EA has agreed that reducing infiltration over the site will have the following betterment results.

- Reducing moisture content in the landfill cells is likely to reduce the rates of degradation.
- Less flushing of contaminants is likely to slow the rates of contaminants reaching groundwater.
- Less inflow would reduce the rates of any outflow from the landfilled area.

7.73 The EA has raised no objection to the proposal, subject to three conditions, which are précised below:

- a further remedial strategy required if further contaminates are found during the development;
- a verification report demonstrating the completion of the approved remediation strategy and the effectiveness of the remediation works; and
- no piling or deep foundation to be constructed until a method statement has been produced demonstrating how groundwater would be protected, and the protection verified.

If permission is granted the three Conditions of the EA are recommended to be consolidated with the EH's recommended conditions, where appropriate.

7.74 A suite of evidence has been provided which has been assessed by a range of professionals. The full body of EH's response is at Appendix R, with the EH comments fundamentally concerned with human health. EH's response highlights that the interpretations of the assessment could vary. However, given that the EA and NE have accepted the evidence provided and are content with the impacts on the natural environment and given that EH is primary concerned with the human environment, it is considered that sufficient risk of contaminates at the site has been assessed, which would be safeguarded by condition.

7.75 In total the EH recommends 5 conditions, which would broaden the scope of the EA's conditions. In summary these would include:

- A Remediation Method Statement
- The contamination watching brief shall be observed during all groundwork operations.
- A verification report which demonstrates both the satisfactory completion & efficacy of works set out in the approved remediation method statement.
- No piling or deep foundation columns shall be constructed until a Method Statement is agreed which demonstrates how groundwater will be protected, and how the efficacy of the protection measures will be verified.
- A Construction/Environmental Management Plan to include procedures for managing deliveries and collections to the site and provision for the segregation of waste destined for treatment, recycling or disposal.

- 7.76 These conditions should ensure, amongst other matters, that any contaminates are identified during the remedial and constructions phases, that any previous unidentified contaminate found reported, investigated and assessed, and any other action required is taken to deal with the risks associated with the contaminates.
- 7.77 As to the EH's suggested conditions, they have been discussed with the EA who have agreed them, with the two sets of conditions consolidated in the officer recommendation.
- 7.78 As discussed at Paragraphs 7.4 – 7.8 above, Natural England (NE) also have an interest in the measures to be taken to prevent contamination of the natural environment, in terms of water quality, and in their role as statutory consultee NE was consulted on the Habitats Regulation Assessment and the Appropriate Assessment (AA) prepared for the site. NE has raised no objection subject to securing appropriate mitigation for the development.
- 7.79 In this regard the AA sets out the following mitigation measures (summarised):
- reduced infiltration due to large areas of hardstanding within the proposed development;
 - removal of waste material during groundworks;
 - prevention of direct discharge of leachate through remove or blocking of any derelict drainage channels found;
 - implementation of a construction environmental management plan including regular surface water quality monitoring; and
 - that a construction environmental management plan be secured to address impacts from construction work on the SPA and its functionally linked land and non-statutory designated sites and retained habits.

The NE also recommend the use of soft start vibro-piling and consideration of ceasing piling activities should the temperature fall below zero for a period of three consecutive days during January to February as precautionary best practise measures. A condition to this effect is recommended, if permission is granted.

- 7.80 If permission is granted it is recommended that the measures suggested by NE are incorporated into the CEMP.

Air Quality

- 7.81 EH has been consulted over the Air Quality Assessment provided in respect of the development, a necessary requirement of a large scale major application such as this.
- 7.82 EH have advised that the development is not proximal to 'air quality sensitive' locations and concurred with the Air Quality Assessment's conclusion that the development itself is unlikely to have a significant impact upon human receptors.
- 7.83 As to air quality impacts associated with traffic movements related to the potential uses of the site, EH has advised that the air quality assessment provided "*.... is likely to have been completed based upon an emissions 'worst case' and that any outstanding concerns of the respective highways authorities are not likely to be material to the consideration of air quality*". EH raises no objection on air quality grounds.

Noise and Dust

- 7.84 As found in the HRA/AA prepared for the site, during the construction period, noise, pollution and activity has the potential to impact on the designated sites located to the south of the development. Noise, pollution and construction activity also has the potential to impact on the remainder of site HO5A as identified in the Solent Waders and Brent Goose Strategy. A noise assessment was prepared to support the application for the development proposals, which considered potential impacts from piling and other construction activity. This concluded that piling activity was unlikely to have any significant impact as maximum noise levels from piling activity will be at a similar level to the existing noise climate. However, measures are proposed in the assessment that could be incorporated at construction stage to further reduce any likely noise impacts.
- 7.85 Such impacts and the mitigation measures to remove them can be addressed in detail through a Construction Environment Management Plan (CEMP) agreed between the applicant and the Local Planning Authority, (following consultation with relevant bodies) prior to the commencement of development. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, would be suitably avoided and mitigated. As such, no likelihood of a significant effect should remain subject to a CEMP being secured by condition, if permission is granted. NE concurs with the need for a CEMP for the site and to further reduce any likely noise impacts recommends the use of soft start vibro-piling and consideration of ceasing piling activities should the temperature fall below zero for a period of 3 consecutive days during January to February as precautionary best practice measures. This recommendation forms part of the recommended CEMP.
- 7.86 No concerns have been raised by EH in respect of the proposed uses for the site in noise and dust terms. However, they also recommend a CEMP, to minimise disturbance and nuisance that may arise from noise and dust during construction, which if permission is granted, would be consolidated, into a CEMP condition.

(ix) Flood Risk and Drainage

Flood Risk

- 7.87 The site lies within Flood Zone 1, the zone of least probability of flooding, according to the Environment Agency's flood maps and therefore is suitable for employment use. The Hermitage Stream lies to the east with the immediate adjacent land falling within Flood Zones 2 and 3, which would not be impacted by the development.
- 7.88 A Flood Risk Assessment (FRA) has been submitted as part of the application. Due to the high groundwater levels encountered during the intrusive Geo-Environmental Site Investigation and post installation monitoring, mitigation in the form of sumps and submersible pumps would be implemented during the pre-construction and construction phases, dependent on depths and any shoring techniques in place.
- 7.89 No off-site works are required in respect of Flood Risk mitigation or management. The FRA identifies that appropriate drainage measures to deal with flood risk can be accommodated on site through a discharge to the Hermitage Stream.
- 7.90 The EA has been consulted and have raised no objection on flood risk grounds.

Foul Drainage

- 7.91 The applicant's proposals for the foul drainage system for the site initially involved the use of a non-mains sustainable drainage approach, with a discharge to the Hermitage Stream. The Environment Agency (EA) initially objected to this proposal due to lack of information. This resulted in discussions with the EA, with the agreed outcome being that the foul drainage water would be connected to the mains foul drainage, which would not result in any adverse impact on the water quality of the Hermitage Stream and SPA. The EA has withdrawn its objection to the proposal on foul drainage grounds. Southern Water has confirmed that they can facilitate a foul sewerage disposal service for the development.

Surface Water

- 7.92 As regards surface water drainage from the site, the supporting documents for the application conclude that the use of a Sustainable Drainage System (SuD) is not feasible, due to the existing ground conditions. As stated above, one of the key findings of the Remediation Option Appraisal & Verification Strategy 2022 for the site is that it has been evidenced that the site is likely to be discharging ammoniacal nitrogen into a eutrophic environment into the Hermitage Stream and Langstone Harbour. The proposed development is considered to provide environmental betterment by virtue of limiting rainfall infiltration into the waste mass, thereby limiting contaminate leaching and mitigation to offsite sensitive controlled waters receptors. This would apply not only to the Hermitage Stream but also to the Langstone Harbour.
- 7.93 The reduced rainwater infiltration into the site would be achieved by the provision of hard surfacing across the majority of the site, (which would include buildings). This would reduce the amount of leachate and nitrogen reaching the Hermitage Stream (and Langstone Harbour) due to reduced infiltration of rainfall into the waste materials; this would be coupled with a dedicated surface water drainage strategy with appropriate interceptors, to store rainfall falling onto the site into underground tanks with the stored rainwater then discharged into Hermitage Stream at a rate based on greenfield run off values.
- 7.94 The Local Lead Flood Authority (LLFA) was consulted over the proposal and subject to any required consent from the EA and Marine Management Organisation (MMO), no objection is raised by the LLFA, subject to three conditions. In summary these conditions would require a pre-commencement approval of a detailed surface water drainage scheme for the site; an investigation of the condition of the Hermitage Stream before any connection is made; and details for the long-term maintenance arrangement for the surface water drainage system.
- 7.95 Environmental Health (Pollution) (EH) has reviewed the surface water drainage scheme for the site and raises no objections from a pollution protection perspective. However, for the avoidance of doubt, they comment "*given the direct connection to the Hermitage and the proximity to sensitive controlled waters, the service yard areas should drain via a suitable proprietary interceptor unit (or units, as appropriate) in order to prevent uncontrolled downstream discharge of pollutants following leaks or spills, or as a result of aggregated small inputs via surfacewater runoff.*"
- 7.96 To achieve this EH recommends that the following wording should be added to the LLFA condition:

“There should be a presumption against disposal by means of infiltration drainage unless compatible with the contamination assessment ‘site conceptual model’ & remedial / risk mitigation scheme”

7.97 If permission is granted, the above wording would be included in the drainage condition. Any required consent from the EA and MMO to discharge into the Hermitage Stream would be a separate matter for the applicant to pursue, which can be highlighted by way of an informative on the decision notice, if permission is granted.

(x) Minerals

7.98 The south eastern corner of the site sits within the safeguarded buffer zone of Bedhampton Aggregates Wharf as defined in the adopted Hampshire Minerals and Waste Plan (HMWP) 2013. This area is safeguarded to prevent inappropriate (non-waste) development from hindering the operation of the wharf by 'encroachment' near to the existing site as defined by Policy 16: Safeguarding - mineral infrastructure of the HMWP. The application site is also located in close proximity to the following safeguarded waste infrastructure: Harts Farm Way Household Waste Recycling Centre (HWRC), Harts Farm Way Waste Transfer Station and Budds Farm Wastewater Treatment Works. These sites are safeguarded under Policy 26: Safeguarding - waste infrastructure of the HMWP.

7.99 Hampshire County Council as the Minerals and Waste Planning Authority (MWPA) has been consulted over the proposal and whilst no objection has been raised to the proposal, advises that consideration should be given by the LPA to the operation of the above named safeguarded sites. If the development of the site poses risks to the operation of the safeguarded sites, then appropriate buffers and mitigation measures would be required.

7.100 The indicative proposals would be contained within the site, to the west of the Hermitage Stream. Due to the separation distance and its self-contained nature, the development as proposed should not pose risks to the above safeguarded sites to the east.

7.101 As to the comments of the County Council’s Minerals Team reported in Section 5 above, these are recommended as an informative if permission is granted.

(xi) Highway Implications, parking and accessibility issues

7.102 The National Planning Policy Framework at Paragraph 110 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all users. Paragraph 111 states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

7.103 Paragraph 112 also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

7.104 There have been detailed discussions with the Highway Authority at the pre-

application and application stage in relation to the highway aspects of the proposal. There have also been discussions with National Highways. The application has been submitted with a Transport Assessment, Framework Travel Plan, Technical Notes, Road Safety Audit and detailed plans in response to the Highway Authority's and National Highway's comments. The main issues in relation to the highway considerations are considered to be the following:

- Strategic Road Network
- Assessment of Existing Conditions
- Pedestrian and Cycle Access
- Vehicular Accesses
- Trip Generation
- Junction Capacity Assessment
- Travel Plan
- Conditions
- Obligations

Parking considerations follow at Paragraph 7.126 onwards.

Strategic Road Network

7.105 National Highways' (NH) interest in the site is in the A27 and A3(M) to the north, which forms part of the strategic highway network.

7.106 Additional information was required by NH over that initially submitted. Following the submission and scrutiny of additional information the NH has raised no objection to the proposal, subject to conditions regarding the provision of the following:

- A Construction Environmental Management Plan;
- Details of foul and surface water drainage;
- Details of external lighting;
- An Operational Management Plan; and
- Details of the construction of the 3m-5m bunds to the south and west of the site.

7.107 On this basis it is concluded that the development could be undertaken without detriment to the strategic highway network.

Assessment of Existing Conditions

7.108 The site is located to the north of Harts Farm Way with the A27/Harts Farm Way (Teardrop Junction) to the West. To the north the site is bordered by the A27 and beyond that, agricultural fields, with footpath 30 and the Hermitage Stream to the east.

7.109 Harts Farm Way benefits from street lighting, with a speed restriction of 30 mph.

7.110 Havant Railway Station is located approximately 2.3km to the north east of the site, with links to London, Portsmouth & Chichester. Pedestrians/cycles can use the shared footway / cycleway along Harts Farm Way with dropped kerbs and tactile paving provided at crossovers and junctions, up to the site.

7.111 In addition, Bedhampton Railway Station is located approximately 1.7km north east of the site, with links to Portsmouth and Havant.

7.112 The nearest bus stops are at Forty Acres, which are located approximately 1km

north west of the site. A footway is located on the eastern side of Harts Farm Way which provides access to a wide pedestrian / cycle crossing. These stops are served by the 21 and 23 bus services providing connections to Havant, Havant bus station, Portsmouth and Southsea. The Langstone Road Bus Stops are located approximately 1.5km east of the site. These stops are served by the 30 and 31 bus service providing connections to Havant, Hayling Island and Eastoke.

7.113 Having regard to the history of accidents in the area, following detailed consideration the Highway Authority (HA) has advised that it is satisfied that there is no pattern of accidents in the vicinity of the site that is expected to be exacerbated by the proposed development.

Pedestrian and Cycle Access

7.114 Following initial HA concerns regarding the limited options for pedestrian access to the site from the east, it is proposed that a toucan crossing be provided across Harts Farm Way to the west of the eastern vehicle access to connect to a shared use footway/cycleway within the application site, which would be provided to be adopted as highway. This would connect the eastern site access to the pedestrian site access to the west of the site, and would tie into the existing footway and crossing provision at the teardrop junction. The provision of a footway eastward of the main site access is also proposed to connect to the bridge over the Hermitage Stream.

7.115 These works would be on land that is either controlled by the applicant or on existing highway land. The proposed dedication of the land as public highway for the new shared use footway/cycle way and the footway east to the Hermitage Stream bridge is shown on drawing number 205465/PD14. It would enable pedestrian and cycle access to be achieved to the site, utilising a new toucan crossing to facilitate crossing of Harts Farm Way, and thus connect the development to the wider pedestrian and cycle network to the north, east and west.

7.116 The HA does not object to the principle of these works but would look for an existing ditch to be retained where possible with significant justification being needed for any culverting of the ditch. The HA has advised that a more acceptable solution is likely to be to relocate the ditch to the back of the proposed footway/cycleway to avoid the maintenance issues that would arise as a result of any culvert relocation due to the nature of the land. The HA has advised that this can be addressed at the Section 278 design check stage should planning permission be granted. The HA has also advised that these works would need to be implemented prior to occupation of the site.

7.117 The HA has also advised that the following matters should also be noted for the detailed design stage:

“• The exact location of the crossing may be altered as a result of the detailed design and to ensure it maximises the desire line for all users, whilst providing direct access to those travelling from the east to the site. It is not envisaged that a significant relocation would be necessary.

• Uncontrolled crossing facilities will need to be provided on the western access to the development to facilitate through movements across the site frontage.

• The 0.5m buff margin should be provided as verge.

• The applicant will make a S278 submission and final details of the scheme will need to be provided and approved prior to commencement, the scheme will need to be delivered prior to occupation.

- *The applicant will enter into a S278 Agreement with the Highway Authority including compliance with our policy requirements prior to commencement”*

7.118 Whilst the principle of the scheme was agreed with the HA it was subject to the following information raising no principal concerns.

- Stage 1 road safety audit
- PVM2 calculation sat alongside a report setting out all other alternatives considered.

7.119 The Stage 1 road safety audit has now been agreed with the HA. The HA following further consideration of the scheme, confirmed that a PVM2 assessment did not need to be agreed at this stage; it would be agreed prior to the signing of the S106 agreement. Therefore, there are no objections from the HA, subject to conditions relating to a Construction Management Plan, an Operational Management Plan and that the use of the western access is restricted to private cars and the entering into a S106 agreement to secure a travel plan for the site and implementation of both site accesses and pedestrian infrastructure prior to occupation. The recommended conditions have been consolidated with those conditions recommended by National Highways and are set out below.

Vehicular Accesses

7.120 The existing access to the site would be removed under the proposal.

7.121 Drawings showing visibility splays and vehicle tracking have been submitted for both vehicular accesses proposed to serve the site from Harts Farm Way. The western site access, with visibility splays of 2.4m x 67m and 2.4m x 59m, has been tracked showing two private cars entering and egressing the site at the same time in Drawing 205465/PD06 Rev C. The proposal for the western access is to restrict any vehicle larger than a private car to utilise this access, which the HA recommends should be conditioned as such. If permission is granted, the use of the western access would be restricted accordingly.

7.122 The eastern access is proposed to serve commercial vehicles with visibility splays of 2.4m x 67m to the west and 2.4m x 59m to the east. Tracking has been demonstrated in Drawing 205465/PD07/AT01 showing that two articulated HGVs can pass each other without conflict while accessing and egressing the site. This is accepted by the highway authority and both accesses will be subject to a Section 278 design check should planning approval be granted

Trip Generation

7.123 The HA has advised that applying the agreed Class B2 trip generation to the whole site provides a robust, worst case scenario assessment which results in 155 two-way AM peak trips and 102 two-way PM peak trips.

7.124 The HA has advised that an operational management plan (OMP) would need to be provided so that the routing of large vehicles can be assessed. The HA would expect the OMP to restrict HGV and commercial vehicle movements to turn left in and right out in order to access the strategic network at the Rusty Cutter/Teardrop junction and not to utilise access via Harts Farm Way/Solent Road and Langstone Roundabout. This is because these areas are already heavily congested and

experience a mixed use of traffic including residential, retail and considerable pedestrian and cycle trips. Additionally, the distribution of vehicle trips associated with the proposed site has been assessed, with findings indicating that only 23% of vehicle traffic will route east; i.e. the vast majority of traffic can be expected to head west, for direct access onto the A27 and the A3(M).

7.125 The HA recommends that an OMP to be secured via a condition. The same condition is recommended by NH and if permission is granted it is recommended that such a condition is imposed.

Junction Capacity Assessment

7.126 Following a review of the junction modelling provided, the HA has advised that the proposed development is expected to have an impact on the Harts Farm Way approach to the teardrop junction. As the end user of the site is not known at this stage, the HA has assumed a worst case scenario when assessing the impact of the proposal.

7.127 The HA has found that the proposal can be expected to have an impact on queue lengths at the Harts Farm Way approach to the teardrop junction in the future scenarios assessed, although this is not quantified. However, the HA considers that the mitigation proposals comprising improvements to the pedestrian and cycle infrastructure in the vicinity of the site (as set out above) and the public benefit they would serve would reduce the number of journeys dependent on use of the private car. Further, due to the nature of Harts Farm Way the HA has advised that it would be very difficult to make changes that would improve capacity and reduce queuing at this junction. Therefore, the HA considers that the pedestrian and cycle provision that the development would provide would have a positive impact on sustainability and that mitigation is not required towards the Harts Farm Way approach to the teardrop junction.

Travel Plan

7.128 As to the implementation of an approved travel plan this would be secured within the S106 along with provision for the HA's approval and monitoring fees, as well as an appropriate travel plan bond. The Travel Plan would be primarily aimed at reducing the proportion of employees travelling to work as single occupancy car drivers. A series of measures would also be developed in order to encourage a reduction in vehicle trips generated by employees. The measures would include:

- Up to date details of bus services, including route information and service frequencies, would be permanently on display. National Rail Journey Planner website and enquiry phone numbers would be provided through all relevant means.
- Information and advice concerning safe cycle routes to the site and other cycle information would be posted at a prominent location within the employees' area of the site. Employees will be encouraged to car share.
- As part of the development proposals, cycle parking will be provided in secure covered locations.

7.129 Following consideration of all of the above matter the HA has raised no objection to the proposals subject to the following conditions and planning obligations:

Conditions

A construction method statement;
 An Operational Management Plan; and
 No vehicle larger than a private car is permitted to access the site via the western vehicular site access.

Obligations

The full travel plan to be submitted and approved prior to occupation along with payment of the associated travel plan approval and monitoring fees and associated bond;
 Implementation of both site accesses and pedestrian infrastructure prior to occupation with a S278 agreement entered into prior to commencement.

7.130 In the event that permission is granted the above conditions and obligations are recommended, which would be consolidated with the conditions recommended by National Highways.

Parking & Cycle Provision

7.131 The proposal seeks flexibility for future occupiers and as such allows for three use class options: Class E (former B1 (c)) Light Industry, Class B2 General Industrial and Class B8 Warehouse up to 29, 000 sqm. Whilst the form of the proposed buildings has not yet been defined, three illustrative layouts have been provided, which show a one, two and three-unit scheme. The floorspace associated with each layout is as follows:

- One-unit scheme: 28,392 sqm gross internal area (GIA)
- Two-unit scheme: 27,985 sqm GIA
- Three-unit scheme: 27,471 sqm GIA

7.132 As to commercial vehicle parking standards this is considered by the LPA on the basis of individual applications, which is considered further below.

7.133 The car parking standards in Havant’s adopted Parking Supplementary Planning Document for the three Use Classes are as follows:

Land Use	Minimum car parking standard	Minimum cycle standard Long Stay	Minimum cycle standard Short Stay
E (B1c)	1 space per 45 sqm	1 stand per 250 sqm	1 stand per 500 sqm
B2	1 space per 45 sqm	1 stand per 350 sqm	1 stand per 350 sqm
B8	1 space per 90 sqm	1 stand per 500 sqm	1 stand per 1,000sqm

7.129 Utilising these standards, the car and cycle parking requirements associated with the development can be seen to vary significantly, depending on which use classes are implemented in practice:

One-unit scheme (28,392 sqm) requirements

Land Use	Minimum car parking standard	Minimum cycle standard Long Stay	Minimum cycle standard Short Stay
E (B1c)	631	114	57
B2	631	81	81
B8	315	57	28

Two-unit scheme (27,985sqm) requirements

Land Use	Minimum car parking standard	Minimum cycle standard Long Stay	Minimum cycle standard Short Stay
E (B1c)	622	112	56
B2	622	80	80
B8	311	56	28

Three-unit scheme (27,471sqm) requirements

Land Use	Minimum car parking standard	Minimum cycle standard Long Stay	Minimum cycle standard Short Stay
E (B1c)	610	110	55
B2	610	78	78
B8	305	55	27

Proposed Indicative Parking Provision

Layout	Car parking provision	Cycle Parking provision	Disabled parking provision	HGV loading dock provision
One-unit scheme	315 (includes motorcycle parking)	88	16 (i.e. 5%)	25
Two-unit scheme	311 (includes motorcycle parking)	84	16 (i.e. 5%)	14
Three-unit scheme	305 (includes motorcycle parking)	88	16 (i.e. 5%)	14

7.134 The indicative layouts would meet the requirements for car parking and exceed those for cycle provision associated with Class B8 uses. However, should a proportion of the floorspace, or all of the floorspace be taken up by Class B2 or Class E uses, then the provision will need to be augmented beyond that shown on the indicative site layout plans.

7.135 Such issues have been discussed with the applicants and it has been agreed that the details to be submitted in respect of the layout of the site under any reserved matters application should expressly include a parking strategy to identify the provision to be made for the parking, turning, loading and unloading of service vehicles and all vehicular parking and turning areas and cycle storage on the site for the uses applied for, in accordance with the Parking Standards in Havant's Car Parking SPD.

7.136 As to HGV loading bays these would be provided for each unit as shown on the indicative layouts. Swept path analysis has been undertaken that shows that a 16.5 articulated vehicle is able to access each respective loading dock safely.

7.137 The provision of HGV parking provision would also be determined at the reserved matters stage, to ensure that such provision is appropriate for the quantum of development sought.

(xii) Rights of Way

7.138 Footpath 30 runs north/south to the east of the site, to the west of the Hermitage Stream.

7.139 The application proposes works to footpath 30 to install a surface water drainage outfall to the Hermitage Stream. These are the only works that would directly impact on the footpath from the indicative development, due to the separation distance and change in levels. Access to the site would be taken from Harts Farm Way and not from the definitive footpath.

7.140 The Countryside Access Team (CAT) at Hampshire County Council has been consulted over the proposal and advise that this right of way should be protected during the works, with the opportunity for enhancements to provide better facilities for users. In response, the applicant initially agreed a contribution of £55,201.50 to provide surface improvements to Havant footpath 30 between Bidbury Lane and Harts Farm Way. This was subsequently superseded following agreement between the Highways Authority and the applicant that a toucan crossing over Harts Farm Way near the eastern access would be provided, together with a cycleway/footpath adjacent to the southern boundary of the development, which would be constructed by the developer for adoption by the Highway Authority. Whilst footpath 30 would not be enhanced, there would be a significant public benefit for the wider community with the provision of a toucan crossing on Harts Farm Way and a cycleway/footpath to the south of the site that would link into existing pedestrian facilities along Harts Farm Way. If permission is granted this would be secured via a legal agreement.

7.141 As to the need for a Temporary Closure Order for the footpath, to enable the surface water outfall to be installed, an informative is recommended, together with the other informatives raised by the Countryside Access Team in their consultation response above, if permission is forthcoming.

(xiii) Utilities Assessment

7.142 The utilities statement provided with the application has assessed the existing utilities associated with the development site together with the assessment of new utilities required for the outline development.

7.143 There are SSE extra high voltage cables that pass over the front of the site on pylons. These are to be retained and any development would respect the proximity parameters/constraints of these cables. The utilities statement found that there are no issues associated with any other existing utilities related to the development site, with sufficient capacity to the east of the adjacent Hermitage Stream for the water, gas and electricity requirements for the development. The Openreach fibre point of connection is located adjacent to the eastern corner of the site on Harts Farm Way.

7.144 Overall there are considered to be adequate utilities within the locality to service the development in accordance with policy CS19 of the HBLPCS.

(xiv) Sustainability

7.145 Policy CS14 of the Local Plan states that non-residential development over 500sqm should achieve BREEAM standard 'very good' unless it is clearly demonstrated that this would be financially or technically unviable.

7.146A Pre-Assessment Report on BREEAM 2018 New Construction Industrial 'Shell & Core' was submitted with the application. The results of this Pre-Assessment Report are 'very good', which accords with the aims of Policy CS14 of the HBLPCS.

7.147 Appropriate conditions are recommended, if permission is granted, to ensure the building(s) meet this required level.

(xv) Developer Contributions/S106

7.148 Having regard to the foregoing considerations, any permission for the development would require the completion of a S106 Agreement to secure the following:

- (i) Employment and skills plan;
- (ii) Highways requirements:
 - a. Site Specific Highways Works (HCC – S278)
 - b. Travel Plan Requirements (HCC).
 - c. Provision of a toucan crossing for Harts Farm Way and a cycleway/footpath to the south/south west of the site (HCC).
- (iii) Mitigation for Solent Waders & Brent Goose Strategy – a £159,176.70 contribution for the loss of Low Use Brent Geese and Waders Site.
- (iv) Havant and HCC's Monitoring Fee

8 Conclusion and Planning Balance

- 8.1 The proposal would support the Government's emphases on enterprise and facilitating economic development, with the site allocated for employment uses in the adopted local plan for up to 23,400 sqm, with the proposal for up to 28,392 sqm. The proposal would bring forward economic development to Havant. Therefore, the principle of the development of the site has been established by adopted policy, (and Government guidance) with a recognition that the development of the site would have an impact on the land itself and the visual amenity of the locality.
- 8.2 In the planning balance it is recognised that the proposal would change the appearance and character of the site from an undeveloped grassed/treed area to built development which would have a visual impact on the surrounding area, particularly Langstone Harbour, in the short to medium term, with screening taking up to 15 years to mature.
- 8.3 The landscape/visual impacts have been set against the economic benefits at the construction phase and following occupation of the development in the form of employment opportunities for residents of the Borough and wider afield, that will attract increased visitor spend to the area, providing wider benefits for local businesses.
- 8.4 The proposal would also provide pedestrian and cycle facilities along the front of the site abutting Harts Farm Way and a toucan crossing, which would contribute to the sustainability of the site, whilst also providing a social benefit for the wider community.

- 8.5 As to other aspects of the proposal there are no objections from the Environment Agency, Environmental Health and Natural England having regard, amongst other matters, to securing a betterment in the release of contaminates from this former landfill site into the Hermitage Stream and Langstone Harbour. A financial contribution would also be secured to mitigate against the loss of a low level wader and brent goose site.
- 8.6 In the overall planning balance, having full regards to the impact the proposal would have on the site and the locality, the benefits the development would bring weigh in favour of granting planning permission. Therefore, the recommendation is conditional planning permission, following completion of a Section 106 agreement.
-

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT OUTLINE CONSENT** for application APP/21/00189 subject to:

- (A) The satisfactory conclusion of the HRA/AA review following Natural England's revised advice in respect of nutrient neutrality (Paragraph 7.17 above refers);
- (B) The completion of a Section 106 Agreement under the Town & Country Planning Acts, to secure the matters as set out in paragraph 7.148 above; and
- (C) The following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision).

General

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of the approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

- (a) The expiration of three years from the date of this permission; or
- (b) The expiration of three years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development hereby permitted shall commence (with the exception of site clearance, erection of site hoarding and provision of site welfare units) until plans and particulars specifying the detailed proposals for all of the following aspects [herein called "the reserved matters" and "other matters"] have been submitted to and approved in writing by the Local Planning Authority.

(i) The reserved matters:

- (a) Appearance, to include external appearance, materials, decoration, lighting, colour and texture;
- (b) Landscaping including a landscape design showing the planting proposed to be undertaken, including tree replanting and tree protection measures, how species rich grassland consistent with that currently on site would be provided within the landscape scheme, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels; the intended timing of completion of the landscaping work, with specific reference to the bunds; and arrangements to be made for the future maintenance of landscaped and other open areas;
- (c) Layout; including a parking strategy to identify the provision to be made for the parking, turning, loading and unloading of service vehicles and all vehicular parking and turning areas and cycle storage on the site for the uses applied for, in accordance with the Parking Standards in Havant's Car Parking SPD; and
- (d) Scale, to include height, width and length of each building.

(ii) Other matters:

- (e) Access facilities for the disabled;
- (f) The provision to be made for the storage and removal of refuse from the premises;
- (g) Phasing details for the development implemented.

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

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

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

Plans

Site Location Plan – Drawing No. 31383/PL/200

Parameters Plan – Drawing No. 31383/PL/201C

Swept Path Analysis – Accesses from west and east – 16.5m Articulated Vehicle – Drawing No. 205465/PD07/AT01

Proposed Footpath & Toucan Crossing – Drawing No. 205465/PD03G

Documents

Transport Assessment, including Travel Plan and Site Access Review Plan
205465/PD01 Rev A [

Technical Note 1, Harts Farm Way, Havant – SRN Junction Model Review by WSP
dated 20/7/21

Email 2/8/21 from AndrewWard@vectos.co.uk

NB The decision also took account of the following documents and plans:

Indicative Layout Option 1 – Colour – Drawing No. 31383-PL-202A

Indicative Layout Option 2 - Colour – Drawing No. 31383-PL-203A

Indicative Layout Option 3 - Colour – Drawing No. 31383-PL-204

Indicative Elevations – Unit 1- Colour – Drawing No. 31383-PL-205

Indicative Elevations – Units 2-3 – Colour – Drawing No. 31383-PL-206

Indicative Landscape Masterplan – Drawing No. P21-1528_13 Rev F

Viewpoint 13 Existing View, Viewpoint 13 – Massing Model Photomontage (Year 1)

Viewpoint 13 – Massing Model Photomontage (Year 15)

Proposed Drainage Strategy – Drawing No. 21048-BGL-XX-X-DR-C-0250 Rev P1

Proposed Footway & Toucan Crossing– Drawing No. 205465/PD03 Rev G

Proposed Footpath/Cycleway – Drawing No. 205465/PD14
Commercial Vehicle Tracking – Drawing No. 205465/PD07AT01
Highway Adoption Plan – Drawing No. 205465/PD14

Documents

Application Form
Design & Access Statement Part 1
Design & Access Statement Part 2
Planning Statement by Michael Sparks Associates dated February 2021
Letter dated 10/2/21 from Michael Sparks Associates
Letter dated 22/2/21 from Michael Sparks Associates
Letter dated 25/6/21 from Michael Sparks Associates – Financial Contribution towards enhancement of the network of sites covered by the Solent Wader and Brent Goose Strategy
Air Quality Assessment by Delta-Simons dated February 2021
Air Quality – Response to Havant Borough Council Comments by Delta-Simons dated 22 April 2021
Breeam 2018 New Construction Industrial 'Shell & Core' by Watkins Payne
Built Heritage Statement by RPS dated March 2021 (Revised and received 31/3/21)
Construction Environmental Method Statement dated 28/4/21
Drainage Strategy by Burrows Graham Version 2 dated 01.06.21 – Ref: 21048-BGL-XX-XX-RP-D-0001
Flood Risk Assessment by Burrows Graham Version 2 dated 01.06.21 – Ref: 21048-BGL-XX-XX-RP-D-0002
Ecology Report by Applied Ecology Ltd dated February 2021
Response to HCC Ecology Consultation dated 23/4/21
Response to HCC Ecology Consultation dated 23/6/21
Employment Market Review letter from Dowley Turner Real Estate LLP dated 10/2/20
Energy Strategy by Watkins Payne dated February 2021
External Lighting by Watkins Payne dated February 2021
Flood Risk Assessment Version 2 by Burrows Graham Ltd dated 1.6.21
Geo-Environmental Assessment by Delta Simons dated 31st January 2022
Remediation Options Appraisal & Verification Strategy by Delta Simon dated 31st January 2022
Habitats Regulations Assessment by Applied Ecology Ltd dated November 2021
Landscape & Visual Impact Assessment (LVIA) by Pegasus Group dated 19/2/2021 including Arboricultural Impact Assessment
Response to Landscape Consultation dated 20/4/21
Response to Arboricultural Consultation dated 28/4/21
Email from Michael Sparks Associates dated 29.07.21 Re: Landscape and Massing
Noise Assessment by Sharps Redmore dated 14 April 2021
Proposed Heads of Terms for S106/Planning Obligation dated April 2022
Transport Assessment by Vectos dated February 2021
Utilities Statement by Watkins Payne Partnership dated February 2021
Stage 1 Road Safety Audit by Vectos dated June 2021
Road Safety audit Designers Response Report by Vectos (South) Ltd dated 30/6/21
Road Safety Audit Designers Response Report dated 6/4/22
Reason: To ensure provision of a satisfactory development.

5. Any reserved matters application shall have regard to achieving secured by design for the completed development, with particular reference to: The design and layout; and an appropriate level of lighting.
Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan

(Core Strategy) 2011 and the National Planning Policy Framework.

6. Any Reserved Matters application shall have regard to the maximum heights identified for the illustrative layout options submitted with the application, as follows:
 1. Illustrative Layout Option 1 (drawing 31383 PL 202A) shall not exceed +29.8m above AOD,
 2. Illustrative Layout Option 2 (drawing 31383 PL 203A)
 - a. maximum height of Unit 1 +28.8m above AOD,
 - b. maximum height of Unit 2 shall be +29.8m above AOD
 3. Illustrative Option 3 (drawing 31383 PL 204)
 - a. maximum height of Unit 1 +28.8m above AOD
 - b. maximum height of Units 2 & 3 shall be +29.8m AOD

These maximum heights shall form the basis for any layout brought forward and shall not be exceeded unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of the locality and the Broadmarsh Coastal Park and Chichester Harbour having due regard to policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy 2011) and the National Planning Policy Framework.

7. With the exception of uses comprising research and development under class E(g)(ii) and light industrial under class E(g)(iii), and notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 as amended, the development hereby permitted shall not at any time be used for any other Class E uses (i.e., office, shop, financial or professional services, café or restaurant), (except any Ancillary floorspace) without the prior written approval of the Local Planning Authority. This condition shall apply notwithstanding any Town and Country Planning (General Permitted Development) Order.

Reason: The site is allocated for industrial uses and in the interests of parking and having due regard to policies DM11 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, policy HB2 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

8. Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions or outbuildings shall be constructed within the site without the prior approval of the Local Planning Authority.

Reason: In the interest of amenity of the area and parking provision having due regard to policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

9. No vehicle larger than a private car is permitted to access the site via the western vehicular site access.

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

Pre-commencement

10. No development hereby permitted shall commence (with the exception of site clearance, erection of site hoarding and provision of site welfare units) until details of the proposed means of foul sewerage and surface water drainage scheme for the site have been submitted to and approved in writing by the Local Planning Authority and in consultation with National Highways, Local Land Flood Authority, Southern

Water, Environment Agency and Environmental Health. The surface water drainage scheme shall be based on the principles within the following:

- Drainage Strategy by Burrows Graham Version 2 dated 01.06.21 – Ref: 21048-BGL-XX-XX-RP-D-0001
- Flood Risk Assessment by Burrows Graham Version 2 dated 01.06.21 – Ref: 21048-BGL-XX-XX-RP-D-0002
- Drawing No. 21048-BGL-XX-X-DR-C-0250 Rev P1

The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment & Drainage Strategy.
- b. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths, and gradients.
- c. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
- d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- e. There should be a presumption against disposal by means of infiltration drainage unless compatible with the contamination assessment 'site conceptual model' and remedial/risk mitigation scheme.

No surface water shall be permitted to run off the development onto the strategic road network or into any drainage system connected to the Strategic Road Network. No drainage Connexions from any part of the development may be made to any Strategic Road Network drainage system.

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

11. Prior to development commencing, no piling or deep foundation columns shall be constructed on the site until a Method Statement which demonstrates how groundwater will be protected, and how the efficacy of the protection measures will be verified, has been submitted to and approved in writing by the Local Planning Authority.

Unless specifically excluded by agreement, the Statement shall include;

- a) details of piling methods, to ensure that the risks of contaminant mobilisation are minimised and that the wider remedial objectives outlined within the Delta Simons Remediation Options Appraisal 19-2099.07 will not be prejudiced,
- b) details specification &/or design of materials, to ensure that the piles or deep foundation columns are not put at unacceptable risk by aggressive ground conditions, and;
- c) details of a water monitoring program, to be undertaken both during and after piling to demonstrate the efficacy of the methods in minimising mobilisation of contaminants

Reason: To ensure that the proposed piling or other deep foundation does not harm groundwater resources in line with paragraph 174 e) & 183 of the National Planning Policy Framework, and Policy DM17 of the Havant Borough Local Plan (Allocations) [2014]. Contamination may be present on site.

12. Prior to the commencement of development, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be in accordance with outline measures detailed within the Ecology Report (Applied Ecology, February 2021) and Habitats Regulations Assessment (Applied Ecology, April 2021) unless otherwise agreed in writing by the local planning authority. The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the location, composition, and ongoing management of all compensatory or enhancement habitat; location, type and number of all bat/bird boxes. All ecological compensation/enhancement measures shall be implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.
- Reason:** To protect and enhance biodiversity in accordance with the Conservation Regulations 2019, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
13. No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways and the Highway Authority). The CEMP shall include but not be limited to:
- a) Details of transport logistics (including proposed routes on a plan) in accordance with section 6.1.2 of the Delta Simons Air Quality Assessment Report Reference 19-2099.03.
 - b) Construction Traffic Management (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);
 - c) An estimate of the daily movement of the construction traffic, profiled for each construction phase, identifying the peak level of vehicle movements for each day;
 - d) The hours of construction work and deliveries;
 - e) Procedures for managing deliveries & collections at the site, including parking, (which shall include the long term facilities for contractor parking), loading materials handover and transport to secure storage areas, and the means of minimising the risk of release of fuel and other materials capable of causing harm to health or the environment;
 - f) The storage and dispensing of fuels, chemicals, oils and any hazardous materials (including hazardous soils);
 - g) The proposed maintenance and aftercare of the site;
 - h) Measures to avoid impacts on the non-statutory designated sites and retained habitats;
 - i) Details of drainage arrangements during the construction phase identifying how surface water run-off will be dealt with so as not to increase the risk of flooding to downstream areas as a result of the construction programme;
 - j) Contact details of personnel responsible for the construction works
 - k) Provisions for the segregation & storage of wastes destined for treatment, recycling or disposal, alongside details on how leachate generation from stockpiles will be minimised &/or appropriately managed so as to prevent cross contamination of materials or release of leachate to controlled waters.
 - l) Measures to ensure safe pedestrian movement on the public highway & footpaths

- m) No bonfires to take place on the site, during any phase of the operation.
- n) Control measures for dust and other air-borne pollutants, such as smoke and fume emission from the site during construction works. It should advise as to what measures are to be put in place for the control of any dust and other air-borne pollutants that might emanate from the development site. Furthermore, the methods of dust controls should also be in accordance with the guidance as laid down out in the BRE Report 456 – Control of Dust from Construction and Demolition activities. It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also kept damp at all times
- o) The means of preventing track out of mud & spoil on to the highway and preventing runoff from or excessive infiltration to the site from adversely impacting adjacent surface waters, including wheel washing facilities as appropriate
- p) Details of measures to be employed to control the emission of noise and vibration during the above phases to be provided. BS5228:2009=A1:2014 Code of practice for noise and vibration control on construction and open sites – part 1: Noise, and part 2: Vibration (BS1<2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria.
- q) Soft start vibro-piling shall only be used and all piling activities shall cease should the temperature fall below zero for a period of 3 consecutive days during January to February.
- r) Details of the training of site operatives to follow the Construction Environmental Management Plan requirements.
- s) The Asbestos Management Plan & Surface Water Quality Monitoring Programme, and other specific environmental controls mentioned at section 5.5 of Delta Simons Report 19-2099.07.
- t) Measures for controlling the use of site lighting whether required for safe working or for security purposes to ensure no impact on neighbouring properties or the strategic highway.
- u) Location of temporary site building and compounds.
- v) A programme of and phasing of demolition (if any) and construction work. Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties and the public realm more generally, and prevent pollution of nearby surface waters, or impacts to sensitive ecological receptors. To avoid inappropriate parking practices or the turning and manoeuvring of construction vehicles which adversely impact either the use or safety of the public highway. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework.

14. Unless otherwise agreed in writing with the Local Planning Authority, before the commencement of the development (with the exception of site clearance, erection of site hoarding and provision of site welfare units), written documentary evidence demonstrating that the development of any particular employment unit will achieve at minimum a level of 'Very Good' against the Building Research Establishment Environmental Assessment Method (BREEAM) Standard, in the form of a Project specific pre-assessment report, shall be submitted to and approved in writing by the Local Planning Authority. A design stage report and certification from the BRE will then be submitted to the Local Planning Authority and agreed in writing prior to first occupation of the relevant unit.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS14 of the Havant Borough Local Plan

(Core Strategy) 2011 and the National Planning Policy Framework

15. Prior to the commencement of development activities, a Biodiversity Construction Environment Management Plan (Biodiversity CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2019, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework, and policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
16. Prior to any construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Arboricultural Impact Assessment by Barton Heyett Associates dated February 2021 and the Tree Retention/Removal & Protection Plan shall be installed and agreed at a pre-commencement meeting with the Council's Arboricultural Officer and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.
Reason: To safeguard the continued health and presence of such existing vegetation and trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
17. Prior to the commencement of any specific phase of development approved by this planning permission (other than site clearance, forming the means of the approved access, erection of site hoarding, provision of site welfare units or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a remediation method statement shall be submitted to and approved in writing by the Local Planning Authority.

The Method Statement shall be based upon the Remediation Options Appraisal & Verification Strategy 19-2099.07 and shall provide details of proposed remedial & risk mitigation actions that could not be designed in detail at the outline stage.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from or adversely affected by, unacceptable levels of contamination. This is in line with paragraph 174 e) & 183 of the National Planning Policy Framework & policy DM17 of the Havant Borough Local Plan (Allocations) [2014]

Ground work

15. The contamination 'watching brief' referred to at section 4.1 of the Delta Simons Report No. 19-2099.07 v2.3 shall be observed during all groundwork operations. If suspected contamination is encountered which is qualitatively out of keeping with ground conditions described within the Factual Geo-Environmental Investigation Report (19-2099.04); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

All investigation, assessments & other actions required shall be undertaken by

competent persons, and the scheme shall be implemented as approved

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution arising from previously unidentified contamination sources at the development site. This is in line with paragraph 174 e) of the National Planning Policy Framework, Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, & DM17 of the Havant Borough Local Plan (Allocations) [2014].

16. Prior to the commencement of construction of the proposed bunds facing the A27, geotechnical submissions (in accordance with DMRB Standard CD622) relevant to the construction of the 3m-5m high earth bunds (set out in the Geotechnical Design Report, associated drawings and Specification) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with and requiring certification by National Highways).

Reason: To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Above ground

17. 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 building(s) 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.

18. Prior to installation, details of all proposed External Lighting (including location, type and illuminance levels) at the site shall be submitted to and approved by the Local Planning Authority (in consultation with National Highways), to be based on the principles shown on Drawing No. 4856/E/101 –External Lighting Layout. The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification unless otherwise agreed in writing by the Local Planning Authority (in consultation with National Highways).

Reason: To ensure that the A27 and A3(M) Trunk Roads continue to be effective parts of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Pre-occupation

19. Prior to occupation of any relevant part of the approved development, a verification report which demonstrates both the satisfactory completion & efficacy of works set out in the approved remediation method statement shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with Delta Simons Report No. 19-2099.07 v2.3 (the approved Verification Strategy) & the Piling Method, 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 document 19-2099.07 v2.3 (the approved Verification Strategy) have been met, and that remediation of the site is complete. This is in line with paragraph 174 & 183 of the National Planning Policy Framework, Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, & DM17 of the Havant Borough Local Plan (Allocations) [2014].

20. The condition of the Hermitage Stream, which would take surface water from the development site, shall be investigated before any connection is made, details of which shall be submitted to the Local Planning Authority. This shall include any required consent from the Environment Agency and the Marine Management Organisation.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
21. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings/units. The submitted details shall include:
 - a. Maintenance schedules for each drainage feature type and ownership
 - b. Details of protection measures.**Reason:** To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
22. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision necessary to serve the development in full accordance with such plans and particulars as are thus approved by the Authority. The surface water drainage shall be maintained in accordance with the maintenance arrangements thus approved.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
23. No part of the development shall be first occupied 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, 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 future occupiers of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
24. Unless otherwise agreed in writing by the Local Planning Authority, within 3 months after first occupation of the any relevant unit at the development, written documentary evidence proving that the development has achieved at minimum a

level of 'Very Good' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

25. No part of the development shall be first occupied anywhere on the site until the road(s) serving that building have been laid to at least base course.
Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
26. Prior to the occupation of the development full details of the Electrical Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The Charging Points shall be installed in accordance with the approved details prior to the occupation of each individual building and retained at all times thereafter.
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. Prior to occupation of the development hereby permitted, or parts thereof, details of the reinstatement work to footpath 30 shall be submitted to and approved in writing by the Local Planning Authority. The works to footpath 30 shall be undertaken in accordance with the approved scheme, prior to occupation of the approved development.
Reason: To secure the satisfactory reinstatement of footpath 30 and having due regards to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
28. Prior to occupation of any part of development hereby permitted, an Operational Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways and Hampshire County Council). The Operational Management Plan shall include but not limited to the following:
- Details of HGV routing;
 - Measures to manage down demand for HGV movements during peak periods (Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) where feasible;
 - Changes/implementation of any signage measures considered necessary to support HGV routing to the site via Rusty Cutter Roundabout and the teardrop arrangement to the west of the site and measures to minimise HGV routing to or from the east of the site.
 - Car Park Management Plan; and
 - Framework Travel Plan for staff on site.

Reason: To ensure that the A27 and A3(M) Trunk Roads continue to be effective parts of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices

- A. Site Location Plan
- B. Parameter Plan
- C. Indicative Site Layout Plan Option 1
- D. Indicative Site Layout Plan Option 2
- E. Indicative Site Layout Plan Option 3
- F. Indicative Elevations – Unit 1 - Site Layout Option 1
- G. Indicative Elevations – Units 2 & 3 – Site Layout Option 3
- H. Indicative Landscape Masterplan and Sections
- I. Existing view from Solent Way Trail within Farlington Marshes
- J. Indicative Massing Model Photomontage (Year 1) - view from Solent Way Trail within Farlington Marshes
- K. Indicative Massing Model Photomontage (Year 15) - view from Solent Way Trail within Farlington Marshes
- L. Indicative Wireline View from Wayfarers Trail near South Moor
- M. Indicative Wireline View from Harts Farm Way on the A27 Junction
- N. Indicative Wireline View from Harts Farm Way on the Heritage Stream Overbridge
- O. Indicative Wireline View from Lower Road, Bedhampton
- P. Indicative Wireline View from Portsdown Hill Road
- Q. Proposed Footway & Toucan Crossing – Drawing No. 205465/PD01G
- R. Full main consultation responses