
Site Address: Proposed Development site (former Electricity Board site),
Bartons Road, Havant

Proposal: Proposed development of 175 apartments together with associated
access, parking and landscaping.

Application No:	APP/20/00658	Expiry Date:	31/12/2020
Applicant:	Fortitudo (Havant) Ltd		
Agent:	Mr B Spiller Chapman Lily Planning Ltd	Case Officer:	David Eaves
Ward:	Bondfields		

Reason for Committee Consideration: Large Scale Major Development

Density: 105 dwellings per ha for whole site area

HPS Recommendation: **GRANT PERMISSION**

Executive Summary:

The site lies in Havant to the south of Bartons Road, east of Petersfield Road, to the north of Martin Road and to the west of Havant and Waterlooville Football Club. It was formerly occupied by the Electricity Board and included a large three storey office building now demolished. The proposed development is for 175 No. 1 and 2 bed apartments which would be provided in three No. 5 storey buildings. Vehicular access to the site would be from Bartons Road.

The development has been subject to a Habitats Regulations Assessment and Appropriate Assessment and subject to securing appropriate mitigation would not result in a harmful Impact on the SPA protected environments.

The site is located in the built up area and is a brownfield site, in addition the wider site is allocated for residential development in the adopted Allocations Plan for 90 dwellings. The development of the site for residential development is therefore considered acceptable in policy terms. The proposed development represents a significantly higher density of development than that anticipated by the Local Plan allocation. Notwithstanding this both National and Local policies recognise the need to make efficient use of sites and to allow higher density development where this is appropriate. The Council cannot currently demonstrate a 5 year housing supply and under the NPPF this results in the engagement of the tilted balance when considering residential schemes.

The development is considered to make the best use of an urban brown field site and a high density of development is considered to be compatible with the mixed character of the area as set out below. The proposal also provides smaller dwellings including 2 bedroom units which are required in the Borough.

The proposal would not provide affordable housing, however, a viability case has been made and tested that is considered to demonstrate that such provision cannot in this case be secured.

The impact on the character and appearance of the area has been considered in detail

and is considered acceptable as is the impact on the residential amenities of existing and future residents. It is acknowledged that the proposed development includes only limited opportunity for landscaping between runs of parking spaces, however given the amount of parking required to serve the development and the need for communal open space it is difficult to further soften the character of the parking areas by additional planting. This negative aspect must however be balanced against maximising the use of this brown field site and increasing housing delivery in a scenario where the tilted balance applies.

The highway impacts of the development have been assessed in detail by the County Highway Authority at various stages in the course of the development. The originally proposed Drive Through Restaurants have now been removed from the scheme and the quantum of residential development reduced from that originally applied for. The access to the site and local junctions have been tested, including taking account of future development and traffic growth. Subject to appropriate conditions and S106 requirements the development is considered to have an acceptable impact on the highway network and would secure appropriate sustainable transport improvements.

The internal layout and parking have also been considered to ensure that the development would operate acceptably and appropriate conditions are recommended.

Drainage and flood risk issues have been assessed with consultees and subject to conditions and S106 requirements foul and surface water drainage requirements can be appropriately secured.

The site has been assessed in relation to contamination issues and any potential impacts on the water environment and future residents can be appropriately addressed and mitigated via the imposition of conditions.

Impacts on ecology can also be addressed securing biodiversity enhancements and the impact on trees can be addressed via appropriate conditions.

The infrastructure requirements required to ensure a sustainable development would be secured via the S106 agreement and the draft heads of terms are provided in the report.

Overall, it is considered that the development would make an important contribution to the Council's housing needs and delivery whilst securing an acceptable high density development in a relatively sustainable area. This can be achieved whilst protecting the character and appearance of the area and providing suitable accommodation for future residents.

1 Site Description

- 1.1 The site is the former Electricity Board site, Bartons Road, Havant which was previously occupied by Scottish and Southern Energy and included a three storey 'C' shaped office building, Data Store and other ancillary buildings. The site is located approximately 1.7km north of Havant Town Centre and approximately 0.6 km east of Leigh Park Centre.
- 1.2 The original buildings were demolished in 2017 and the site has been mainly levelled but with a significant area of banked spoil from the demolition work.
- 1.3 The site lies to the south of Bartons Road and to the east of Petersfield Road. The area is mixed in character with the following surrounding uses:

North – Bartons Road with an area of landscaping including trees fronting Petersfield Road to the western part and terraced two storey residential properties to the eastern side. Knightwood Avenue is also opposite the site.

East – Havant and Waterlooville Football Club is to the east with the stand backing onto the northern part of the site and other ancillary buildings. The Westleigh pub is also located adjacent to the football ground but is separated from the application site by retained SSE facilities including a two storey Data Centre, disaster recovery office and Alarm Reporting Centre (ARC) with associated car parking accessed off Martin Road.

South – To the south are areas of landscaping with significant trees to the north of Martin Road and two storey semi-detached properties south of Martin Road. To the south-western boundary of the site is Solent Used Car Centre including car repair/MOT garage.

West – To the west is Petersfield Road (B2149), the road adjacent to the site has a central reservation and is mainly two lanes incorporating turning lanes. To the western boundary is also a cycle path and pedestrian route. Beyond Petersfield Road are some significant trees and residential properties including a large block of three storey flats and two storey flats / maisonettes.

1.4 There is a natural slope across the site generally from north to south. There are significant trees beyond the site boundaries and the site is generally open but with one tree which appears to be on site close to the Garage complex to the south west.

1.5 The application has been submitted with the following supporting information:

- Planning Design and Access Statement
- Transport Assessment
- Framework Travel Plan
- Contaminated Land Assessment
- Arboricultural Impact Assessment
- Arboricultural Method Statement
- Tree Protection Plan
- Air Quality Assessment
- Flood Risk Assessment and additional information
- Noise Assessment
- Viability Report
- Preliminary Ecological appraisal
- Interpretative Site Investigation and Remedial Strategy Report
- Solent Nutrient Budget Calculator
- European Site Avoidance & Mitigation
- Occupancy Calculator

2 Planning History

2.1 There is significant planning history in relation to the former use of the site by SSE and whilst this sets the context of the site and its nature as previously developed Brownfield land, the detailed history is not included here. The most recent history relevant to the current condition of the site and the proposals for residential development is set out below:

APP/16/00940 Application to determine whether prior approval is required for the method of demolition and site clearance of Former SSE Building, Bartons Road, Havant. Prior Approval Required and Granted 6th October 2016

APP/16/00617 Increase height of security fencing (perimeter west) by 600 mm for a length of 126 metres. Permitted 26th October 2016

Adjacent SSE site

08/50018/029 Construction of two storey operations centre including a Data Recovery and Resumption centre. Single storey energy centre block (housing uninterrupted power supply) and external plant compound. Associated car parking revisions and new access to Martin Road. (Revised application.) Permitted 13th June 2008

06/50018/027 Construction of two storey operations centre including a Data Recovery and Business Resumption Centre. Single storey energy centre block (Housing UPS) and external plant compound. Associated car parking revisions and new access to Martin Road. Permitted 24th April 2007

06/50018/026 Formation of two storey data centre, disaster recovery office and ARC with associated car parking and access to Martin Road. Permitted 30th May 2006

3 Proposal

- 3.1 The application proposes the development of 175 apartments together with associated access, parking and landscaping.
- 3.2 The development is proposed to be accessed via an existing altered access point to the north east corner of the site to Bartons Road. Internally the access would run to the eastern side of the site (adjacent to Havant and Waterlooville Football Club and the retained SSE area). There would be an emergency access to Martins Road which would include a cycle link and separate pedestrian path.
- 3.3 The application when originally submitted included proposed McDonalds and Costa drive through restaurants. These have been removed from the application, on the site plan the northern part of the site is now annotated '*Land for Future Development*' and is essentially excluded from the development area.
- 3.4 The proposed residential development would be located to the southern 2/3rds of the wider site area. The development would comprise three blocks of flats (Blocks A, B and C). These would provide the following the following:

Block A – 5 Storey

1 Bed	2 Bed	Total
57	7	64

Block B – 5 Storey

1 Bed	2 Bed	Total
19	13	32

Block C – 5 Storey

1 Bed	2 Bed	Total
35	44	79

Overall:

1 Bed	2 Bed	Total
111	64	175

- 3.5 The three blocks are of differing sizes but would exhibit a strong design similarity with significant areas of glazing with strong horizontal emphasis including balconies. They would incorporate red engineering brick and small areas of timber cladding to the top floors.
- 3.6 The layout includes areas of parking to the north of blocks A and C and to the north, east and west of Block C. There would be areas of external amenity space around the site with the main area to the south of Block C and to the east of Block A.

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)
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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS6	(Regeneration of the Borough)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM3	(Protection of Existing Employment and Tourism Sites)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
LP1	(Leigh Park Housing Allocations (Sites) Site Reference L145)
AL1	(Presumption in Favour of Sustainable Development)
DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

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

5 Statutory and Non Statutory Consultations

- 5.1 It should be noted that the application has been amended during its extended period of consideration and this has led to a number of rounds of consultation taking place. For simplicity's sake the responses below are the most up-to-date comments received. The earlier consultation responses can be found at **Appendix A** attached to this report.

Arboriculturalist, Havant Borough Council

Further Comments

Can it be clarified what is happening with the proposed pedestrian access to the south of the site onto Martin Road please? The latest tree protection plan (ref TCP/TPP/6) no longer shows no dig construction but it will be required if this access is still going ahead?

***Officer Comment:** Further details in relation to trees have been submitted showing no-dig solutions close to the trees in Martin Road. The Councils Arboriculturalist has been reconsulted and members will be updated in relation to any further comments received.*

Building Control, Havant Borough Council

Final Comments:

Householders should not have to carry containers more than 30m (excluding vertical distance) to waste collection point. Carrying containers through a building is not allowed unless garage or some form of covered way AD H Section 6 para 1.8 & 1.9. Unable to scale plan to assess compliance

***Officer Comment:** The bin stores allow access by collection vehicles which have been tracked.*

Further Comments:

- 1) The reduction in window area to the side elevation external walls will comply with Requirement B4 as long as fire doors are installed to separate all rooms from the stairwell. This will be required under Requirement B1 for the proposed buildings
- 2) As per the letter from Southern Water re building near the public sewer, the sewer should be accurately located to ensure compliance with Southern Water requirements
- 3) The amended plans have not addressed the issue of solid waste storage
- 4) The water efficiency calculations appear satisfactory, subject to evidence that the fittings and fixtures can achieve the flow rates shown.

Communities Manager

No comments received

Community Infrastructure, Planning Policy & Urban Design

Final Comments:

CIL

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule/%20Full%20Document%20Feb%202013.pdf>

The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If permission is issued in 2021 the amount of indexation will be 48.66%. It may change if permission is issued in 2022.

Please note the current CIL Charging Schedule is under review and a replacement schedule has gone through examination. The Council plans to adopt the new schedule alongside the emerging Local Plan, the Council intends to consider these two policies for adoption simultaneously, once the Local Plan examination is complete.

Officer Comment: *The submitted CIL form indicates a floorspace of 11,288 sqm which would require a CIL contribution of approximately £1,338,434.*

S106

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

1. Affordable Housing (offsite?)
2. HBC Monitoring Fees*
3. HCC Monitoring Fees
4. Management Company
5. Management Plan (may include SUDS)
6. Solent Recreation Mitigation Strategy (see further information)**
7. Nutrient Neutrality <https://www.havant.gov.uk/nitrogen-developers>
8. Employment and Skills Plan
9. Community Worker
10. Education (HCC)
11. SUDS/SUDS Bond (Bond not necessary if Southern Water have agreed to adopt SUDS once installed)
12. Travel Plan (HCC)
13. Highway Works (HCC)
14. Site Specific Transport Improvements (HCC)
15. Others arising out of consultee responses

SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION:

Latest version accessible from: <https://www.havant.gov.uk/community-infrastructure-levy>

*Monitoring Fees: As part of the 'Heads of Terms' it would be necessary to include monitoring fees. The amended CIL Regulations effective 1/9/19 regularise the collection of S106 monitoring fees. We already have an agreed schedule of charges and these are set out below (update from 1/4/21):

	Prices 2021/2022	VAT	Comments
S106 Monitoring Fees The Council charges a fee to monitor all planning obligations as set out in the CIL Regulations and this is decided at a cost per head of term contained within the obligation and is in addition to the legal charge for drafting and checking the obligation.	£753.80 per non-financial head of term	O	Monitoring fee capped at a maximum of £10,883 ¹ per application
	5% of cost per financial head of term	O	
Solent Recreation Mitigation Partnership		O	Payment for management of Internationally <u>protected</u> Habitat. Contribution per dwelling plus monitoring and administration charge ² . Further details: www.havant.gov.uk/planning-and-environment/planning-services/solent-recreation-mitigation-partnership-financial-contribution

O – Outside the Scope

**Solent Recreation Mitigation Strategy

The updated charges from 1/4/21 are set out below, based on the maximum number of dwellings and bedroom sizes; contribution will be indexed (RPI):

<http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

No of Bedrooms (per dwelling)	Amount	Monitoring Fee
1	£361	Plus 5% of total (sum may be included in 'Monitoring Fees' outlined in point 2)
2	£522	As above
3	£681	As above
4	£801	As above
5	£940	As above

Officer Comment: Updated contribution requirements are set out in the Ecological Impacts section and Infrastructure/S106 requirements

Countryside Access Team

Please accept this response as being that of the Countryside Service, in relation to this application we are responding on behalf of Hampshire County Council as Highway Authority in respect of Public Rights of Way and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire.

Site Context: Staunton Farm and Country Park Hampshire County Council Countryside

Site is to the North of the development site and the Shipwrights Way HCC Long Distance Route runs along Petersfield Road to the West.

A copy of the Definitive Map of Rights of Way can be found at <https://maps.hants.gov.uk/rightsofwaydefinitivemap/>

Comment:

The development is within 720 metres of Staunton Farm and Country Park which would act as the nearest available public open space to the development. The park is approximately 85 hectares and is a listed Regency landscaped parkland. The parkland is a vital green space for the local community providing a venue for walking, running, dog walking, fishing, cycling, picnics and playing. Making it a Destination Open Space which described in the Havant Open Space Strategy if they are over 10 hectares in size and considered particularly important due to their range of multifunctional uses and activities and, as such, mean residents are likely to travel further to access them. The park has established relationships with Parkrun (approx. 400 local people per week) and Leigh Park Dog Walkers (approx. 100 regular visitors). Our research indicates that approximately 27% of park visitors live within a 2 mile radius of the park. Given the close proximity to the site the residents of this development are more likely to visit the park as there is no on-site open space.

We would expect a development of this scale within 720m of the Staunton Country Park destination facility which does not provide on-site open space to provide a contribution to the Countryside Service towards any enhancement of the local Staunton Country Park which should be secured by legal agreement prior to granting planning permission. In the absence of any local improvement of access to Public Parks and Gardens and increases in capacity and enhancements at the Country Park or to the Shipwrights Way which provides access the proposals are not in line with Havant Local Plan Policies E1 and IN1 which states it is important to protect and enhance Staunton Country Park as a strategic open space which serves as a destination facility and provide contribution to improve off site green infrastructure.

We would be happy to discuss the opportunity to provide mitigation for the increase in residents with the Applicant and the Local Planning Authority. Please contact Countryside Planning at countryside.planning@hants.gov.uk.

Officer Comment:

The policies referred to in this consultation response formed part of the now-withdrawn Havant Borough Local Plan. There are a number of open spaces local to the development, including adjacent to the Football Club, at Bartons Green, and at Front Lawn Recreation Ground. Given this, it is not considered that a contribution towards Staunton Country Park can be justified under the adopted policies.

County Archaeologist

Thank you for your consultation. The proposed development site lies within an area where there is evidence for past human activity, which has been demonstrated through a number of archaeological investigations. However the site has been the subject of extensive development which is likely to have severely impacted any potential archaeology that might have been present, lowering the overall archaeological potential. As such, I do not wish to raise any archaeological issues.

Council's Ecologist

Final Comments:

The application plans have been amended again to show some of the proposed ecological enhancements presented within the ecological assessment. The proposed wildflower grassland area is better described and now is suited to the native neutral soils. Management prescriptions are now included.

I welcome the increase in the number of bat and swift boxes on the three buildings.

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

Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (Pro-Vision, October 2020) and as illustrated on drawing LANDP001 rev. 003 (JPS Landscape Design, November 2021) and on building elevations drawings 108, 109, 113, 114, 122 and 123 (ARC Architecture Ltd, November 2021) unless otherwise agreed in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be implemented as per ecologists instructions.

Reason: to protect biodiversity in accordance with the Conservation Regulations 2019, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Hampshire Constabulary Crime Prevention -Major Apps

Final Comments

- The plans appear to show defensible space about each apartment block (shown in purple), each ground floor patio appears to be enclosed.

- The block B recessed door still needs addressing

Officer Comment: *The latest floor plan removes the recessed doorway.*

- The CCTV requirement has yet to be confirmed

Officer Comment: *The agent has confirmed that CCTV will be incorporated to cover each cycle store. A condition is recommended to ensure that this is provided.*

- Lighting the development to BS 5489-1:2020, will reduce the opportunities for crime and disorder and reduce the fear of crime.

Officer Comment: *A lighting condition is recommended*

- It is unfortunate that there will be unrestricted pedestrian / cycle access from Martin Road, this will increase the opportunities for crime and disorder. Appropriate bollards will have to be fitted to prevent them being removed to create a through route for motor vehicles. However, to provide some mitigation there will be some natural surveillance of pedestrians and the parked motor vehicles from the dwellings, good lighting will assist with this during the hours of darkness.

Officer Comment: *A condition is recommended to ensure that bollards are provided and maintained to prevent use as a through route for cars.*

- Is there a requirement for 2 vehicular accesses and if not why not access the site exclusively from Martin Road, that way the residents will be able to exit to the south and other cyclists and pedestrians will use the existing road network to the south, which is what they currently do.

Officer Comment: *There is a requirement to provide an alternative emergency access and the provision of the route to Martin Road increases the permeability of the site for pedestrians and cyclists especially leading to routes towards Havant Town Centre.*

Southern Water
Final Comments:

Thank you for your letter dated 07/06/2022.

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

Please note:

- The 300mm diameter gravity foul sewer requires a clearance of 3 meters on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.
- The 750mm diameter gravity surface water sewer requires a clearance of 4 meters on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.

- The 350mm diameter gravity surface water sewer requires a clearance of 3 meters on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 meters of the external edge of the public gravity sewer without consent from Southern Water.

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

- All existing infrastructure should be protected during the course of construction works. Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" southernwater.co.uk/media/1642/ds-tree-planting-guide.pdf and the Sewerage Sector Guidance water.org.uk/sewerage-sector-guidance-approved-documents/ with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

In order to protect public apparatus, Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

Our investigations indicate that Southern Water can facilitate foul sewerage to service

the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Submitted FRA shows Surface water will be discharged from the site to a public surface water sewer. However, it will first be attenuated on site and discharged at a 30% betterment compared to the existing brownfield rates which is satisfactory to Southern Water.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents.

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

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

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Early Years

Hampshire County Council and SFYC continually monitor the availability and accessibility of childcare for children aged 0-8 years in the Borough of Havant.

The number and type of proposed dwellings in this development at Bartons Road is unlikely to put any negative pressure on the local childcare market. It is expected that the existing market will be able to meet demand.

Children in the local area are able to access their Government Early Years Education Funding via a choice of approved Nurseries, Pre-schools and Ofsted Registered Childminders.

After a decline in some age cohorts in 2019 the overall Havant area child population aged between 0 and 4 years old is projected to show a net increase by 2025 by 143 children or 2.2%.

The team at SFYC will continue to monitor childcare sufficiency across Havant borough and will seek to expand places in the areas most affected by population increases and housing development.

To support our continued work if the type or number of proposed dwellings was to change in this planning application for Bartons Rd we would wish to be consulted so that we can update our assessment and comments accordingly.

Economic Development

In principal, Economic Development Office does not object to the proposed developments. However, given the scale of the development, the Economic Development office seeks that the applicant enters a S106 Local Employment & Training Agreement to increase apprenticeship jobs, promote career opportunities and secure jobs for local residents to contribute towards a reduction in out commuting. This comprises the following mitigation measures:

- An agreement to assist in the placement of the apprentices and unemployed from the local area into jobs during the construction phase of the development and/or occupation phase.
- Negotiation of obligations including; direct labour agreements, training, work experience/ placements and apprenticeships to be implemented during the construction phase of the project and also following completion date (if required).
- In certain circumstances where the developer is not able to deliver local job opportunities through the Local Employment and Training Agreement, the developer can negotiate a financial contribution to enable the Council to generate alternative

employment opportunities. The funds will be retained specifically for employment, skills, training and enterprise support through the Get East Hants Working Initiative.

The proposed development presents an opportunity to build and enhance the skills of the local workforce by providing training and employment opportunities for local residents during the construction phase. The developer benefits by being able to draw on a resident workforce for local development.

Paragraph 3.32 of the Havant Local Plan states that the council will support proposals that raise the skill levels and employability of young people and help them into work, education or training. Employment and Skills Strategies will be required for the occupancy phase of commercial developments that are estimated to create more than 50 full time equivalent (FTE) jobs. As stated in the applicants planning statement, the end users of the drive-thru restaurants have confirmed that they would provide 65 and 25 jobs respectively. The council will work in partnership with developers to promote local employment and training initiatives for these positions. This will be implemented through S106 legal agreements.

The contribution sought is in accordance with Local Plan Policy CS3 of the adopted Havant Core Strategy (2011). Policy CS3 states that 'Planning permission will be granted for development proposals that, raise skill levels and increase employability and tackle skill shortages in existing and potential business clusters and sectors particularly advanced manufacturing and marine businesses.'

This is supported further in the Havant Borough Council Developer Contributions Guide (2013). Paragraphs 5.43 and 5.44 set out the value of an Employment and Skills Strategy and how Havant Borough Council measures the amount of training and jobs through the S106 agreement.

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

Also, by providing for local employment and skills needs, the proposal would advance the NPPF, in particular paragraph 80 which seeks to enable each area to build on its strengths, counter any weaknesses and address the challenges of the future

Officer Comments: *These comments partly relate to the drive through restaurants which have now been removed from the development. However the development does offer opportunities in relation to employment and skills for local residents during the construction phase. An Employment and Skills plan will therefore be secured through the S106 Agreement.*

Education Department

Thank you for opportunity to reconsider any financial commitment for this development. I can confirm that no financial commitment will be sought from this development for educational facilities.

Environment Agency

Final Comments:

We have reviewed the plans and have no additional comments to make. Our previous response dated 21 October 2020 (our ref: HA/2020/122625/01) still stands, and this is

copied below for ease of reference:

"We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We request that the following conditions be attached to any planning permission granted, and that the details in relation to these conditions be submitted and approved by the Local Planning Authority.

Condition 1 – Unidentified contamination

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

The remediation strategy shall be implemented as approved.

Reasons for Condition 1

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

Condition 2 – Piling

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

Reasons for Condition 2

To ensure that any proposed piling or deep foundation using penetrative methods, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework, and position statement Physical disturbance of an aquifer in a Source Protection Zone 1 of the 'The Environment Agency's approach to groundwater protection'.

The site is located in the SPZ1c (deep activities) for the Bedhampton and Havant Springs public water supply abstraction. While low permeability London Clay immediately underlie the site, the Chalk Principal aquifer which occurs at depth supports this abstraction. Activities at depth have the potential to impact on the water supply."

Environmental Health (Environmental Officer)

Final Comments:

Observations / Comments:

I have reviewed the revised supporting documents, and would like to provide updated

comments. Where previous comments made against this application remain valid, the key points will be summarised here – but please refer to the text of prior comments for detail.

Contamination

A narrative review of the previously submitted phase 1 & 2 assessment has been provided in comments under our ref: CONS/20/03077 & CONS/21/00664.

No response has been made to previous comments by Environmental Health under the current consultation, and for this reason comments provided previously remain valid.

Given;

- That the only groundwater sample available suggests hydrocarbon concentrations exceed solubility limits,
- That I disagree with the absence of a pathway to controlled waters (given likely direct communication via surface water sewers, via the proposed filter drain-), and that shallow made soils are perhaps the most likely source of hydrocarbons,
- That 'clean cover' is being proposed as both a remedial measure and a necessary planning measure for amenity purposes, and;
- That PCB concentrations of potential concern to human health where present at risk-assessment-relevant depths, relative to finished levels in areas of amenity landscaping;-

I am minded to regard the various deferred proposals (e.g. the import of suitable growing medium, to finalise a detailed drainage strategy post-consent-, and to consult with Portsmouth Water on appropriate specification for the potable supply-) to be de-facto risk mitigation proposals for which planning controls should be in place to secure. I have previously indicated that suitable controls need not be Grampian style conditions, but this would carry a risk that enabling groundworks could hamper appropriate steps to address the identified risks – especially with respect to PCB concentrations in made soils. Suggested condition wording below. These conditions should be applied in addition to Conditions 1 & 2 proposed by the Environment Agency

Contamination (Bespoke – omitting EDS, based upon previous investigation & reporting) [1]

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to address risks identified within the fortitude HAV164.D/SI/002 rev3. Investigation & remediation strategy report be submitted to and approved in writing by the Local Planning Authority.

The scheme may take an iterative & proportionate approach, may comprise separate reports / assessments / statements as appropriate, shall be undertaken by competent persons, and unless specifically excluded in writing by agreement shall include;

1) Further consideration of risks posed to future site occupants by PCB contamination identified within the made soils associated with trial hole position TP2B and any soils of similar character.

2) Where risks cannot be dismissed by (1), an updated Remedial Strategy that includes; • appropriately considered remedial objectives,

- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability,
- clearly defined proposals for mitigation of the identified risks, and;
- a 'contamination discovery strategy' which includes arrangements for contingency action

3) A verification plan which details the data that will be collected in order to demonstrate that the works set out within the Remedial Strategy (2) are complete.

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

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183-185 of the National Planning Policy Framework. Prior investigation identified some results of concern that have not been adequately considered, and the previous remedial strategy omitted a discovery strategy. Contamination may be present in areas of the site that have not been inspected or sampled during prior phases of physical site investigation that could nevertheless pose an unacceptable risk to human health or controlled waters.

Verification (limited) [2]

Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [1] shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met.

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, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183-185 of the National Planning Policy Framework. Prior investigation identified some results of concern that have not been adequately considered, and the previous remedial strategy omitted a discovery strategy. Contamination may be present in areas of the site that have not been inspected or sampled during prior phases of physical site investigation that could nevertheless pose an unacceptable risk to human health or controlled waters.

Air Quality (Exposure Assessment)

No update has been provided in respect of the quantitative assessment of air quality. I have previously agreed the conclusions of the prior report, which included traffic associated with the previously proposed (high-traffic) commercial scheme. No update of the assessment is therefore necessary. No objections arise.

Air Quality (Mitigation of Operational Phase Transport-Related Emissions, Access)

The revised documents outline a significantly improved package of 'hard' measures to promote sustainable and active travel choices – in particular as outlined within para's

6.18, 6.19 & Appendix E of the transport assessment. I note that the proposals are compatible with Sustrans strategic objectives, and integrate well with network improvements secured through other local developments, and I would consider that they are likely to make a significant positive contribution toward improving local air quality.

I note that para. 8.41 of the transport assessment does not necessarily present these measures as a definitive proposal, noting that 'a judgement must ...be made regarding whether the slight forecast increase in delay to drivers during the peak hours is worth the provision of the signalised crossing points which will significantly improve the pedestrian and cycle environment'. Environmental Health would necessarily argue that this trade-off is worthwhile, reflecting the highway user hierarchy as well as the planning policy objectives for public health-, climate-, and of course air quality.

In respect of the package of hard measures, I note that Table 3 of the Transport Assessment refers to several items for which details are to be provided at the detailed design phase. Given that this is a full plans application, it is assumed that a condition is necessary to secure specifications for these elements that would be acceptable to the Highways Authority (necessary to ensure that the provisions are safe and convenient, and do indeed support sustainable and active travel choices). It is assumed that where these elements would not be addressed by a separate agreement (e.g. a s278 or s106), the Highways Authority will propose wording to secure any elements of detailed design not secured within the revised proposals.

With regards to the internal layout, and permeability of the site; my previous concerns in respect of the safety & convenience of internal cycle movements for all users have been addressed by the omission of both the drive-through restaurants from the development land to the north, and of the permanent vehicular access to Martin Road.

I note that draft proposals for this development land are for a commercial use which poses a much lower risk to vulnerable, novice or nervous cyclists (e.g. children) than would the previous proposals, and that the avoidance of a through route for motorised vehicles should have a positive impact on local vehicle speeds, and consequently upon the perceived safety of the internal on-carriageway cycle-route provision. I would therefore agree that the amendments provide safe & suitable access for pedestrians & cyclists, so as to support active & sustainable travel choices.

Air Quality (Operational Phase Non-Transport Emissions), Noise/Amenity

No additional details. Prior comments apply, reproduced below for convenience;

The cover letter referred to in the section above includes the following text: 'The Fortitudo product is also designed with the environment in mind, moving away from traditional gas fired heating systems and utilising air source heat pumps.'

Heat pumps represent a local generation (Low Carbon) technology, and would be supported by air quality planning policy on this basis. I would highlight (however) that the heat pump units require exterior condenser units which are not shown on either the elevations nor the roof plan. Given that permitted development rights do not apply where more than 1 heat pump will be installed on any residential building (including flats), it is assumed that the proposal to serve the development with heat pumps is a material planning matter. Environmental Health's principal interest would be to understand the potential for nuisance arising from condenser noise, or water vapour (arising from defrost cycles).

I would suggest that this is a significant proposal, and additional detail should be sought to understand how this impacts the development appearance, and the amenity of future residents.

Officer Comment: *A condition is recommended in relation to the details of any air source heat pumps*

Environmental Health

It is noted that the previous application included for two drive-through restaurant / take-away facilities, which have now been removed from this particular application. Therefore this response will only cover the 175 apartments.

I have read the documentation provided by the applicant, and can comment as follows:

A noise assessment has been provided by the applicant with various building mitigation measures being advised to be implemented, including for various fenestration & ventilation measures for different facades; dependant on whether it's traffic or plant noise affecting a particular facade/s. Additional noise sources can include the Havant and Waterlooville football facility to the east; it is advised in the noise assessment that the mitigation measures proposed for the rooms facing the football stadium to control plant noise from the SSE Services PLC building, will be sufficient to also control predicted crowd noise levels from the stadium. Operational noise from the Westleigh public house to the east was deemed to be negligible when compared to crowd noise from the stadium & existing plant noise. Similarly, operational noise from the West Leigh Service station to the south of the site, was also considered to be negligible when compared to road traffic noise from the Petersfield Road, and no further assessment was considered to be required for the latter two sources.

It is also noted that no reference is made in the noise assessment of expected noise levels in any external areas that are proposed for use for personal amenity areas, including gardens, patio's and balconies. I would expect this to be addressed prior to any development being started.

Whilst I would have no objection in principle to the provision of the above number of dwellings on this site, I would ask that if this application were to be viewed favourably by the Planning authority, that the following conditions and informatives be included with any decision notice:

Condition 1:

The applicant to confirm, that the acoustic mitigation measures to be employed, will follow those measures as advised to be implemented by the Noise Impact assessment, produced by Acoustic Consultants Ltd & dated November 2020, with regard to the building envelope, including fenestration and ventilation, for all residential units, to ensure they will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms. Similarly for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

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

Condition 2:

Post validation testing of noise levels in and around specified dwellings, will be a requirement prior to occupation, if approval were to be granted for the construction of residential accommodation on this site. Post validation testing will need to be undertaken by a competent person to determine compliance with the noise impact assessment as produced by Acoustic Consultants Ltd & dated November 2020. Such testing should be achieved using at least 3 sample dwellings, nearest to the measurement positions Monitoring location B, C & D. A report shall be produced which details the post validation testing that has taken place This must be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved, and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. In addition to a windows closed scenario, levels should also be provided with windows in an open position. Similarly for traditional external areas that are used for personal amenity space, such as gardens patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq, 16 hour with an upper guideline value of 55 dB LAeq, 16 hour in noisier environments. External amenity area levels are also required to be tested upon completion, to confirm the levels detailed above, and as a result of any additional proposed mitigation measures, that might be needed, have been met.

Reason: To ensure the residential amenity of the properties will not be impacted upon by any external noise levels.

Condition 3:

As a number of future residents will likely need to keep windows closed to mitigate noise from external noise sources (especially overnight) the applicant will need to provide an Overheating assessment in accordance with CIBSE TM59 (2017), to demonstrate that indoor temperatures will be acceptable in the absence of open windows. Such assessment should include any scheme/s or required measures to mitigate overheating.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external noise levels in particular.

Condition 4:

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

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

Furthermore the following items should be addressed and included under the Construction Environmental Management Plan or the Construction Management Plan,

when submitted, covering all phases i.e excavation, clearance and construction:

- a. no works or ancillary operations associated with the above phases at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00;
- b. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- c. No bonfires to take place on this site, during any phase of the operation;
- d. Control measures for dust. It should be advised as to what measures are proposed to be put in place for the control of any dust that might emanate from the development site. Furthermore the methods of dust control should be in accordance with the guidance as laid 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 to be kept damp at all times.;
- e. Procedures for emergency deviation of the agreed working hours.
- f. Details of measures to be employed to control the emission of noise 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 (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria;
- g. If any piling is envisaged for this site, full details must be submitted to this office, with regard to the proposed method/s to be employed, and the probable duration of these operations;
- h. Details to be provided of all proposed external lighting to be used during the above phases and the measures for controlling the use of site lighting whether required for safe working or for security purposes to ensure no impact on nearby receptors;
- i. Procedures for maintaining good public relations including complaint management, public consultation and liaison

If not included in a CEMP, the above will likely be requested as conditions or informatives on any full application.

Environmental Health (Food and Safety)

I wish to comment on the requirements of the Commercial Team in connection with the requirements of the above legislation in connection with any proposed food business for the site.

It is noted that the internal layout does not include any detail. Should planning permission be granted the applicant or persons engaged in the food business are advised to contact the EH Commercial Section with detailed proposals for the premises. The proposals should include matters such as lighting and general ventilation to all areas, food storage, washing facilities including sinks and basins (for hand washing) and any provision for staff such as changing facilities.

Whilst the above does not have a material effect on the planning process (except possibly windows or extraction system in connection with the provision of ventilation) there are specific requirements under the legislation for food businesses.

Officer Comment: *These comments relate to the Drive through restaurants now omitted from the scheme, and are no longer relevant to the proposals now under consideration.*

Hampshire Fire & Rescue

Final Comments:

With reference to the below re-consultation request for this planning application, we have no further representations to make at this time. Please refer to our original advisory letter dated 07 October 2020.

I would however like to take this opportunity to remind both yourself and the applicant that blocks of flats more than 11m in height will require a sprinkler system. If deemed necessary, the opportunity should be taken to revise plans and include provision for a sprinkler tank at the earliest opportunity.

Officer comments: *The latest plans show indicative ground based tanks for a sprinkler system. A condition is recommended for full details of the system.*

Housing

Final Comments:

Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

The Pre-Submission Havant Borough Local Plan 2036 (HBLP 2036), which was approved by the Council on 30/01/2019, further reinforces this policy (see emerging Policy H2 / Affordable Housing) by setting out a requirement for 30% affordable housing on sites resulting in a net gain of 10 or more dwellings. This would equate to a minimum of 57 affordable units on this site.

In relation to tenure split of any agreed affordable housing the initial expectation would be an approximate 70%/30% split in favour of Affordable/Social Rented homes against Shared Ownership. In this proposal where 30% would be 57 units I would 40 rented units and 17 Shared Ownership units.

The residential element of applicant's proposal is now for 175 new apartments, 111 no 1-beds and 64 no 2 -beds.

The applicants previously submitted a viability challenge which was referred to a third party for review. The outcome of that review contended that the development was not capable of providing a policy compliant number of affordable homes, however there should be some scope to provide some affordable housing, although no exact numbers were mentioned.

The submission now includes a more recent viability assessment, which I assume was commissioned by the applicants; this latest report again concludes there is no opportunity to provide affordable housing without rendering the development unviable.

Putting aside any of the viability challenges, and assuming that affordable housing delivery of some sort were being considered, the mix of housing proposed on this development would not meet the varied needs of those on our social housing waiting list due to the proposed high provision of very small 1-bedroom units which would meet the Nationally Described Space Standards for 1 person only. To accommodate 2 persons, the 1-bedroom flats would need to be a minimum of 50sqm.

In addition, I would be concerned that the prospect of the submitted level of density of the 1-bedroom homes in this development (111 over the three blocks), whether private or some affordable, would not fit with the need to create a sustainable community in this area.

The demand for affordable housing remains consistently high within Havant borough; as at 25/10/2021 there are 1732 active applications registered on Hampshire Home Choice (HHC) seeking accommodation in our area and of these 811 are waiting for a one-bedroom home, 544 for a two bed, 307 for a 3 bed, and 70 for a 4+ bedroom home.

Waiting times on Hampshire Home Choice represent a significant number of years. Between April 2020 to March 2021, for Band 3 applicants (which represents a reasonable priority for moving) the time between registration and nomination was an average of between 2 to 5 years depending on the property size required.

Moving forward Housing would not support this residential development proposal as it does not provide a sufficient mix of types and sizes of accommodation to meet the needs of the residents of Havant borough.

As noted the applicant has submitted an additional viability assessment which confirms that a 100% private housing development would still result (based on their own appraisal of the development) in a £1.220m shortfall, so therefore I would question, in these uncertain times, why the applicants would consider this type of development as a suitable risk taking into account their own concerns that construction costs will continue to rise.

Officer comment: *The proposal has been independently tested in terms of viability and it is considered that in this case Affordable Housing provision cannot be secured. However the S106 Agreement will need to include a mechanism for re-assessing this if development does not take place for a significant period (when market conditions may alter). The risk in terms of viability would rest with the developer.*

Hampshire Highways:

Final Comments:

Thank you for the consultation on the above full planning application. The amended information submitted relevant to the Highway Authority includes:

- Transport Assessment
- Travel Plan
- Drawing submitted to the Planning Portal dated 6th June 2022

The Highway Authority note that this application has changed. The development proposal was initially for two drive-through fast food restaurants as well as 191 apartments. Following post-submission discussion with the Highway Authority regarding transport implications of this initial proposed development, particularly the impact of the two drive-through restaurants. As such, the amended proposals are now entirely residential (175 apartments) with the drive-through elements removed and the land on which those elements sat remaining vacant within the development site, potentially for further development in the future, subject to further planning approvals etc.

Current Site Conditions

The proposed development site is currently vacant but has previously been utilised by SSE and has a current permission for 2250sqm office space. The site was cleared under prior approval reference APP/16/00940.

The site is allocated in Havant Borough Council's Local Plan Allocations SPD. Within the adopted local plan housing SPD the site is allocated under policy L145 for 90 dwellings. Whilst there have been other iterations of allocation arrangement within the drafting of the (now withdrawn) local emerging local plan the current allocation is as set out with the adopted SPD.

Current access to the site is via a vehicle crossover. Under the existing permitted use and based on a TRICs assessment for that use would cater for 40 trips in the AM peak and 37 in the PM peak and 316 movements per a working day.

The access also serves Havant Football Club for servicing and some parking. The access currently crosses and utilises the same vehicle crossover as the office use.

In the vicinity of the proposed site access there are accesses via simple priority junctions to the northwest and east via Knightwood Avenue and Moorgreen Road. 50m to the west of the existing access is the signal-controlled junction of Bartons Road and B2149 Petersfield Road. Funding has been secured through the Campfield development further east on Bartons Road to extend the left turn lane on the Bartons Road approach to the junction to 28m to aid with capacity at the junction as a result of development. This has been assumed as the base scenario for assessment of this application.

Personal Injury Accident (PIA) data

The applicant has provided accident data for a five-year period from 1st September 2015 – 31st August 2020. The Highway Authority require a review of the most recent 5-year data from Hampshire Constabulary records, this data is currently over a year out of date. The Highway Authority have therefore checked their own records including a review of the history for the last 20 years to cover when the site would have been operational as office use. The Highway Authority hold data to the latest period of June 2021, and this shows no accidents in the vicinity on Bartons Road that are related to the proposed access. The Highway Authority also agree that there is no clear accident pattern in the recent 5-year period which would be exacerbated by the proposed development.

Pedestrian and Cycle Access

As requested within our previous response, a WCHAR has been undertaken by the applicant to assess the non-motorised user infrastructure around the site and identified any deficits which would impact on the proposed development.

Walking distances from the site have been set against distances set out within the National Travel Survey, however the Highway Authority consider that the distances set out within the CIHT Providing for Journeys on Foot (2000) have not been superseded and therefore sustainability of the site should be assessed against walking distances set out in table 3.2 of that document. Having considered the distances to key services from the site against these criteria the conclusions drawn within the TA are accepted.

Four issues were identified by the WCHAR assessment and these were:

- Missing footway provision on Martin Road between the proposed emergency access

and the B2149 segregated footway/cycleway.

- Lack of formal crossing at Knightwood Avenue
- Missing shared use path provision between Petersfield Road and the Martin Road junction
- Petersfield Road/Bartons Road junction has a lack of controlled crossing facility on the Bartons Road arm.

The applicant has proposed a number of measures to address the deficits identified above. These are shown in the drawings appended to the TA in Appendix E including drawing 106.0019.007 Rev J, 106.0019.009 Rev B, 106.0019.010 Rev A. These are:

- Provision of a shared use path on the southern side of Bartons Road from Petersfield Road to Martins Road.
- Provision of a controlled LTN 1/20 compliant crossing on the Bartons Road arm at the signals of Bartons Road/Petersfield Road in accordance with the emerging strategy for the NCN22 corridor by Sustrans
- Pedestrian/Cycle connection from the site to Martins Road with a shared use connection to Petersfield Road.
- Provision of a formal uncontrolled crossing point on Knightwood Avenue.

The principle of these works is agreed and should be delivered as part of the package of S278 works for the site and secured through condition for delivery prior to occupation.

Bus Services

The nearest bus services are accessed from St Albans Road north of Liam Close. These are within an acceptable walking distance from the site. The bus stops are simple flag style stops with raised kerbs for to aid access. There is insufficient room to provide any shelter provision to the southbound stop and whilst the northbound stop could accommodate a shelter given the wider provision of improvements proposed by the development to Barton's Road these are not considered to be necessary to make the development acceptable in planning terms. The proximity of the bus stops and frequency of service is also likely to reduce wait times.

Rail Services

Havant Station is located 1.6km to the south of the site and is easily accessible via the NCN22 route or alternatively via New Lane for both pedestrians and cyclists.

Internal Layout

The revised application has seen the removal of the Martin's Road access for vehicle traffic which addresses the concerns relating to the provision of a through route for motorised vehicles via the internal link road. The connection remains for provision for emergency vehicles, pedestrians and cyclists.

Due to the nature of the internal layout, it would not present an opportunity for adoption of the internal road network. Comments have been provided to the applicant in relation to the internal layout, which includes comments relating to visibility requirements around pedestrian crossing points and tracking of the internal layout. We have advised that visibility for crossings should be in accordance with MfS to ensure pedestrian safety. The Highway Authority were primarily concerned that the main north south route could be used for wider pedestrian movements that those living within the new development. It is therefore considered that crossings on this route should have

visibility in accordance with TG3. Drawing 106.0019.303 Rev C has been submitted making changes to the parking arrangements to accommodate the required 1.5m by 25m visibility required for a design speed of 20mph on all crossings providing the through route. This is considered acceptable.

A revised drawing has been provided reference 106.0019.301 Rev B demonstrating changes to the internal layout in order to meet this requirement and address concerns relating to tracking of a refuse vehicle. This is now considered acceptable given that appropriate forward visibility for a 20mph design speed around the bend can also be achieved as shown in drawing 106.0019.302 Rev B.

The north south route through the site should have appropriate provision for members of the public to pass and repass both for pedestrians and cyclists as the route creates an alternative connection to NCN22 and increases permeability of the wider area.

Car Parking

Car parking and cycle parking is proposed in accordance with Havant Borough Councils Adopted Parking Strategy and therefore it would be considered to not result in the risk of overspill parking on the Highway network. It should be noted that agreement on the parking strategy for the site sits with Havant Borough Council as the Parking Authority.

The Highway Authority have raised concerns that the car parking spaces at the end of the aisles would not be accessible in both a forward and reverse gear, due to the lack of overhang space at the end of the aisle. This may make spaces difficult to access as a result, although noted that the aisle width is sufficient to make a full turning manoeuvre.

Servicing Arrangements

The tracking for a refuse vehicle and the amendments to design have been covered elsewhere within the response. The Highway Authority are now satisfied that amendments to the refuse collection point and car park arrangement mean access for deliveries and service vehicles is now acceptable.

Proposed Access

The amended development proposal will be accessed from Bartons Road in the same location as the existing vehicle cross over access which served the former SSE offices. The existing junction is proposed to be upgraded to a ghost-island right turn lane junction, providing capacity for three vehicles. This ensures that vehicles turning right will not block eastbound traffic on Bartons Road.

The Highway Authority have previously raised a number of concerns in relation to the initial proposed layout, how the junction arrangements would operate in practice and the proximity of the proposed junction to both Knightwood Avenue and the signal junction with Petersfield Road. These matters were considered significant due to the traffic volumes and nature of the previously proposed use to include two drive through restaurants. With the change in nature of the application the Highway Authority consider that the risk relating to these concerns is significantly reduced as traffic volumes and peak hour movements are substantially different, this shall be covered in more detail further within this response.

The design has been subject to a number of iterations to resolve the geometric

concerns and to balance the needs of all users in the area. The scheme has been subject to Road Safety Audit and the latest safety audit is covered in detail within the TA. A number of points were raised and shall be discussed in more detail here.

Firstly point 3.3.1 of the Audit Report relates to the stagger distance between Knightwood Avenue and the proposed access being less than the recommended distance set out within CD123 para 2.24 of a minimum of 50m. The problem has not been accepted by the design team. The achievable distance is 37m and the applicant has set out a number of reasons within the TA for why this would not create an inherent safety issue at the junction. It is also agreed with the Highway Authority that for the development proposals in the current form and the nature of Bartons Road along with the recorded 85th percentile speeds of a maximum 32.8mph that Manual for Streets is an appropriate design standard to work with. This would therefore require that the tracking of necessary movements can be undertaken without causing conflict to any other road users. The design has been reviewed in detail and it is considered that the principle of what is shown is appropriate with regard to this point. At the S278 stage however a formal exemption report would need to be submitted and approved by the Highway Authority in relation to this matter. This is a key reason for why the obligation for the site access works must include prior to commencement obligations.

Problem 3.4.1 of the audit report and point 3.4.2 are also not accepted by the design team and the Highway Authority are again minded accepting the justification for the issues raised as the proposed works are a betterment on the existing informal arrangement and maintenance of visibility splays is within the gift of the Highway Authority to control, if necessary, through powers within the Highway Act 1980. Again, these items would require a formal exemption report to the safety audit to be processed as part of the S278 submission.

All other matters raised within the safety audit have been accepted by the design team and shall be addressed at the detailed design stage for the scheme. This is agreed to be acceptable.

Tracking has been provided within Appendix F of the TA and drawings 106.0019.100 Rev F, 106.0019.101 Rev F, 106.0019.102 Rev F and 106.0019.103 Rev E. These demonstrate that the site can be accessed safely by vehicles and the amended design does not have an adverse impact on access to Knightwood Avenue.

The access proposals are shown in drawing 106.0019.007 Rev J and represents an arrangement which the Highway Authority do not raise an objection to.

In order to facilitate the new bellmouth access to the site the Havant and Waterlooville football club access is proposed to be aligned away from the junction bellmouth itself and to meet the access road just to the south of the junction (at least 10m south). This is considered acceptable but does rely on agreement from the 3rd party landowner. The realignment of this access should be appropriately conditioned as a requirement of the development as the proposed access strategy would not be acceptable if the existing football club access remained as existing.

Officer Comment: *A condition is recommended in relation to this the agent has advised that "Fortitudo have maintained a dialogue with the Football Club, who have indicated that they are comfortable with the access arrangement shown."*

Traffic Surveys

A number of traffic surveys have been undertaken to inform the assessment of the proposed development; these include utilising the surveys undertaken for the Land

West of the Crematorium site (reference APP/19/0007) as a result of further surveys being restricted due to COVID 19. The provided survey data for the Petersfield Road/Bartons Road junction from March 2018 pre-pandemic.

Saturday flows have also been provided for this junction as a result of the proposed previous use. No further comments given the purely residential nature of the application now are needed from the Highway Authority in relation to this traffic data or Saturday assessment.

Traffic surveys were also undertaken at the Knightwood Avenue junction because of concerns relating to the operation of the proposed road layout given the proximity of this junction to the proposed and the signal-controlled junction with Petersfield Road. Turning counts were therefore undertaken during both the weekday and weekend peak periods in May 2021.

Committed Development

The following sites have been considered as committed development and the operation levels of these developments have been taken from the Camp Field application which is considered acceptable.

- Linden Homes Land North Bartons Road Development Site
- Land South of Bartons Road Development Site
- Land West of Havant Crematorium

It is noted that the Colt International site which is currently under development has not been considered as committed, nor has the Southleigh Road site. This is because these sites are brownfield development and are not considered to generate more peak hour traffic than the existing uses, they are therefore considered to be appropriately accounted for within the TEMPRO growth factors for the area.

Background Traffic Growth

TEMPRO growth factors have been assumed to both factor up the 2018 traffic surveys and to growth traffic existing traffic appropriately to the 2025 forecast year. These rates are considered acceptable and agreed.

Trip Rates

Trip rates have been calculated for the site using the TRICs database. Trip rates have been calculated for the proposed residential use and the existing use. These are set out below:

	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
Existing Use (2250sqm Office Space)						
	Arrival	Dept.	Total	Arrival	Dept.	Total
Trip Rates	1.648	0.145	1.793	0.206	1.425	1.631
Trip Generation	37	3	40	5	32	37

	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)		
Proposed Use (175 Apartments)						
	Arrival	Dept.	Total	Arrival	Dept.	Total
Trip Rates	0.066	0.197	0.263	0.170	0.101	0.271
Trip Generation	12	34	46	30	18	47

Difference In Trips	-25	+31	+6	+25	-14	+10
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The above table suggests that redeveloping the site into 175 apartments will lead to an increase of 6 trips in the AM Peak and 10 trips in the PM peak. However the site has been cleared for some time and the current extant permission trips are not present on the network, as well as alternative distribution patterns and therefore for the purpose of assessment all new trips are considered as new.

Existing trip generation has also not influenced the need for amendments to the existing access and pedestrian and cycle trips due to the change in nature of the site.

Distribution

The trips generated by the proposed development have been distributed according to the 2011 Census journey to work data and this has been agreed as acceptable.

The agreed trip distribution results in 80% turning left and 20% turning right from the proposed site access in the AM peak and 20% turning left in and 80% turning right into the site in the PM peak.

Junction Assessments

The junctions have been assessed across the following scenarios:

- 2025 Assessment Year
- 2025 Assessment Year + Committed Development
- 2025 Assessment Year + Committed Development + Proposed Development

The junctions have been modelled as a standalone model including the Petersfield Road signal junction, Knightwood Avenue and the proposed site access.

The site access and the Petersfield Road signal junction have also been modelled as separate standalone junctions as per the original TA proposals.

Site Access

The site access has been modelled as a standalone junction and is shown through this modelling work to operate within capacity with a maximum RFC of 0.09 in the AM peak hour.

Bartons Road/Petersfield Road Junction

The base model for the existing arrangement assumes the completion of the works secured through the Land West of the Crematorium site which includes lengthening of the left turn approach to the junction from Bartons Road. This demonstrates that the junction would operate in capacity in 2025 with a max RFC of 83.1 on the Petersfield Road north arm in the PM peak with development and no changes to the Bartons Road layout. Modelling of the junction with the amendments to improve sustainable travel connectivity and accommodate the proposed priority junction for the site access demonstrates that the junction would operate within acceptable capacity thresholds in all scenarios with a maximum RFC of 85.7 in the AM peak on the Petersfield Road south arm in 2025. It is noted that the proposed improvements have a marginal negative impact on the vehicular capacity of the junction overall, however this is to the

benefit of improved pedestrian and cycle crossing facilities on the Barton's Road arm of the junction along the NCN22 route through the allowance of suitable crossing time for the controlled LTN 1/20 compliant crossing. The model also makes a high frequency assumption on pedestrian and cycle crossing demand to cross within the signal operation to ensure a robust scenario has been considered.

Combined Model

In order to ensure that the junction's interactions are appropriately shown within the respective models and in relation to concerns of operational safety due to the proximity of the junctions a Linsig model was undertaken which included the proposed priority junction. This demonstrated that the mean max queue for the right turn lane to the proposed development would be a maximum of 0.3 vehicles. This does increase as expected when compared to the standalone model for the junction, however it is still demonstrated to be within the design parameters of the right turn lane.

It is expected that the queue length increases as a result of the queue from the signals falling across the site access in peak times. To mitigate this a yellow box marking is to be provided to limit the occurrences that turning movements at the junction would become obstructed. This is considered reasonable for the proposed residential development.

The junction modelling and capacity assessment of the proposed layout is therefore considered acceptable and does not demonstrate that the changes would result in a significant harm to the capacity of the highway network.

Scenario Comparison

The applicant has undertaken a comparison of development scenarios to demonstrate that the proposals are within the parameters of the existing and proposed use within the approved and emerging Local Plan.

Across a day the existing use trip rate equates to 319 trips per a day compared with 462 trips per a day based on the proposed development. An increase in daily trips of 143 trips. When compared against the proposed local plan use the development would generate 415 trips per a day for 80 dwellings.

In the peak hours the existing, local plan allocation and proposed development generate trips which are broadly consistent with each other with a max difference of 10 trips across the peak hour. It is noted however that as reflected by the change in demand that the daily rates increase significantly for the whole day when compared to the existing use and the peak hour arrival and departure pattern changes significantly also as a result of the change of use.

Overall, in highway terms the difference in both daily and peak hour trip generation from 80 dwellings or the proposed development could not be considered severe, when set against the context of the junction modelling assessment results. Therefore, it is considered acceptable when set against the improvements proposed to the access arrangements and the change of use to the land from office space to residential.

Travel Plan

A revised travel plan dated July 2022 has been submitted by the application and this is considered acceptable by the Highway Authority as a framework document. It should be subject to S106 obligations for the approval of the final travel plan and delivery of

the travel plan along with associated approval and monitoring fees and an appropriate travel plan surety deposit.

Drainage

It is noted that a drainage strategy has been provided at this time. The Highway Authority will require details of drainage provision secured through condition to ensure water from the site does not drain on to the highway and to ensure that there are no safety issues arising within the site impacting on users such as ponding or flooding of the access road, footways or crossing points.

Lighting

No lighting details have been provided. As the internal layout is not being brought forward for adoption the Planning Authority should ensure that the site is appropriately lit including the through route for pedestrians and cyclists between Bartons Road and Martins Road.

Levels

The Highway Authority will require site of the final ground levels across the site. Both to inform any review of the drainage information and to ensure that no adverse cambers or levels are created across the site.

Summary

The Highway Authority raise no objection to the application for residential units only subject to the following conditions and obligations.

Conditions

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

- a. A programme of and phasing of demolition (if any) and construction work;
- b. The provision of long-term facilities for contractor parking;
- c. The arrangements for deliveries associated with all construction works;
- d. Methods of phasing of construction works;
- e. Access and egress for plant and machinery;
- f. Protection of pedestrian routes during construction;
- g. Location of temporary site buildings, compounds, construction material, and plant storage areas

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

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

Reason – In the interest of highway safety

- No development shall commence onsite until the access to the football club car park has been realigned in accordance with draw 106.0019.007 Rev J Reason – to ensure safe access to the football club

- Prior to commencement to provide a revised drainage strategy along with the

associated details for approval by the Planning Authority in consultation with the Highway Authority.

Reason – In the interest of highway safety

- Prior to commencement to provide final ground level and material details across for approval by the Planning Authority in consultation with the Highway Authority

Reason – In the interest of highway safety.

Obligations

- Provision of the full Travel plan and associate bond, approval and monitoring fees prior to occupation.
- Prior to commencement to have entered into the Highway Works Agreement in relation to the site access works as shown on drawing 106.0019.007 Rev J with the site access works being implemented prior to occupation.
- Prior to commencement of development to have entered into the Highways Agreement in relation offsite highway works as shown on drawing, 106.0019.009 Rev B, 106.0019.010 Rev A with the works implemented prior to occupation.
- Rights for the public to pass and repass over the site in relation to the north south route between Bartons Road and Martins Road.
- Provision and implementation of the final travel plan along with the associated surety, approval and monitoring fees.

Landscape Team

Final Comments:

From a landscape perspective we are extremely disappointed that the applicant has failed to address any of our previous comments that would make the development viable given the number of conflicts to HBC planning policies and design guides. As such we raise an objection to this application on the following grounds:

- The site does not provide any accessible open space which is allocated for recreation and/or play. Fields in trust guidance for a development of 191 dwellings recommends the provision of Local area of play (LAP), locally equipped area of play (LEAP) and a contribution towards a Multiuse games area (MUGA). See link for guidance

<http://www.fieldsintrust.org/Upload/file/guidance/Guidance-for-Outdoor-Sport-and-Play-England.pdf>

Officer Comment: See section 7 (vii) in relation to open space. It is considered that the proposal provides on site open space and it is not considered that there is an adopted policy basis to require more. It is also noted that there is open space in close proximity to the east of the site.

- The existing development precedent of high density residential flats (Chichester House, Solent House, Langstone House) in the surrounding area provides large areas of open amenity space for the residents. However this application has substituted the provision of open space for a drive through coffee and fast food restaurant, which is not deemed acceptable.

- From a landscape character perspective we do not support the drive through restaurant / coffee outlet. The existing vernacular is predominately residential flats and houses and the introduction of the drive through restaurants and associated infrastructure is deemed to be contrary to planning policy CS16;

Responds to, draws inspiration from and respects local context and:

a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;

b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;

c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;

d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and

e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

We have particular concerns with the 12m high totem and the associated lighting required to illuminate the drive through outlets.

Officer Comment: *The restaurants have now been removed from the application – this land is likely to be subject to a future development proposal.*

- The proposed building material specification for the residential blocks is not deemed to be in keeping with local character and the proposed grey brick needs to be replaced with red brick. The elevation drawings lack clarity as to which material goes where and a key which can cross reference block and hatches would make it clearer. More details on external materials need to be submitted including product name, colour and manufacturer

Officer Comment: *The application now incorporates red brick - a materials condition is recommended to secure details of all materials.*

- The removal of the boundary mature screening has significantly altered the character of Petersfield Road and as such we require a planting scheme to mitigate the loss of the trees to help retain the local character. The trees should be large UK native legacy species such as Oak, Beech, Hornbeam etc. and to ensure the character is retained boundary tree planting should be a minimum 14-16 Extra Heavy.

Officer Comment: *The tall boundary hedge was removed a number of years ago. A landscaping condition is recommended to secure additional planting – however, this may be limited close to the Petersfield Road frontage by the need to protect sewerage infrastructure.*

- There is insufficient screening to mitigate the impact of the drive through outlets
- Parking needs to be broken up with soft landscaping, as excessive lines of parking and hard landscaping is not deemed appropriate. As a general rule we will want to soft landscaping introduced every 5 cars to avoid unsightly massing of vehicles.

Officer Comment: *The parking requirements for the scheme when coupled with the need for open space provision limit the opportunity for additional landscaping to break up runs of parking further.*

- The site layout does not encourage sustainable transportation and has poor connection with existing infrastructure. A shared footpath should be used to connect onto the off road cycle route on Petersfield road. Furthermore any internal footpaths need to be a minimum width of 2m.

Officer Comment: *Improvements to pedestrian and cycle linkages are secured in the amended scheme and are subject to S106 requirements.*

- The proposed disabled parking bays are not DDA compliant as the hatching should be present on the both sides as well as the rear of the bay. See BS 8300:2009 for correct layout.

- Boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new.

- No details of the lighting strategy have need to be provided.

Officer Comment: *Conditions are recommended in relation to boundary treatments and lighting*

Local Lead Flood Authority HCC

Final Comments:

Having reviewed the plans it is understood that the northern section, consisting of the drive thru and restaurant, is being removed from the application with the land remaining as greenfield.

Given that the drainage network for this element was completely separate from the southern section, there is no knock-on impact and we will not require the drainage plans to be provided at this stage.

Further Comments:

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

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

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

- Fortitudo Limited Flood Risk Assessment 195104 July 2020
- Fortitudo Limited Flood Risk Assessment 195104 December 2020 Rev 2

The general principles for the surface water drainage proposals are acceptable; we would recommend that further information on the proposals be submitted as part of a more detailed design phase. Therefore, we recommend the following condition:

1. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Fortitudo Limited Flood Risk Assessment 195104 December 2020 Rev 2, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- d. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

2. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

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

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Natural England

Final Comments:

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment, dated 17 March 2022, 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.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant. Provided that your authority is assured and satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, Page 2 of 2 then Natural England raise no concerns with regard to the nutrient budget.

Further Comments

We previously responded to this application on 10th March 2021, the advice in this response still applies. Please reconsult us once your appropriate assessment has been completed.

Original Comments:

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

Deterioration of the water environment

The application is supported by a nitrogen budget calculation, Natural England advises the calculation is rerun in line with the latest version of the nutrient neutrality guidance (version 5 June 2020) which allows for a 2mg/l reduction accounting for natural background levels of N.

We note that an alternative occupancy figure has been used in the calculation based on bed spaces. It is Natural England's view that competent authorities may choose to adopt bespoke calculations for detailed planning applications, if sound evidence is available. These are matters for each competent authority. Natural England's advice is to take a precautionary approach that recognises the uncertainty.

As mitigation it is proposed to purchase credits from the Council's strategic mitigation scheme, these details should be included within the appropriate assessment.

Recreational disturbance

The application site is within 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA) and will lead to a net increase in residential accommodation. To address any potential significant effects, any forthcoming planning application will need to comply with adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP) Definitive Strategy.

Provided there is commitment to this mitigation early in the process and an appropriate

planning condition or obligation is attached to any forthcoming planning permission to secure this measure, this will ensure this potential effect has been appropriately addressed. Our advice is that this needs to be confirmed by the Council, as the competent authority, via an appropriate assessment to ensure there is no adverse effect on the integrity of the site(s) in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

Biodiversity Enhancement

Natural England refer your authority to our national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

It is a requirement of all development to enhance the natural environment, as stated in the NPPF (2019 as amended), paragraphs 8, 118, 170, 174 and 175d. Natural England notes and welcomes the ecological appraisal submitted with the planning application. This report includes a number of enhancement measures.

We would recommend that a Biodiversity Mitigation and Enhancement is agreed with a Hampshire County Council (HCC) Ecologist to ensure that any measures identified within the report, and any further measures as necessary, are secured and implemented with any planning approval. Consideration should be given to other developments proposed in the locality to ensure the biodiversity mitigation and enhancement measures are addressed strategically and consider the continued ecological function of the area.

Please note that provided the HCC Ecologists are satisfied with the submitted BMEP and the full implementation of the plan is secured by any permission then no further consultation with Natural England on this aspect of the proposal is required. In the event that a BMEP cannot be agreed with the applicant then Natural England should be re-consulted on the proposals so that we can reconsider our advice.

Nutrients Team HBC

I am satisfied the updated nutrient budget has been completed correctly to enable the Council to undertake a Habitat Regulations Assessment.

The applicant proposes to use the Whitewool Stream Wetland scheme as mitigation to avoid and mitigate the impact of water quality arising as a result of the proposed development. A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity.

Planning Policy

Final Comments

NB Policy comments were previously provided on 20 October 2020 and 11 March 2021. The applicant has since revised the scheme (most notably by removing the commercial element on the northern part of the site), and the policy position has changed.

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 Havant Borough. Following the withdrawal from examination of the emerging Havant Borough Local Plan, the Council has adopted a Housing Delivery Position Statement.

It must also be noted that the borough cannot currently demonstrate a 5 year supply of housing, and therefore the presumption in favour of sustainable development as per paragraph 11 of the NPPF applies.

Principle of development

The site lies within the urban area as defined by policies CS17 and AL2 of the adopted local plan. There is therefore a presumption in favour of sustainable development. This is supported by an allocation for residential development of the site under site reference L145 in Policy LP1 of the Allocations Plan.

The principle of residential development is therefore actively supported through local policy. In that context, it is noted that the number of dwellings proposed far exceeds the suggested number in the allocation (175 vs 90), but as long as the details of the scheme are acceptable, the discrepancy in this number is not considered to be an issue in policy terms. Indeed, it is noted that the proposal for a greater number of units would make a more significant contribution to meeting housing need.

Detailed Considerations

The proposal should address the development requirements in the adopted local plan (for example in relation to affordable housing provision, parking, open space etc). As the proposal is for development of a site allocated in the adopted local plan, there is no expectation that the development quality standards set out in the Housing Delivery Position Statement must be met to make the development acceptable. However, wherever a development can meet these standards, this is supported and welcomed.

Conclusion

The principle of the development is supported both through national and local policy. Subject to an assessment of whether the detail of the development constitutes sustainable development and is acceptable, the policy position supports approval of this proposal.

Portsmouth City Council

No comments received

Public Health Team

Final Comments:

Thank you for the opportunity to comment on this planning application. We welcome the creation of new housing in response to the growing population of Havant and the need for accessible, affordable housing for all.

We welcome the developer's proposal to create C3 housing, a suitable use of a Brownfield site in response to a growing need for adequate, safe housing in Havant and surrounding areas, as a result of population increase. We hope that these apartments will be accessible and affordable to couples and single individuals, or at least that there will be a mix of affordable and more aspirational dwelling, in line with NPPF standards. From the mock-up provided, we anticipate that these dwellings will be tenure blind, making the affordable units equally attractive from the exterior. We welcome the developer's recognition of the principles as set out in the Havant Borough Core Strategy, stating "*The Council aims to achieve an average of 30-40%*

affordable housing on sites of 15+ dwellings, with a tenure split of 65-70% rented and 30-35% intermediate” to which we encourage the developer to adhere.

Officer Comment: See section 7 (iv) regarding affordable housing.

We welcome the use of a well-connected Brownfield site which facilitates active and sustainable travel for residents, due to its proximity to bus stops, local amenities and its integration of existing cycling and walking paths, as well as making the site attractive to prospective residents.

We welcome the developer to create cycle storage and encourage motions to introduce adequate storage to serve the majority of dwellings, to promote active travel, and only using motorised vehicles where necessary. Equally, we welcome the development of resident parking to facilitate travel for less able users and for those who cannot access public or active transport means.

We welcome the acknowledgement made by the developer that “*Cycle parking is required at a rate of one space per 1-bed and two spaces per 2-bed unit, plus an additional 20% for visitors.*” according to the Havant Borough Core Strategy, to which we anticipate the developer will adhere.

We welcome the proposal to surround the housing development with additional planting and lawn space as we know it is important for citizens to have access to greenery at home even in the absence of a garden, for mental and physical wellbeing. We also acknowledge that peripheral greenery will encourage biodiversity in the area.

Public Spaces

No comments received

SE Hants Clinical Commissioning Group

Final Comments

As an Integrated Care Board, we have a specific interest in new residential developments and how the increased population would directly affect local healthcare provision. We are especially interested in the types of residential properties being built to help us plan for the future.

The resulting growth in the locality population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services, NHS services in primary, community and secondary care settings.

The increased demand would be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development; however additional workforce and building capacity within the premises will be required.

The ICB considers that the application should be required to make an appropriate financial contribution to the provision of capital and revenue investment that the NHS will make in this regard.

Please see below the NHS investment projection that the ICB will consider should the application be granted by the Council;

The proposed contributions formula for developments under 2000 dwellings is: 175 No. of dwellings x 2.4 divided by average list size (1800) x 16 (size of a consultation room

(m2) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)

This means that South Eastern Hampshire ICB will be looking for a contribution of £28,000.00 of planning gain for health.

South Eastern Hampshire ICB identifies multiple practices (Staunton Surgery, Homewell Curlew Practice and Park Lane Medical Centre) could be impacted by this development in (our ICB area, as all the following practice boundaries cover this area. However, it is likely that Staunton Surgery and Homewell Curlew Practice will be the preferred practice for new patient registrations due to their close proximity to the development. Therefore, we request that funding be made available from developer contributions to enable those practices impacted, to make suitable building adaptations to facilitate this growth.

Southern Electric

No comments received

Southern Gas Network

No comments received

Officer comment: *It is noted that a pipeline buffer runs to the west of the site but this outside of the area proposed for development.*

Traffic Management

Final Comments:

The traffic team would raise concerns that there still doesn't appear to be any additional allocation of parking bays for visitors to this proposed development.

Officer comment: *See part 7 (vi) for an assessment of parking provision in relation to this proposal.*

Waste Services

In regards to this planning application can I request that the developer is reminded of:

- . Safe access for 26t Refuse Collection Vehicle, space for vehicle to safely manoeuvre.
- . Alternate weekly waste / recycle collections
- . Adequate storage space for waste/recycling bins: Each apartment will be entitled to 240 litre capacity for waste and 240 litre capacity for recycling. The standard bin size for multi occupancy property is 1100 litre.
240 litre x 191 apartments = 41 bins x 2 = 82 bins.

The developer can decide whether to have fewer bins.

Bins will not be collected if the collection point is further than 25 metres.

Officer Comment: *The bin stores allow access by collection vehicles which have been tracked.*

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: 95

Number of site notices: 3

Statutory advertisement: 09/10/2020

Number of representations received: 30

Objections: 27 representations with 31 names, including from Friends of the Earth and Havant Civic Society

NB The objections below were received prior to the removal of the Drive Through Restaurants from the proposals:

Residential Development:

- Massive buildings filled as much as possible without consideration of parking need, health issues, pollution, vandalism etc.
- Congested area
- Monstrosities proposed real eyesore
- More flats
- Make town greener, healthier, more attractive instead of flats & junk food outlets
- Other houses built on road – why are these needed
- Accept maximising number of housing units is HBC's overriding objective – but if Havant to achieve objective of 'regeneration' – value of quantity must be tempered by importance of quality.
- 'Regeneration' plans for Bartons Road very ugly and detrimental to surrounding area
- Buildings will not give our town justice but understand budget limited and not such a big deal as they are away from town centre
- Challenge statement in Planning Design and Access Statement that development provides wide choice of quality homes
- National Design Statement, a minimum size for apartments does not appear to be quoted in criteria for good design
- Size of 1 bed apartments too small to say it conforms to council's aims for the well being of its residents.
- Rather than squeezing max. number of minimum size housing should aim high carbon efficiency, well being and enhancement
- Understand need for homes – think site would be better designed to affordable homes not one/two bed flats
- Acknowledge demand for flats in Borough and specifically Havant
- Question balance in development between 1 and 2 bed flats
- Size of one bed flats under current planning guidance only large enough for single occupancy and two beds for three people.
- Envisage many 1 bed flats will have 2 occupants with knock on effect on parking on site and nearby roads
- Much talk of better design standards for housing but the flats continue trend for all in one kitchen/living spaces with no natural ventilation for kitchens or bathrooms – contribute to better living conditions rather than 'rabbit hutch' seen here
- Space allocated to fast food outlets could be allocated to convenience store or for re-working if the proposed accommodation and related parking, some of which could be social housing
- Detrimental to street and area due to size, height, density, footprint and massing

- Design of flats, six floors high and absolute eyesore
- Significant overdevelopment of the site
- Already many flats in area – please no more
- All for additional housing if needed but not unsightly flats
- Blur lines between Leigh Park and West Leigh
- Revamping Havant town centre wasted if journey too and from looks rough and puts everyone off
- 191 apartments a lot to fit in small space – no social housing that is very needed
- Location of elevated buildings – blocking only sun getting into our houses
- Construction concerns
- Concern over height/design
- Shortage of police and concern re crime
- Would be nice to see affordable/social housing for disabled families with small manageable gardens

Officer comment: *The planning issues of the development's impact upon the character and appearance of the area; housing mix and affordable housing; and quality of residential amenity (for existing and future residents) are considered at Sections 7(iii) – 7(v) below.*

Highways

- St Albans Road and Martin Road already very busy / congested
- Colt site will make Martin Road and junction with Barton's even busier
- Traffic report does not seem to take account of other developments
- Further information on our resident use of junction Knightwood Avenue
- At times already difficult to turn right out of this junction onto Bartons Road
- Further traffic at nearby junction would not improve situation and could cause accidents
- Traffic Management Team response is completely inadequate
- No consideration given to impact of traffic at two entrances to site, particularly main junction on to Bartons Road at Petersfield Road intersection.
- Cumulative impact of traffic movement on surrounding roads, once this site and New Lane / Bartons Road 'Colt' site development is complete, must be analysed and modelled.
- Already increase in volume and speed of traffic using 'rat run' through southern residential end of New Lane, Eastern Road and Elmleigh Road to avoid Petersfield Road traffic lights. Will be exacerbated.
- Access to site not ideal for Martin Road on busy junction- can't see that working without more accidents on regular basis – traffic already increased with Colt development
- Increase in traffic Bartons Road already constant traffic noise at all hours
- More heavy vehicles – already have concerns with structural integrity of my house
- Traffic congestion already a problem at certain times of the day
- Access to Martin Road, small cul-de-sac would not be able to cope with increased traffic
- Access site itself not feasible.
- Traffic on match days already on going issue
- Entrance near St Albans Road (very busy road already on main route for buses) will add to problem and safety
- How is road going to be built with 3 trees (which have TPO on them and been there for many years

- Concern over publicity
- Martin Road hideous on match day and parking limited – will be made worse
- Traffic light junction on Petersfield Road already very busy new site at top of Martin Road and this as well would be absolute nightmare.
- Martin Road not big enough to have entrance to apartments – something that would probably be used as shortcut to restaurants if possible
- Increase in road traffic accidents
- Exit for 191 apartments, plus visitors and 2 drive throughs
- Exit next to very busy crossroad with regular traffic jams and eventual accidents plus all houses in Bartons Road have exits directly onto same road
- Park for kids near stadium
- Monstrous complications such an exit would create – accumulation of vehicles and pollution – impact on asthma
- Suffer accidents, damaged roads, traffic jams, pollution – so no need to increase those levels by adding more cars
- Both Bartons/Petersfield Rd and Stockheath Rd junctions already solid, with Civic centre roundabout sticking point if Havant traffic is bad – will make worse
- Crossing main roads for school children dangerous

Officer comment: *The impact of the proposed development has been carefully assessed in terms of its impact on the surrounding highway network following removal of the drive-through proposals from the application. Analysis of this can be found at Section 7(vi) below.*

Parking

- Parking already an issue in area, especially on match days
- Why build more homes with inadequate parking most households have 2/3 cars
- Note transport consultees response re lack of visitor spaces
- Appears to be less spaces than number of units
- Lead to parking on adjacent streets
- Already happens when football matches- causes problems and could cause further issues for development
- How will parking be controlled?
- Not even one space per flat – existing parking problems
- St Albans Road has bad corner with cars blocking view can only get worse
- Match day parking blocks people in own drives
- Parking would spill out on Martin Road and St Albans Road – already problems with amount of cars needing to park
- On road parking disaster for emergency service vehicles to get around
- Match day parking on grass verges
- Martin Road parking problems
- Where will visitors park
- Already have cars parked from flats on Bartons Road and Curdrige Road

Officer comment: *The appropriateness of car parking provision for the development is discussed at Section 7(vi) below.*

McDonalds / Costa

- Will increase traffic
- Noise
- Pollution

- Rubbish on streets
- Why do we need drive through and Costa Coffee – look after our health.
- Area where teenagers will gather
- Concern over potential hours of operation of drive through restaurants
- Loitering
- Food smells
- Increasing density of housing along Bartons Road requires something more valuable than another McDonalds and drive through coffee bar.
- Convenience store would offer greater value to community with improved visual amenity for visitors driving in through ‘northern gateway’ approach of Petersfield Road
- Clear deal has been done, developer will claim scheme not viable without contracts agreed with McDonalds & Costa.
- Don’t believe McDonalds fits ‘healthier Havant’ vision
- Coffee shop would appear to make sense in this area
- Have more than fair share of outlets serving unhealthy food
- Anti-social behaviour / crime
- Noise from drive throughs day and night
- Contrary to emerging policy
- Already two fast food restaurants of same within two miles of each other- don’t need third
- School children use surrounding area for school routes, will encourage unhealthy eating and life styles – can lead to obesity/health problems
- Will not help local businesses who are struggling
- Build 2 drive through in an industrial area – less issue for residents
- Already have enough coffee houses and fast food outlets in area
- 2 McDonalds within a few miles
- Obesity and unhealthy lifestyles increased
- Vandalism already suffered – would be increased by restaurants
- Close to children’s’ park that regularly sees problems and requires calls to police
- Children will spend dinner money on way to school going rest of day with nothing
- Government been talking about obesity and healthy eating should be taken seriously
- If Council pass this without thinking of consequences of children’s health – irresponsible
- Excitement of McDonalds in built up family area to young children could see increase in road accidents
- Please look to other coffee brands
- Consider opening hours – already feel sorry for staff at McDonalds which will be rammed and their safety late at night
- Opening times concerns
- Already litter from food outlets

Officer comment: *The drive through proposals were removed from the application following initial assessment of the scheme, and so these objections are not relevant to the resulting, purely residential proposal.*

Sustainability / Ecology / Trees

- Should consider sustainability
- BREEAM very good is average - disappointing to see dismissed for financial gain
- Will electric charge points be provided?
- Whilst a lot to commend in this development – mostly originating from its

brownfield site status there are a few points we wish to comment on:

- Air Quality – inevitably an increase in traffic and decrease in air quality – drive throughs would add to impact including to existing residents
- Would like to see that monitoring of the area is carried out now, during construction and afterwards when completed
- Does not appear to provide bio-diversity net gain
- Trees retained off site should be TPOs as they are valuable assets
- Ask that landscaping reviewed
- Lost trees replaced like for like or with large, broad leafed, deciduous native trees
- Plant around edge of site - maximise carbon capture and Biodiversity net gain
- Ecological features needed including log piles bird and bat boxes
- 15 bat species live in environs
- Reduce dwellings in favour of increased floorspace, better natural ventilation and use of renewable energy sources – provide heating and cooling efficiently
- Aim of low carbon design needs to be enforced by use solar, thermal, PV, heat pumps and new technology like heat recovery
- More to be done to ensure and prove HBC's Energy Strategy and Climate Risk Assessments and Carbon targets fulfilled
- Indicated in previous consultation line of trees would not be cut down due to its environmental value – Ancient trees later removed without explanation
- Lung damaging amounts of dust and pests getting into gardens
- Lack of spine and concern from Council regarding future construction on site

Officer comment: *The ecological and arboricultural impacts of the proposals are considered at Section 7(ix) and (x) below.*

Support: 3 representations

Highways

- Having previously worked at the site I don't believe traffic will be an issue, were over 300 people working there and traffic was fine even at busy times

McDonalds / Costa

- See reason for drive through – will provide service for locals which many would appreciate - no need to travel and cause traffic to asda and Havant town centre
- Reduce congestion, emissions and support plan to improve environmental impact of new housing

Other

- Excellent
- What a great idea

7 Planning Considerations

Habitat Regulations Assessment & Appropriate Assessment

- 7.1 The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HRA), which includes an Appropriate Assessment

(AA) of the proposed development.

Recreational Pressure

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

Water quality

- 7.4 There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.
- 7.5 Natural England have produced a national generic 'Nutrient Neutrality Methodology' for achieving nutrient neutrality for new development. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement on Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has agreed to enter into a legal agreement to secure the mitigation package.

Appropriate Assessment conclusion

- 7.6 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has agreed to enter into a legal agreement to secure the mitigation packages.
- 7.7 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) Viability issues
 - (iii) Impact upon the character and appearance of the area

- (iv) Housing mix and affordable housing
- (v) Impact upon residential amenity (for existing and future residents)
- (vi) Highway impacts, on site layout and parking
- (vii) Flood Risks /Drainage
- (viii) Contamination Issues
- (ix) Ecological Impacts
- (x) Impacts on Trees
- (xi) Infrastructure/S106 requirements

(i) Principle of development

7.8 The site lies within the urban area as defined by policies CS17 of the Havant Borough Local Plan (Core Strategy) 2011 and AL2 of the Havant Borough Local Plan (Allocations) 2014. There is therefore a presumption in favour of sustainable development. This is supported by an allocation for residential development of the site under site reference L145 in Policy LP1 of the Allocations Plan.

7.9 The allocation in LP1 identifies the wider site area as 1.72 ha with a proposed net dwellings figure of 90. The Site Reference L145 sets out *Site Specific Development Requirements* as follows, with comments provided in respect of each in relation to this case:

- *Employment and Skills Plan to support planning application*
Officer Comment: This could be secured for the construction phase through a S106 Agreement, and has been agreed by the applicants.
- *Investigate ground quality conditions, as part of a planning application, and address any matters that arise*
Officer Comment: This discussed at part 7 (viii) below
- *Utilise the existing access point onto Bartons Road*
Officer Comment: This is discussed at part 7 (vi) below
- *Ensure appropriate amenity level for occupants of proposed residential properties having regard to noise (Policy DM18)*
Officer Comment: This is discussed at part 7 (v) below
- *Southern Water request connection to the sewerage system at the nearest point of adequate capacity*
Officer Comment: This is discussed at part 7 (vii) below
- *Appropriate easement from existing sewage/waste infrastructure*
Officer Comment: This is discussed at part 7 (vii) below

Planning applications that accord with the policies in the adopted local plan should be approved unless material considerations indicate otherwise. The location of the proposed development is considered to be in a relatively sustainable urban area with access to amenities in the form of public transport, health provision and retail opportunities and so in principle is considered to be a suitable location for more intensive residential development.

7.10 In this case the proposal is for 175 apartments. This net addition of units of accommodation in such a location would make a significant contribution to the Council's overall housing requirements. The revised NPPF 2021, as stated above, has a presumption in favour of sustainable development, whilst noting that good design is a key aspect of sustainable development. The creation of high quality buildings and places is a fundamental aim and paragraph 134 notes that:

" *Development that is not well designed should be refused, especially where it fails to*

reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

Adopted Policy C16 of the Havant Borough Local Plan (Core Strategy) 2011 requires designs to be of a high standard, which is reflected in Havant’s Design Guide SPD. Therefore, significant weight should be given to this policy and guidance when determining the application, as advised by the NPPF.

- 7.11 As regard the Council’s Five Year Land Supply Update, this currently indicates the Council has a 3.9 year supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF) and approving development proposals that accord with an up-to-date development plan without delay. In circumstances where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date permission should be granted unless “...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
- 7.12 The Council has identified that it has a finite amount of undeveloped land and environmental designations in the borough which limit opportunities for new development. Within this context, the Council’s strategy for the delivery of new growth is to concentrate development within the urban areas where there are existing facilities and where new development would have the least impact on the range of highly protected designations within the Borough. To support this approach, Policy CS17 of the Havant Borough Core Strategy (2011) sets out that development will be permitted that makes the most effective use of land in the borough.
- 7.13 Policy CS9 of the Core Strategy supports housing proposals which achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form. The supporting text of the policy sets out density thresholds, and in this regard the proposal would represent a high density development of approximately 105 dwellings per hectare.
- 7.14 The adopted Local Plan policies are considered to echo the more recent advice in the National Planning Policy Framework (NPPF).
- 7.15 Paragraph 119 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.
- 7.16 Paragraph 124 of the Framework supports development that makes efficient use of land where it takes into account the desirability of maintaining an area’s prevailing character. Policies CS9 and CS17 together are broadly consistent with this approach.
- 7.17 The Framework goes further and sets out at Paragraph 125 that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities to ensure that development makes optimal use of the potential of each site.
- 7.18 The principle of making more efficient use of an existing urban site is therefore supported having regard to the surrounding character and built form, albeit that the acceptability of the scheme put forward will turn on consideration of a number of

detailed planning considerations as set out below. In that context, it is noted that the number of dwellings proposed far exceeds the suggested number in the allocation (175 vs 90), but as long as the details of the scheme are acceptable, the discrepancy in this number is not considered to be an issue in policy terms. Indeed, it is noted that the proposal for a greater number of units would make a more significant contribution to meeting housing need.

(ii) Viability issues

7.19 The application has been accompanied by a viability assessment which has been amended during the course of the consideration of the planning application in relation to the amended scheme (following removal of the drive through proposals). The NPPF paragraph 58 states:

It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

7.20 Planning Policy Guidance in relation to viability states:

Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then.

The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.

7.21 The viability assessment has been subject to independent testing by Dixon Searle Partnership who have confirmed:

In this context, Havant Borough Council requires our opinion as to whether the viability figures and position put forward by the applicant are reasonable. We have therefore considered the information submitted. Following our review of the key assumptions areas, this report provides our views.

The scheme as presented by the EVR produces the following RLV:

Scheme	Residual Land Output
Scheme 1 – All private units	-£1,220,000

When making adjustments as advised throughout this report... the scheme produces a residual land value of £625,971 (DSP Appraisal v1) and when compared to DSP's revised BLV of £1.5m, produces a deficit of - £874,029m. When the deficit is deducted from the target profit the scheme produces an actual profit of 15% GDV.

As a further sensitivity test consideration, we have considered the potential effect of a further 5% increase in sales values, which indicates a residual land value of £1,674,024 (DSP Appraisal v2) and when compared to DSP's revised BLV of £1.5m, produces a surplus of £174,024.

*Our review indicates that the viability position is significantly more positive (less negative) than presented by the applicant or at least has that potential. However, taking an overall view of the viability of the scheme, **our appraisals indicate that the viability of the proposed scheme (with nil affordable housing provision) appears to be a marginal proposition at this stage. However, the Council may wish to consider a review mechanism which could capture any positive movement in the sales values and build costs.***

7.22 Given these conclusions it is considered that the marginal viability of the scheme results in the provision of Affordable Housing on the site being unviable at present (see further details below at Section 7(iv)). That said, in light of the advice given by Dixon Searle Partnership it is considered that any permission should be subject to a S106 requirement for a review mechanism as set out above.

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

7.23 In terms of the proposed development's impact on the character and appearance of the area, it is necessary to consider the existing context for the development and the characteristics of the site as the starting point for considerations.

7.24 The site is considered to be relatively self contained being bordered to the west by the wide B2149 Petersfield Road, beyond the road are three-storey pitched roof flats and two storey houses, there are also a number of mature trees on the western side of Petersfield Road.

7.25 To the north is an area of land which is part of the former Electricity Board site and annotated '*Land for Future Development*' on the application site plan (this is the area formally proposed for drive through restaurants (now deleted from the application). As a result the proposed buildings would be set a minimum of 52m from the Bartons Road frontage. Beyond this area is Bartons Road from which vehicular access is taken to the site. To the North of Bartons Road are two storey terraced houses and a further area of landscaping and open space.

7.26 To the east are SSE buildings including towards the Martin Road frontage a data building which has an eaves height of approximately 7.7m with a shallow pitched roof to a height of approximately 10.4m above. Havant and Waterlooville Football Club with stands and ancillary buildings also lies to the east with public open space and West Leigh Skatepark beyond.

7.27 To the south is a used car sales garage and MOT/Repair garage. There is a wide verge to Martin Road including trees and then to the south of Martin Road two storey semi-detached houses further to the south.

7.28 The context for the proposed development is therefore mixed with business uses, Football Club, residential and open space areas close to the site. The proposed three blocks of flats would be set well off existing residential properties to the west, north and south.

7.29 The proposals provide vehicular access from Bartons Road (as required by the allocation in the Local Plan). The access road would lead south and serve the proposal

of three apartment blocks with the two smaller blocks aligned across the central part of the site (Blocks A and B) and a larger L shaped block towards the south of the site. All of the blocks would be five storeys in height. Whilst the scale of development proposed is greater than that found locally, it is noted that the redevelopment of the Colt site further to the east along Bartons Road has seen the introduction of four storey flatted blocks, and the self contained nature of the site is such that a five storey development is considered capable of being accommodated without appearing incongruous in the street scene.

- 7.30 The proposed blocks are designed with a regularity of appearance incorporating a strong design feature of regular vertically arranged windows and balcony features interspersed by red brickwork. The top floors are partly recessed to appear as more of a 'penthouse' design incorporating timber cladding in part. This helps to reduce the mass and bulk of the top floor from a number of directions, and again assists in mitigating the five storey scale of the development in wider views. The most publicly visible blocks are the western elevations of Block A and C and the southern elevation of block C.
- 7.31 The western elevations of blocks A and C facing Petersfield Road would be set back a minimum of 15m from the roadside pavement. Block A would include a relatively long elevation to this frontage but the siting of the building set back from the highway would retain a spacious feel to the Petersfield Road site frontage. The majority of Block C would be set away from the Petersfield Road frontage and the narrow section fronting this area would be set back by a minimum of 21m. This alignment again retains the spacious setting of Petersfield Road.
- 7.32 To the Martin Road frontage, the southern part of Block C would be set closest to the road frontage but would be a minimum of 37m set back and with mature trees between the building and the road.
- 7.33 The proposed development includes significant areas of car parking with only limited opportunity for landscaping between runs of spaces, it is acknowledged that this arrangement does not meet the Council's normal landscaping requirements and has been a matter raised with the applicants. Given the amount of parking required to serve the development, discussed further at Section 7(vi) below, together with the density of the scheme and the need for communal open space it is difficult to further soften the character of the parking areas by additional planting. This negative aspect must however be balanced against maximising the use of this brown field site and increasing housing delivery in a scenario where the tilted balance applies. A condition is recommended in relation to hard surfacing materials to seek appropriate treatment of the hard surfaced layout.
- 7.34 A landscaping condition is also recommended to ensure that further tree planting is secured on the development site although this may be limited in the western part of the site by possible restrictions in planting close to the western boundary in the proximity of underground drainage pipes, as reflected in Southern Water's consultation response to the application.
- 7.35 With the landscaping limitations taken into account, it is nevertheless considered that the set back of the buildings and their alignment and detailed designs are such as to result in a development with a sense of shared design identity which does not result in harm to the established pattern of development on this rather self contained site surrounded by mixed development types of varying scales.

(iv) Housing mix and affordable housing

- 7.36 The Council are currently unable to meet their housing delivery requirements with a 5 year supply, the current position being that 3.9 years supply with 20% buffer can be demonstrated. As set out in the Councils Housing Delivery Position Statement March 2022, *Due to the under-delivery of housing in recent years there is currently a presumption in favour of sustainable development in Havant Borough. In this context, the 'tilted balance' will apply to most planning applications for housing.* The proposed development would result in a high density residential scheme comprising 175 apartments with 111 one bed and 64 two bed units on a previously developed brownfield site in the built up area and in a relatively sustainable location.
- 7.37 The current allocation is for 90 dwellings in the adopted Local Plan for the whole site area, and it is recognised that this much higher density flatted scheme greatly exceeds the allocation. Planning Policy have considered this and confirmed that development at this higher density is acceptable in principle subject to the normal Development Management considerations. The proposal for 175 units would make an important and significant contribution towards the Councils housing delivery needs.
- 7.38 Havant Borough Local Plan (Core Strategy) 2011 policy CS9 Housing sets out the adopted policy position and this is considered below:

Affordable Housing

- 7.39 Policy CS9 requires:

Deliver on average 30-40% affordable housing on sites of 15 dwellings (gross) or more and secure a suitable contribution, or on-site provision, equivalent to on average 30-40% on smaller housing developments between 5 and 14 dwellings (gross), unless a lesser requirement has been transparently justified on viability grounds.

- 7.40 In this case as set out in (ii) above, the application has been accompanied by a Viability Assessment which has been independently tested. This has demonstrated that on site Affordable Housing or provision of a financial contribution cannot in this case be justified on viability grounds. It should be noted that Government Policy and policy CS9 does allow for such testing and justification for the non-provision of Affordable Housing.

Mixed Communities

- 7.41 Policy CS9 states:
Ensure mixed communities are created through the planned distribution and avoidance of a concentration of affordable housing.
- 7.42 The development would not provide affordable housing, however, the wider residential area does include a substantial stock of affordable housing. The nearby Colt site nearing completion for 94 dwellings also provides affordable units.

Density

- 7.43 Policy CS9 states requires *a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form.*
- 7.44 The proposed development is high density achieving 105 dwellings per hectare for the whole site. The Local Plan makes it clear that where the quality of design justifies it,

much higher densities could be achievable. The NPPF states in paragraph 124 that: *Planning policies and decisions should support development that makes efficient use of land...*

This is dependent on the need for different types of housing, local market conditions and viability, infrastructure and services and the potential to promote sustainable travel modes and limit future car use, the desirability of maintaining an area's prevailing character and setting or promoting regeneration and change and the importance of securing well designed, attractive and healthy places. NPPF paragraph 125 states: *Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.*

- 7.45 In this case, this site previously accommodated three storey Electricity Board buildings and is previously developed land in the built up area. As assessed in (iii) above the site is relatively self contained and is considered to provide an opportunity for high density development - the sustainability of the site and transport are considered further in this report. It is considered particularly important that density is maximised on such sites to help meet the Councils housing needs and to reduce reliance on limited green field resources in the Borough taking account the tilted balance where a five year housing supply cannot currently be demonstrated.

Mix of Dwelling Types

- 7.46 Policy CS9 states development should:

Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.

- 7.47 In this case the proposal is for one and two bed apartments and does not produce a wider mix of dwelling types. During the course of the application officers have sought to achieve a more varied range of dwelling types across the wider site. This has not been achieved which is considered unfortunate. It is noted however that the Housing Delivery Position Statement Decision Making Principle 5 – Development quality recognises that development should *Provide a range of dwelling types and sizes to meet local housing need, including 35% of the overall housing mix as two bedroom homes unless locally identified need evidence indicates an alternative approach should be taken.* In this case 66 No. 2 bed units equates to 36% two bed units. Overall, given the efficient use of land achieved and the provision of smaller units which are generally more affordable in nature and in high demand, the proposal is on balance considered acceptable in terms of mix.

(v) Impact upon residential amenity (for existing and future residents)

- 7.48 There are two main aspects to consider in relation to impacts on residential amenity, firstly – existing residents and secondly future residents of the development.

Existing Residents

- 7.49 In relation to existing residents the closest residential properties to the site are properties to the north of Bartons Road, to the west of Petersfield Road and to the south of Martin Road.

North of Bartons Road

- 7.50 The removal from the original scheme of the McDonalds and Costa Coffee are considered to have greatly reduced the potential impact on the residential amenities of these properties removing potential concerns regarding noise, smell, late opening, additional traffic and concerns over potential antisocial behaviour raised by third parties during the course of the application.
- 7.51 The residential development would be set over 100m from No.1 Bartons Road. This separation distance would prevent unacceptable overlooking or loss of light to the residential properties north of Bartons Road.
- 7.52 Given this it is considered that the main impacts would result from the use of the vehicular access to Bartons Road. It should be noted that the access point is long established and was previously used to service the Electricity Board site. The residential nature of the vehicular traffic is likely to remove access by heavy goods vehicles and the use of the access is not considered to result in a harmful impact on existing residents.

West of Petersfield Road

- 7.53 These properties are set a minimum of 45m from the closest proposed apartments with the wide Petersfield Road between. The Havant Borough Design Guide requires a back to back separation distance of 20m. This is increased by 4m per storey where buildings have a different number of floors. In this case there is a two/three storey to five storey relationship requiring a separation distance of 32m; this is far exceeded and it is not anticipated that the development would result in unacceptable overlooking or loss of light.

Martin Road

- 7.54 The closest properties to the south of Martin Road are two storey semi-detached houses. The closest proposed apartment block is Block C. The closest element of Block C is a relatively narrow side elevation. This is set approximately 46m from the front of No's 6 and 8 Martin Road. This again far exceeds the 32m separation distance required by the Design Guide and as a result impacts in relation to overlooking and light (the development is to the north of Martin Road) are considered acceptable.
- 7.55 The proposal includes an emergency access to Martin Road together with cycle and pedestrian access. This is considered further in (vi) below. Whilst it is recognised that this will result in additional activity with pedestrians and cyclists using this route it is considered an important element in ensuring the permeability of the site and encouraging non car based travel opportunities. It is not considered that the development would result in an unacceptable impact on the existing properties in Martin Road.
- 7.56 Overall the development is considered to have an acceptable relationship to existing residential properties.

Future Residents

- 7.57 In relation to future residents, the main issues are considered to be whether the internal amenity space is acceptable, the external amenity provision (including private and shared areas) and the noise/air source heat pump provision which has been highlighted in the Environmental Health consultation response.

Internal Amenity Space

- 7.58 Whilst the Council has not adopted internal space standards, the internal floorspace proposed has been assessed against the Technical housing standards – nationally described space standard.
- 7.59 In relation to 1 bed 1 person 1 storey dwellings there is a requirement under the standards to provide a floorspace of 39sqm (with bath) and 37sqm (with shower). The proposed units generally show a floorspace between 40sqm and 42.4sqm. The exception to this are two units with showers which provide 37.2sqm. The 1 bed units are therefore considered to meet the nationally described space standard.
- 7.60 In relation to the 2 bed 3 person units there is a requirement under the standards to provide a floorspace of 61sqm. The proposed units show a floorspace between 61.4sqm and 77.6sqm. The 2 bed units are therefore considered to meet the nationally described space standard.
- 7.61 The proposed development is therefore considered to provide acceptable internal amenity space for future residents.

External Amenity Space (Private)

- 7.62 The Havant Borough Design Guide SPD states in paragraph 5.12 that *All residents should have access to private amenity space whether that is the back garden of a house, a private shared space, or balcony of an apartment.* Private external amenity space is provided to each flat above ground level with a private balcony. At ground floor the plans show shared amenity space with patio areas to individual flats. A condition is recommended to secure suitable boundaries to this space.

External Amenity Space (Open Space)

- 7.63 The site layout includes areas of open space around the site in particular to the south of Block C and to the west of Block A. These areas would need to be managed and maintained by a management company secured through the S106 Agreement. It is noted that there are other areas of public open space in close proximity to the site at West Leigh and Front Lawn.
- 7.64 The concerns raised by the Landscape Officer in relation to open space provision are noted, however in terms of open space provision the adopted Local Plan policy does not specify the quantum of open space required for housing developments. Furthermore the allocation in relation to this site in the adopted Allocations Plan site L145 also did not set site specific development requirements in relation to open space provision. Overall an objection based on the quantum of open space provision is not considered to be justified.
- 7.65 It is considered that the balconies, ground floor external amenity space and the areas of open space highlighted above would meet adopted policy requirements and provide appropriate external amenity space for future residents.

Noise

- 7.66 In relation to noise, the main issues are considered to be from traffic noise, plant noise from the SSE site and football stadium noise. The application was accompanied by a noise assessment. The Council's Environmental Health officer has recommended

conditions to ensure that noise mitigation is secured and verified. Subject to this a suitable future living environment should be achieved.

Air Source Heat Pumps

7.67 It is understood that the development is looking to utilise Air Source Heat pumps to serve the apartments. Details of these and any potential requirements in terms of condenser noise or water vapour are recommended to be secured by condition.

(vi) Highway impacts, on site layout and parking

7.68 In relation to highways matters the main issues are considered to be the traffic generation from the development including traffic growth and committed development; the suitability of the vehicular access to Bartons Road; the impact on the wider highway network; sustainable transport / travel plan considerations; the internal site layout; and on site parking provision.

7.69 The application has been considered in detail by the County Highway Authority and this has led to amendments to the application during the course of its consideration. The proposals have most significantly been altered to remove the drive through restaurants and to reduce the proposed number of units from 191 to 175.

7.70 To inform the assessment of the issues identified in paragraph 7.68 the Highway Authority have considered the historic site usage, personal injury and accident data - full details are provided in Hampshire Highways' consultation response in part 5 above.

Traffic generation from the development including traffic growth and committed development

7.71 A number of traffic surveys have been undertaken to inform the assessment of the proposed development, including surveys in relation to the residential proposals for Land West of the Crematorium, Bartons Road under Application reference APP/19/00007, which provide pre covid survey data for the Petersfield Road/Bartons Road junction from March 2018. Saturday flows have also been provided for this junction.

7.72 Traffic surveys were also undertaken at the nearby Knightwood Avenue junction because of concerns relating to the operation of the proposed road junction given the proximity of this junction to the proposed signal-controlled junction with Petersfield Road. Turning counts were therefore undertaken during both the weekday and weekend peak periods in May 2021.

7.73 The following sites have been considered as committed development:

- Linden Homes Land North Bartons Road Development Site
- Land South of Bartons Road Development Site
- Land West of Havant Crematorium

Colt International site (currently under development) and Southleigh Road site have not been considered because these were brownfield redevelopment sites and were not considered to generate more peak hour traffic than the existing (or previous) uses.

7.74 When assessing trip generation arising from the development, growth factors have

been used to factor up the 2018 traffic surveys to the 2025 forecast year as agreed by the Highway Authority.

Trip Rates

- 7.75 Trip rates have been calculated for the proposed residential use, and the former office uses on the site as set out in the Highway Authority's consultation response on the application (see Section 5 above)
- 7.76 This suggests that the redevelopment of the site for 175 apartments would lead to an increase of 6 trips in the AM Peak and 10 in the PM Peak based on the original office space. However, as the site has been cleared for some time and the extant permission trips are not present on the network, all the trips from the proposed development have been considered as new by the Highway Authority for the purposes of analysing traffic impacts.
- 7.77 Finally in relation to traffic routing from the site, trips have been distributed according to the 2011 Census journey to work data resulting in 80% turning left and 20% turning right from the site access in the AM peak and 20% turning left in and 80% turning right into the site in the PM peak.
- 7.78 These assessments have then been applied to the access onto Bartons Road and wider network impacts.

Suitability of vehicular access to Bartons Road

- 7.79 It should be noted that the site allocation under policy LP1 of the adopted Allocations plan (site ref: L145) requires development to utilise the existing access point onto Bartons Road. The Highway Authority have analysed this in detail.
- 7.80 The development would be accessed off Bartons Road in the location of the existing vehicle cross over which served the former SSE offices. The existing junction would be upgraded to a ghost-island right turn lane junction, providing capacity for three vehicles so that vehicles turning right will not block eastbound traffic on Bartons Road.
- 7.81 Whilst there were previous concerns in relation to the initial proposed layout which included the drive through restaurants, with the change in nature of the application the Highway Authority consider that the risk relating to these concerns is significantly reduced as traffic volumes and peak hour movements are substantially different.
- 7.82 The scheme has been subject to a Road Safety Audit which identified various issues summarised below but fully considered in the Highway consultation response in part 5 above. The first issue relates to the stagger distance between Knightwood Avenue and the proposed access which is less than the recommended minimum of 50m with the achievable distance of 37m. The applicant has provided reasons within the Transport Assessment as to why this would not create a safety issue at the junction. The design has been reviewed in detail and the principle of what is shown is appropriate to the Highway Authority. At the S278 stage however a formal exception report would need to be submitted to and approved by the Highway Authority, and the S106 obligation for the site access works includes prior to commencement obligations to secure this. Other issues identified can be suitably addressed through the S278 submission.
- 7.83 Tracking has been provided in the Transport Assessment to demonstrate that the site can be accessed safely by vehicles and the amended design does not have an adverse impact on access to Knightwood Avenue. The Highway Authority do not raise

an objection to the access proposals.

- 7.84 To facilitate the new bellmouth access to the site the Havant and Waterlooville Football Club access is proposed to be aligned away from the junction bellmouth itself and to meet the access road just to the south of the junction (at least 10m south). This is considered acceptable but does rely on agreement from the 3rd party landowner. A Grampian style pre-commencement condition is required to secure this realignment as the proposed access strategy would not be acceptable if the existing football club access remained as existing.

The impact on the wider highway network

- 7.85 To assess the wider impact of the development, assessments of the impact on junctions in the vicinity of the site have been carried out and tested under three criteria
- 2025 Assessment Year
 - 2025 + Committed Development
 - 2025 + Committed Development +the proposed development

Site Access

- 7.86 This is shown through modelling to operate within capacity with a maximum Ratio to Flow (RFC) Capacity of 0.09 in the peak AM hour.

Bartons Road/Petersfield Road Junction

- 7.87 Modelling of the existing junction in the above scenarios demonstrates that the junction would operate within capacity in all scenarios with a max RFC of 83.1 in the PM peak on the Petersfield Road south arm. The model assumes the completion of the works secured through the Land West of Crematorium site which includes lengthening of the left turn approach to the junction from Bartons Road.
- 7.88 Changes to the junction are required to accommodate the proposed access arrangement and sustainable access needs for the site.

Combined Model

- 7.89 To ensure the junction's interactions are appropriately shown in the models and in relation to concerns of operational safety due to the proximity of the junctions a Linsig model was undertaken which included the proposed priority junction. This demonstrated the mean maximum queue for the right turn lane to the proposed development would be a maximum of 0.3 vehicles, which demonstrates operation within the design parameters of the right turn lane.
- 7.90 It is expected queue length would increase as a result of the queue from the signals falling across the site in peak times. To mitigate this a yellow box marking is to be provided to limit the occurrences that turning movements at the junction would become obstructed. This is considered reasonable for the proposed residential development.
- 7.91 The Highway Authority conclude that:
The junction modelling and capacity assessment of the proposed layout is therefore considered acceptable and does not demonstrate that the changes would result in a significant harm to the capacity of the highway network.

- 7.92 The applicant has undertaken a comparison of development scenarios which are relevant to the consideration of the overall impact on the network.
- 7.93 Across the day the existing use trip rate equates to 319 trips/day compared to 462 trips/day for the proposed development. An increase in daily trips of 143. The emerging local plan allocation for 80 dwellings (now withdrawn) was also considered where the use would generate 415 trips per day. It should be noted that the Adopted Allocation Plan proposes 90 rather than 80 dwellings.
- 7.94 Overall in terms of the impact of the development the Highway Authority conclude that:

...in highway terms the difference in both daily and peak hour trip generation from 80 dwellings or the proposed development could not be considered severe, when set against the context of the junction modelling assessment results. Therefore, it is considered acceptable when set against the improvements proposed to the access arrangements and the change of use to the land from office space to residential.

Sustainable transport

- 7.95 It is considered critical for the sustainability of the scheme and to ensure that opportunities for non-car based travel are maximised that the development provides and improves sustainable transport options.
- 7.96 A Walking, Cycling and Horse-riding Assessment and Review (WCHAR) has been undertaken by the applicant to assess the non-motorised user infrastructure around the site and identify any deficits which would impact on proposed development. Having considered the distances to key services from the site the conclusions of the Transport Assessment are accepted by the Highways Authority.
- 7.97 The WCHAR identified four issues with sustainable transport and the solutions identified are listed below:
- Provision of a shared use path on the southern side of Bartons Road from Petersfield Road to Martins Road.
 - Provision of a controlled LTN 1/20 compliant crossing on the Bartons Road arm at the signals of Bartons Road/Petersfield Road in accordance with the emerging strategy for the NCN22 corridor by Sustrans.
 - Pedestrian/Cycle connection from the site to Martins Road with a shared use connection to Petersfield Road.
 - Provision of a formal uncontrolled crossing point on Knightwood Avenue.

The principle of these works is agreed by the Highway Authority and would be delivered as part of the package of S278 works for the site and secured through S106 Agreement for delivery prior to occupation.

- 7.98 In relation to Bus Services the nearest services are from St Albans Road and these are within acceptable walking distance from the site.
- 7.99 With regard to Rail Services, Havant Station is located 1.6km to the south of the site and is easily accessible via NCN22 route or alternatively via New Lane for pedestrians and cyclists.

Travel Plan

7.100A revised Travel Plan has been submitted and is considered acceptable by the Highway Authority – the Travel Plan would be secured through the S106 Agreement.

Internal site layout

7.101 The revised application has seen the removal of the previously proposed Martin Road access for vehicle traffic which addresses previous concerns relating to the provision of a route for motorised vehicles via the internal link road. The connection remains for provision for emergency vehicles, pedestrians and cyclists.

7.102 The County Highways Authority confirm that the nature of the internal layout would not present an opportunity for adoption of the internal road network. The internal network is considered acceptable in relation to pedestrian routes and crossings following amendments. The roads, parking and cycle / pedestrian routes would need to be managed by a management company secured through the S106 Agreement.

7.103 Tracking for refuse vehicles is considered acceptable within the site. The Highway Authority have confirmed that access for deliveries and service vehicles are acceptable.

7.104 The north / south route through the site should have appropriate provision for members of the public to pass and repass for pedestrians and cyclists as the route creates an alternative connection to NCN22 and increases permeability of the wider area. This would be secured via the S106 Agreement.

On site parking

Car Parking

7.105 With regard to car parking, this has been assessed against the requirements of the Havant Borough Council Parking SPD.

The scheme would provide 189 shared communal parking spaces:

The parking standards require:

111 x 1 Bed = 0.9 x 111 = 99.9 Spaces

64 x 2 Bed = 1.3 x 64 = 83.2 Spaces

Total = 183 spaces (189 provided i.e. a surplus of 6)

7.106 The Parking SPD goes on to set out that with the exception of small residential developments an additional 20% of unallocated parking for visitors should be accommodated. In larger developments with no allocation of spaces, a lower visitor space allowance may be acceptable provided it can be shown that sufficient resident cars will likely be absent when visiting takes place.

7.107 In this case 20% visitor parking would equate to a requirement for 37 spaces. If the 6 surplus spaces are taken off this requirement this leaves a notional deficit of 31 spaces.

7.108 In response to this issue, the applicants have provided a Car Parking Technical Note which, in summary, concludes:

Based on local car ownership rates the parking demand of the proposed development could be expected to be approximately 74 cars or vans, which is 115 spaces short of the proposed provision of 189 spaces and represents a parking stress of just 39%. It is therefore evident that the proposed 189 spaces would in all likelihood represent a significant overprovision in relation to the actual parking demand of residents. This would of course mean that ample parking for visitors is provided.

At any rate, the parking demand profile of the proposed development demonstrates that the parking demand of residents would fall significantly during the day, meaning that these spaces could be occupied instead by visitors.

Based on the likely car ownership of residents, the accessibility of the site, and the fall in parking demand during the day, the proposed number of parking spaces should be considered to be more than sufficient for both residents and visitors.

7.109 The parking provision meets the parking standard in terms of residents and the visitor parking requirement allows for individual assessment in relation to individual schemes. Given the high proportion of 1 bed dwellings, the relatively sustainable location encouraging non-car based journeys and lower car ownership in the vicinity it is not on balance considered that a reason for refusal based on parking provision could be substantiated in this case.

7.110 Concern has been raised in relation to match day parking in relation to Havant and Waterlooville Football Club adjacent to the site. The proposed development would not increase such match day parking pressures given that the site does not currently provide parking for supporters. It is important that the sites own parking is not compromised by match parking and therefore the S106 Agreement will require management and restrictions to on site parking.

7.111 In relation to Electric Vehicle charging the agent has confirmed that the proposed development will provide active electric vehicle charging provision to 20% of the proposed parking spaces. A condition is recommended to secure this provision in the interests of securing sustainable development and in accordance with paragraph 122 of the NPPF.

Cycle Parking

7.112 With regard to cycle parking, this has been assessed against the Councils cycle parking standards. The development would require 239 long stay spaces and 48 short stay spaces to be provided and 242 long stay and 48 short stay and the requirements are therefore met. A condition is recommended to secure provision as well as CCTV for the long stay spaces. The full provision of cycle parking provision is considered to complement the arguments made in respect of the accessibility of the site to the railway station, bus station and town centre facilities via the NCN22 route.

Other Highway Matters

7.113 Drainage details in relation to the highways, lighting and levels will need to be secured by condition across the site and in relation to the highways and cycle/pedestrian routes.

Highways Conclusions

7.114 Overall and as set out above the development is considered to have an acceptable

impact on the highway network and would secure sustainable access improvements subject to Conditions and S106 requirements as set out in the Highways Consultation Response.

(vii) Flood Risks /Drainage

7.115 The site lies within Flood Zone 1 (low flood risk) and outside of any future flood risk area. The main issues are therefore considered to be the foul and surface water drainage for the proposed development.

Foul Drainage

7.116 In relation to foul drainage, a 300mm diameter public foul water sewer passes through the site on its western side. The scheme proposes a new connection from the development into this Southern Water foul drainage system. Southern Water's consultation response confirms:

Our investigations indicate that Southern Water can facilitate foul sewerage to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

A condition is recommended in relation to Foul and Surface Water Drainage.

Surface Water Drainage

7.117 With regard to surface water drainage the proposed development would be served by a series of SUDs drainage features. These would comprise:

- A surface water piped network
- Permeable surfaces type 1
- Permeable surface type 2 with underlying surface water storage subbase

7.118 The site generally slopes gently north to south and the drainage features would be linked and lead to a connection into an existing Southern Water surface water sewer in Martin Road. The water release into this system would be limited with a flow control chamber.

7.119 In relation to the connection to the Southern Water surface water sewer, Southern Water have confirmed that the:

Submitted FRA shows Surface water will be discharged from the site to a public surface water sewer. However, it will first be attenuated on site and discharged at a 30% betterment compared to the existing brownfield rates which is satisfactory to Southern Water.

7.120 Hampshire County Council as the Local Lead Flood Authority (LLFA) have confirmed that the general principles for the surface water drainage proposals are acceptable subject to further information at the more detailed design phase. A condition is recommended to secure these details.

7.121 There is also a need to ensure the long term management and maintenance of the drainage features and this would be secured through the S106 Agreement.

7.122 Overall the proposed drainage is considered acceptable in principle subject to detailed

planning conditions to secure the details in consultation with Southern Water and the LLFA.

(viii) Contamination Issues

7.123 The site has been subject to commercial use over a protracted period of time and site investigation has therefore taken place which has identified hydrocarbon concentrations. The Council's Environmental Control Officer has provided comments and recommended detailed contamination conditions to ensure appropriate mitigation of risks to future residents and the surrounding environment.

7.124 In addition the Environment Agency have requested conditions in relation to unidentified contamination (if discovered) and Piling. These measures are aimed at protecting the water environment.

7.125 It is recommended that the contamination conditions are imposed if permission is approved.

(ix) Ecological Impacts

7.126 Whilst the existing site has limited ecological value, it is important to seek to provide appropriate improvements. The proposal includes ecological enhancements including new landscaping and bat and swift boxes on the three buildings. The Council's Ecologist recommends a condition to secure these enhancements and this is recommended to be imposed.

(x) Impacts on Trees

7.127 In relation to trees, the site is essentially open with trees located close to the site boundaries. The main trees of significance are the trees on the Martin Road frontage which would be close to the proposed 2m wide pedestrian access and the Emergency access / cycle access. These trees are an Oak, two Horse Chestnuts and a Monterey Pine. These trees are significant in the street scene. The trees are outside the site and whilst the Arboricultural report has identified one of the Horse Chestnuts T0005 to be of U category with severe decay at the base which should be felled this is outside the applicant's control. The other three trees are A or B category trees and will be retained. The Arboricultural plan indicates tree protective fencing and a no dig cellular system for the proposed nearest hardsurfacing proposals.

7.128 The only other significant tree near to the proposed built form is a Maple sited close to the adjacent commercial garage building. Whilst the tree is close to the boundary and has limited visual impact beyond the site it is shown to be retained with Tree protective fencing.

7.129 At the time of writing the Council's Arboricultural officer has been reconsulted in relation to the amended proposals and members will be updated in relation to any further comments received.

(xi) Infrastructure/S106 requirements

7.130 In terms of Community Infrastructure Levy (CIL) requirements the submitted CIL form indicates a floorspace of 11,288 sqm which would require a CIL contribution of approximately £1,338,434.

7.131 In addition to CIL, and in order to secure a sustainable form of development it is important that the development meets its appropriate direct infrastructure needs. These have been highlighted in the consultation responses to the application and discussed in this report, and would be secured through the associated S106 Agreement. The identified Draft Heads of Terms for planning obligations necessary to make the development acceptable in planning terms, which are directly related to the development and fairly and reasonably related in scale and kind to the development are listed below:

- HBC Monitoring Fees (£11,525)
- HCC Monitoring Fees
- Management Company (Common Parts)
- Management Plan (Common Parts including SUDs and prevention of parking by non-residents excepting visitors)
- Solent Recreation Mitigation Strategy (£79,322)
- Nutrient Neutrality – Off site mitigation Whitewool Farm (Meon Springs)
- Employment and Skills Plan
- SUDS/SUDS Bond
- Full Travel Plan and associated bond / monitoring fees (HCC) – Provision and implementation of the final travel plan along with the associated surety, approval and monitoring fees.
- Highway Works (HCC) –
Prior to commencement to have entered into the Highway Works Agreement in relation to the site access works as shown on drawing 106.0019.007 Rev J with the site access works being implemented prior to occupation.

Prior to commencement of development to have entered into the Highways Agreement in relation offsite highway works as shown on drawing, 106.0019.009 Rev B, 106.0019.010 Rev A. with the works implemented prior to occupation.
- Site Specific Highway Improvements (HCC)
- Public Access across the site –
Rights for the public to pass and repass over the site in relation to the north south route between Bartons Road and Martins Road.
- South East Hants CCG Contribution (£28,000)
- Viability review mechanism

7.132 Subject to the above it is considered that the development would meet its infrastructure needs and would constitute sustainable development.

8 Conclusion

- 8.1 In conclusion the proposed development would result in impacts on the SPA and a Habitats Regulations / Appropriate Assessment has therefore been carried out on the proposal in consultation with Natural England. Subject to appropriate mitigation being secured through the S106 Agreement the application is considered acceptable.
- 8.2 The proposal is for residential development on part of a site allocated for residential development in the adopted Local Plan and is considered acceptable in principle. Whilst the development is of a higher density than anticipated in the allocation such provision is considered acceptable on this site and would help to address the Council's housing delivery requirements where there is currently a lack of demonstrable 5 year supply and the tilted balance applies.
- 8.3 The development would meet its infrastructure requirements with the exception of providing affordable housing. The applicant has submitted a viability assessment which has demonstrated following independent assessment that in this case Affordable Housing cannot be secured as part of this development.
- 8.4 The development has been assessed in detail in relation to its impact on the character and appearance of the area. It is considered that the development of this relatively self contained site for high density apartments would have an acceptable impact on the character and appearance of the area which is mixed in character.
- 8.5 In relation to the impact on residential amenities for both nearby and future residents, this has again been assessed in detail and it is concluded that the proposals provide and retain acceptable residential amenity.
- 8.6 The highways aspects have been considered in consultation with the County Highway Authority and the proposals have been amended to reflect requirements. In particular, the access to Bartons Road and the junction with Petersfield Road have been assessed in relation to historic, future and committed traffic flows. It is considered that the proposals would not lead to unacceptable harm to the highway network. The internal layout has provided for appropriate vehicle movements. Cycle and pedestrian improvements and provision will be secured through the S106 Agreement and a Travel Plan will also be secured to encourage non-car based journeys. Car and Cycle parking has also been assessed and is considered acceptable. Finally electric vehicle charging points would be secured by condition.
- 8.7 In relation to open space, there is provision for areas of communal open space on site and this would be subject to management through the S106 Agreement. It is acknowledged that the proposed development includes only limited opportunity for landscaping between runs of parking spaces, however given the amount of parking required to serve the development and the need for communal open space it is difficult to further soften the character of the parking areas by additional planting. This negative aspect must however be balanced against maximising the use of this brown field site and increasing housing delivery in a scenario where the tilted balance applies.
- 8.8 The site is an area of low flood risk (Flood Zone 1) and surface and foul drainage proposals are acceptable in principle to Southern Water and the Local Lead Flood Authority. Drainage conditions are proposed to secure the final schemes.
- 8.9 In relation to Contamination, conditions are required to ensure that the development provides a safe environment for future occupants and in terms of the wider water

environment given the historic uses on and close to the site.

- 8.10 With regard to ecological impacts, enhancements would be secured by ensuring further landscaping and the provision of swift and bat boxes. The Council's Ecologist has confirmed that this approach is acceptable. In relation to trees the site has no trees except close to its boundaries. The emergency access and cycle / pedestrian route to Martin Road is close to important trees and conditions will be required to ensure that these important trees are protected during the course of the development and by ensuring non-dig solutions are provided. At the time of writing further comments from the Councils Arboriculturalist are awaited and members will be updated in relation to any responses received.
- 8.11 A number of infrastructure requirements would be secured via the proposed S106 Agreement as set out above.
- 8.12 Overall, the development is considered important in providing much needed housing in the Borough. The density of development would ensure that the best use of a brownfield site within the built up area is secured. Furthermore the development provides much needed 1 and 2 bed dwellings. The above assessment is considered to demonstrate that the proposals also complies with the thrust of Government and Council policy considerations. Planning permission can therefore be recommended subject to appropriate S106 requirements and the conditions listed below.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00658 subject to:

- (A) The satisfactory completion of the S106 agreement to secure the following requirements (for which authority is given to the Head of Legal Services to complete the Agreement):
- HBC Monitoring Fees (£11,525)
 - HCC Monitoring Fees
 - Management Company (Common Parts)
 - Management Plan (Common Parts including SUDs and prevention of parking by non-residents excepting visitors)
 - Solent Recreation Mitigation Strategy (£79,322)
 - Nutrient Neutrality – Off site mitigation Whitewool Farm (Meon Springs)
 - Employment and Skills Plan
 - SUDS/SUDS Bond
 - Full Travel Plan and associated bond / monitoring fees (HCC) – Provision and implementation of the final travel plan along with the associated surety, approval and monitoring fees.

- Highway Works (HCC) –
Prior to commencement to have entered into the Highway Works Agreement in relation to the site access works as shown on drawing 106.0019.007 Rev J with the site access works being implemented prior to occupation.

Prior to commencement of development to have entered into the Highways Agreement in relation offsite highway works as shown on drawing, 106.0019.009 Rev B, 106.0019.010 Rev A. with the works implemented prior to occupation.

- Site Specific Highway Improvements (HCC)
- Public Access across the site –
Rights for the public to pass and repass over the site in relation to the north south route between Bartons Road and Martins Road.
- South East Hants CCG Contribution (£28,000)
- Viability review mechanism

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

General

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

Officer Comment: *List to follow*

Reason: - To ensure provision of a satisfactory development.
- 3 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.
Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Piling or deep foundation using penetrative methods shall not be carried out

other than with the prior written consent of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that any proposed piling or deep foundation using penetrative methods, does not harm groundwater resources having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, and position statement Physical disturbance of an aquifer in a Source Protection Zone 1 of the 'The Environment Agency's approach to groundwater protection'. The site is located in the SPZ1c (deep activities) for the Bedhampton and Havant Springs public water supply abstraction. While low permeability London Clay immediately underlie the site, the Chalk Principal aquifer which occurs at depth supports this abstraction. Activities at depth have the potential to impact on the water supply.

- 5 Notwithstanding any submitted details the proposed air source heat pumps shall not be installed unless and until full details of the proposed pumps including design, enclosure, noise and water vapour assessment have been submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure that the proposal has an acceptable visual impact and does not result in unacceptable impacts to residents having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Pre-commencement

- 6 The development hereby permitted shall not commence unless and until the access to the football club car park has been realigned in accordance with drawing number 106.0019.007 Rev J.

Reason: To ensure safe access to the football club and to the application site junction with Bartons Road having due regard to Policies CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 No development shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations' and the Tree protection plan Drawing No. RNapc/315/TCP/TPP/1. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

In addition the development shall be carried out in full accordance with the Arboricultural Method Statement Ref: 315/AMS/1 dated 25th August 2022.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No development including excavation, clearance and construction shall commence on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:
- a. A programme of and phasing of demolition (if any) and construction work;

- b. The provision of long-term facilities for contractor parking;
 - c. The arrangements for deliveries associated with all construction works;
 - d. Methods of phasing of construction works;
 - e. Access and egress for plant and machinery;
 - f. Protection of pedestrian routes during construction;
 - g. Location of temporary site buildings, compounds, construction material, and plant storage areas
 - h. No works or ancillary operations associated with the above phases at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00;
 - i. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
 - j. No bonfires to take place on this site, during any phase of the operation;
 - k. Control measures for dust. It should be advised as to what measures are proposed to be put in place for the control of any dust that might emanate from the development site. Furthermore the methods of dust control shall be in accordance with the guidance as laid 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 to be kept damp at all times;
 - l. Procedures for emergency deviation of the agreed working hours;
 - m. Details of measures to be employed to control the emission of noise 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 (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria;
 - n. If any piling is envisaged for this site, full details must be submitted, with regard to the proposed method/s to be employed, and the probable duration of these operations;
 - o. Details to be provided of all proposed external lighting to be used during the above phases and the measures for controlling the use of site lighting whether required for safe working or for security purposes to ensure no impact on nearby receptors;
 - p. Procedures for maintaining good public relations including complaint management, public consultation and liaison; and
 - q. Routing of construction vehicles
- Excavation, clearance and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality and in the interests of highway safety having due regards to Policies CS16, CS20, DM10 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to address risks identified within the Fortitude HAV164.D/SI/002 rev3. Investigation & Remediation Strategy report shall be submitted to and approved in writing by the Local Planning Authority. The scheme may take an iterative & proportionate approach, may comprise separate reports / assessments / statements as appropriate, shall be undertaken by competent persons, and unless specifically excluded in writing

by agreement shall include;

1) Further consideration of risks posed to future site occupants by PCB contamination identified within the made soils associated with trial hole position TP2B and any soils of similar character.

2) Where risks cannot be dismissed by (1), an updated Remedial Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability,
- clearly defined proposals for mitigation of the identified risks, and;
- a 'contamination discovery strategy' which includes arrangements for contingency action

3) A verification plan which details the data that will be collected in order to demonstrate that the works set out within the Remedial Strategy (2) are complete.

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

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from or adversely affected by-, unacceptable levels of contamination, in line with Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework. Prior investigation identified some results of concern that have not been adequately considered, and the previous remedial strategy omitted a discovery strategy. Contamination may be present in areas of the site that have not been inspected or sampled during prior phases of physical site investigation that could nevertheless pose an unacceptable risk to human health or controlled waters.

10 No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Fortitudo Limited Flood Risk Assessment 195104 December 2020 Rev 2, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- d. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

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

Reason: To ensure the appropriate drainage of the development having due regard to Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning policy Framework.

11 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains

and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority.

The details shall include a drainage strategy for the roads, access and hard surfacing areas. 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 in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality, in the interests of highway safety and having due regard to Policies CS16, CS20 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The development hereby permitted shall not commence unless and until details of sprinkler systems for the residential blocks including details of any water tanks including their location, design and enclosure materials if applicable shall have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter be constructed in accordance with the approved details.

Reason: To ensure that sprinkler systems proposed have an acceptable appearance having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The levels shall include full details of road / access levels. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and appearance of the development, the residential amenities of the locality and to ensure road details in the interests of highway safety having due regard to Policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 The development hereby permitted shall not commence unless and until full details of lighting across the site including to roads, cycle and pedestrian routes have been submitted to and approved in writing by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources, intensity of illumination and lighting contour maps. Unless otherwise agreed in writing the lighting scheme shall conform to the relevant sections of BS 5489 - 1:2020 and be implemented in full prior to first occupation of the development. The development shall thereafter be carried out and maintained in accordance with the approved scheme. No other lighting shall thereafter be installed unless agreed in writing by the Local Planning Authority.

Reason: To ensure adequate lighting for the development in the interests of amenity and security and to avoid light pollution having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Above ground

- 15 No above ground development shall commence unless and until details in relation to the provision of restrictions to vehicular access to the Martin Road emergency access/ cycleway have been submitted to and approved in writing by the Local Planning Authority. The approved access restrictions shall thereafter be provided prior to first occupation of the development, and shall be maintained in accordance with the approved details.
Reason: To ensure that the Martin Road access is for emergency vehicle, cycle and pedestrian access only in the interests of amenity and highway safety having due regard to Policies CS16 and DM11 the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 Notwithstanding the landscaping details hereby approved, no above ground development shall take place unless and until more detailed landscaping proposals have been submitted to and approved in writing by the Local Planning Authority. The landscaping proposals in proximity to public apparatus to the western side of the site shall take account of Southern Water's requirements in relation to sewer protection. The approved landscaping details shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following first occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the appearance of the development is satisfactory and has an appropriate relationship with public apparatus, and having due regard to Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 17 No above ground development shall commence until the applicant has confirmed that the acoustic mitigation measures to be employed shall follow those measures as advised to be implemented by the Noise Impact assessment, produced by Acoustic Consultants Ltd & dated November 2020. This is with regard to the building envelope, including fenestration and ventilation, for all residential units, to ensure they will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms. Similarly for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.
Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 18 Notwithstanding the details hereby approved, no above ground development shall take place until samples and a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be

used, in accordance with any terms of such approval.

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

- 19 No above ground development shall take place until details of Electric Vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The details shall show the location and design of the charging points together with their charging capacity and a minimum of 20% of the permitted parking spaces shall include such provision. Prior to the occupation of the residential development the approved scheme shall be provided on site and thereafter maintained in accordance with the approved details.

Reason: In the interests of sustainability and having due regard to Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Reason: In the interests of the amenities of the locality and highway safety and having due regard to Policies CS16, CS20, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Pre-occupation

- 21 Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (Pro-Vision, October 2020) and as illustrated on drawings LANDP001 rev. 005 and PP001 rev004 and on the approved building elevations drawings unless otherwise agreed in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be implemented in accordance with the ecologists instructions.

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.

- 22 Prior to the occupation of any relevant part of the development hereby approved, any verification report required in accordance with condition 9 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met.

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, in line with Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework.

Prior investigation identified some results of concern that have not been adequately considered, and the previous remedial strategy omitted a discovery strategy. Contamination may be present in areas of the site that have not been inspected or sampled during prior phases of physical site investigation that could nevertheless pose an unacceptable risk to human health or controlled waters.

- 23 Prior to the first occupation of the development hereby approved, the results of post validation testing of noise levels in and around the dwellings shall be submitted to, and approved in writing by the Local Planning Authority. Such post validation testing shall be undertaken by a competent person to determine compliance with the noise impact assessment as produced by Acoustic Consultants Ltd & dated November 2020. Such testing shall be achieved using at least 3 sample dwellings, nearest to the measurement positions Monitoring location B, C & D. A report shall be produced which details the post validation testing that has taken place This must be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved, and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. In addition to a windows closed scenario, levels shall also be provided with windows in an open position. Similarly for traditional external areas that are used for personal amenity space, such as gardens patios and balconies, it is desirable that the external noise level does not exceed 50 dB LAeq, 16 hour with an upper guideline value of 55 dB LAeq, 16 hour in noisier environments. External amenity area levels are also required to be tested upon completion, to confirm the levels detailed above, and as a result of any additional proposed mitigation measures, that might be needed, have been met.

Reason: To ensure the residential amenity of the properties will not be impacted upon by any external noise levels having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 As a number of future residents will likely need to keep windows closed to mitigate noise from external noise sources (especially overnight), prior to the first occupation of the development hereby approved an Overheating Assessment in accordance with CIBSE TM59 (2017) shall be submitted to, and approved in writing by the Local Planning Authority. Such Assessment shall demonstrate that indoor temperatures will be acceptable in the absence of open windows, and shall include any scheme/s or required measures to mitigate overheating. The approved scheme/measures shall thereafter be installed and maintained prior to occupation of the affected units.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external noise levels in particular having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The

submitted details shall include;

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

Reason: To ensure adequate surface water drainage is maintained having due regard to Policy CS15 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 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 boundary treatments shall include details of boundaries to private and shared amenity space around the ground floor apartments and the boundary to the area annotated 'land for future development' on the approved plans shall be enclosed by a security boundary of at least 1.8m height and details of any gates shall also be submitted. The approved structures shall thereafter be retained.

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

- 27 The development hereby permitted shall not be occupied unless and until the long and short stay cycle parking has been provided in accordance with the approved plans. The long stay cycle stores shall be fitted with CCTV monitoring details of which shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The approved cycle storage and CCTV shall thereafter be retained in accordance with the approved details.

Reason: To ensure safe and secure cycle parking to encourage the use of non-car based journeys in the interests of sustainability having due regard to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD 2016 and the National Planning Policy Framework.

- 28 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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

- 29 The development hereby permitted shall not be occupied until:
- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and

(b) All measures necessary to meet the approved water efficiency calculation have been installed.

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

Post occupancy

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

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

Appendices:

Appendix A: Previous Consultation Responses

Appendix B: Location Plan

Appendix C: Site Plan

Appendix D: Block A Floor Plans

Appendix E: Block A Elevations

Appendix F: Block B Floor Plans

Appendix G: Block B Elevations

Appendix H: Block C Floor Plans

Appendix I: Block C Elevations

Appendix J: Tree Constraints and Tree Protection Plan

