

CONSOLIDATED CONDITIONS SCHEDULE – NEWGATE LANE (NORTH AND SOUTH), FAREHAM

Application P/18/1118/OA (Newgate Lane North)

1. **Reserved Matters** Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. **Timing** Application for approval of the reserved matters shall be made to the local planning authority not later than **one year** from the date of this permission. The development hereby permitted shall take place not later than one year from the date of approval of the last of the reserved matters.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

3. **General Accordance with the Access Plan** The development hereby permitted shall be carried out in general accordance with the approved access plan ref. Figure AHJ6_North.

REASON: To avoid any doubt over what has been permitted and to ensure a safe and satisfactory means of access.

4. General Accordance with the Illustrative Masterplan The development hereby permitted shall be carried out in general accordance with plan ref. BRS.4989_20_1 Revision F. For the avoidance of doubt, no dwellings shall be constructed on the western side of the River Alver in flood zones 2 or 3.

REASON: To avoid any doubt over what has been permitted and to ensure appropriate protection of flood zones.

5. Accordance with Parameter Plans The development hereby permitted shall be carried out in accordance with the principles shown on the following plans refs: BRS.4989_46_1 Rev A, BRS.4989_47_1 Rev C, BRS.4989_48_1 Rev B, and BRS.4989_49_1 Rev B.

REASON: To avoid any doubt over what has been permitted.

6. Number of Dwellings The development hereby permitted shall not exceed 75 dwellings.

REASON: To avoid any doubt over what has been permitted and to ensure an appropriate quantum of development.

7. Ecological Mitigation and Enhancement Full details of all necessary ecological mitigation, compensation, enhancement and management measures (to be informed as necessary by up-to-date survey and assessment) shall be submitted for approval to the local planning authority in the form of a mitigation and enhancement method statement with each reserved matters application. Such details shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the submitted Ecological Assessment by Ethos Environmental Planning (February 2019). Any such approved measures shall thereafter be implemented in strict

accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

8. Bat Corridors The dark corridors as illustrated by Figure 14 'Biodiversity Mitigation Plan' of the submitted Ecological Appraisal by Ethos Environmental Planning (February 2019) shall be implemented and retained in perpetuity. A scheme of lighting (during the operational life of the development), designed to minimise impacts on bats, approved by the applicant's ecologist, shall be submitted to and approved in writing by the LPA. Thereafter the approved scheme shall be implemented.

REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

9. Surface Water Drainage Prior to commencement, a detailed surface water drainage scheme for the site based on the principles within the Flood Risk Assessment by The Civil Engineering Practice, V2.2 with a discharge rate of less than or equivalent to the existing greenfield run off rate for the corresponding rainfall event, shall be submitted to, 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. Confirmation that existing overland flow routes and watercourses are maintained without any detriment in capacity.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- g. Details of the watercourse crossings
- h. Details of potential watercourse realignment
- i. finished flood levels for all dwellings within the development.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

10. SuDS Scheme Prior to commencement, details of the maintenance and management of the sustainable drainage scheme approved by condition 9 shall be submitted to and approved in writing by the local planning authority. Those details shall include a timetable for its implementation, and a management and maintenance plan, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the

effective operation of the sustainable drainage system throughout its lifetime. The sustainable drainage system shall be managed and maintained in accordance with the approved details for the lifetime of the development.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

11. Foul Drainage Prior to commencement, a scheme for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the local planning authority in consultation with Southern Water. This shall include a timetable for implementation and details of the measures which will be undertaken to protect the public sewers and shall be carried out in accordance with the approved scheme.

REASON: To ensure satisfactory disposal of foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

12. Archaeology Prior to commencement, the developer shall secure the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the site to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Prior to commencement, the developer shall secure the implementation of a programme of archaeological mitigation based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Following completion of archaeological fieldwork, a report will be produced in accordance with the approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: It is considered that the area is of archaeological interest and should be protected from damage due to development work. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

13. Arboriculture Prior to commencement, a detailed Arboricultural Impact Assessment and Tree Protection Method Statement shall be submitted to and approved in writing by the local planning authority. The arboricultural works must be carried out in accordance with the approved details and may only be fully discharged on the subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

14. Contamination Prior to commencement, the developer shall submit to the LPA for approval, an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources.

The site investigation shall not take place until the requirements of the LPA have been fully established. This should be submitted to and approved in writing by the LPA.

Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the LPA, including the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination on human health.

15. Remediation Prior to occupation, if remediation measures are identified in condition 14, the agreed scheme of remedial measures shall be fully implemented. Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA, and shall include photographic evidence and as built drawings where required by the LPA. The requirements of the LPA shall be agreed in advance.

Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully

implemented and validated in writing by an independent competent person as agreed with the LPA.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

16. Noise Mitigation No dwelling shall be first occupied until noise mitigation has been carried out in accordance with the principles established in the approved Noise Report and Illustrative Section of the Eastern Boundary (ref. BRS.4989_52_1). The scheme shall include the timetable for constructing the acoustic fence and how it will be maintained for the lifetime of the development. The scheme shall be carried out as approved.

REASON: To prevent avoidable disturbance to residents from noise.

17. CEMP No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:

- a. the parking of vehicles of site operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e. wheel washing facilities;
- f. measures to control the emission of dust and dirt during construction;
- g. delivery and construction working hours; and

h. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use.

i. a scheme of work detailing the extent and type of piling proposed.

The approved CEMP shall be adhered to throughout the construction period for the development.

REASON: In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

18. Sustainability Provision shall be made for at least 1 electric vehicle (EV) 'rapid charge' point per 10 residential dwellings.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

19. Sustainability All dwellings must be designed with water efficiency measures to seek to meet the government's optional standards requirement of no more than 110 litres per person per day usage.

REASON: In the interests of preserving water quality and resources.

20. **Linking** No development shall commence on site until construction of the first dwelling on the site subject of planning permission (P/19/0460/OA) has been commenced. The development shall not be first occupied until the works required to facilitate pedestrian/cycle movement to Woodcote Lane, approved pursuant to Condition 20 of planning permission (P/19/0460/OA), have been completed in full in accordance with the approved details.

REASON: In order to secure the coordinated delivery of related sites.

Application P/19/0460/OA (Newgate Lane South)

1. **Reserved Matters** Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. **Timing** Application for approval of the reserved matters shall be made to the local planning authority not later than **one year** from the date of this permission. The development hereby permitted shall take place not later than one year from the date of approval of the last of the reserved matters.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

3. **General Accordance with the Access Plan** The development hereby permitted shall be carried out in general accordance with the approved access plan ref. Figure AHJ7_South.

REASON: To avoid any doubt over what has been permitted and to ensure a safe and satisfactory means of access.

4. **General Accordance with the Illustrative Masterplan** The development hereby permitted shall be carried out in general accordance with plan ref. BRS.4989_20_2 Rev H. For the avoidance of doubt, no dwellings shall be constructed on the western side of the River Alver in flood zones 2 or 3.

REASON: To avoid any doubt over what has been permitted and to ensure appropriate protection of flood zones.

5. Accordance with Parameter Plans The development hereby permitted shall be carried out in accordance with the principles shown on the following plan refs: BRS.4989_46_2 Rev A, BRS.4989_47_2 Rev D, BRS.4989_48_2 Rev C, and BRS.4989_49_2 Rev C.

REASON: To avoid any doubt over what has been permitted.

6. Number of Dwellings The development hereby permitted shall not exceed 115 dwellings.

REASON: To avoid any doubt over what has been permitted and to ensure an appropriate quantum of development.

7. Ecological Mitigation and Enhancement Full details of all necessary ecological mitigation, compensation, enhancement and management measures (to be informed as necessary by up-to-date survey and assessment) shall be submitted for approval to the local planning authority in the form of a mitigation and enhancement method statement with each reserved matters application. Such details shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the submitted Ecological Assessment by Ethos Environmental Planning (September 2019). Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the local planning authority.

A scheme of lighting (during the operational life of the development), designed to minimise impacts on bats, approved by the applicant's ecologist, shall be

submitted to and approved in writing by the LPA. Thereafter the approved scheme shall be implemented.

REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

8. Bat Corridors The dark corridors as illustrated by Figure 14 'Biodiversity Mitigation Plan' of the submitted Ecological Appraisal by Ethos Environmental Planning (September 2019) shall be implemented and retained in perpetuity.

REASON: To ensure that protected species are not harmed and that habitat is enhanced as a result of the proposed development.

9. Surface Water Drainage Prior to commencement, a detailed surface water drainage scheme for the site based on the principles within the Flood Risk Assessment by The Civil Engineering Practice, V3.1 with a discharge rate of less than or equivalent to the existing greenfield run off rate for the corresponding rainfall event, shall be submitted to, 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. Confirmation that existing overland flow routes and watercourses are maintained without any detriment in capacity.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- g. Details of the watercourse crossings
- h. Details of potential watercourse realignment
- i. finished flood levels for all dwellings within the development.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

10. SuDS Scheme Prior to commencement, details of the maintenance and management of the sustainable drainage scheme approved by condition 9 shall be submitted to and approved in writing by the local planning authority. Those details shall include a timetable for its implementation, and a management and maintenance plan, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The sustainable drainage system shall be managed and maintained in accordance with the approved details for the lifetime of the development.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the

commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

11. Foul Drainage Prior to commencement, a scheme for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the local planning authority in consultation with Southern Water. This shall include a timetable for implementation and details of the measures which will be undertaken to protect the public sewers and shall be carried out in accordance with the approved scheme.

REASON: To ensure satisfactory disposal of foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

12. Archaeology Prior to commencement, the developer shall secure the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the site to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Prior to commencement, the developer shall secure the implementation of a programme of archaeological mitigation based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Following completion of archaeological fieldwork, a report will be produced in accordance with the approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing

post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: It is considered that the area is of archaeological interest and should be protected from damage due to development work. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

13. Arboriculture Prior to commencement, a detailed Arboricultural Impact Assessment and Tree Protection Method Statement shall be submitted to and approved in writing by the local planning authority. The arboricultural works must be carried out in accordance with the approved details and may only be fully discharged on the subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

14. Contamination Prior to commencement, the developer shall submit to the LPA for approval, an intrusive site investigation and an assessment of the risks posed to human health, the building fabric and the wider environment including water resources.

The site investigation shall not take place until the requirements of the LPA have been fully established. This should be submitted to and approved in writing by the LPA.

Where the site investigation and risk assessment reveals a risk to receptors, a strategy of remedial measures and detailed method statements to address identified risks shall be submitted to and approved in writing by the LPA, including the nomination of a competent person (to be agreed with the LPA) to oversee the implementation of the measures.

REASON: To ensure that any contamination of the site is properly taken into account before development takes place. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site to ensure adequate mitigation against land contamination on human health.

15. Remediation Prior to occupation, if remediation measures are identified in condition 14, the agreed scheme of remedial measures shall be fully implemented. Remedial measures shall be validated in writing by an independent competent person as agreed with the LPA, and shall include photographic evidence and as built drawings where required by the LPA. The requirements of the LPA shall be agreed in advance.

Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed with the LPA. The remediation shall be fully implemented and validated in writing by an independent competent person as agreed with the LPA.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

16. **Noise Mitigation** No dwelling shall be first occupied until noise mitigation has been carried out in accordance with the principles established in the approved Noise Report, Illustrative Section of the Eastern Boundary (ref. BRS.4989_52_2) and Illustrative Section of the Southern Boundary (ref. BRS.4989_53). The scheme shall include the timetable for constructing the acoustic fence and how it will be maintained for the lifetime of the development. The scheme shall be carried out as approved.

REASON: To prevent avoidable disturbance to residents from noise.

17. **CEMP** No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:

- a. the parking of vehicles of site operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e. wheel washing facilities;
- f. measures to control the emission of dust and dirt during construction;
- g. delivery and construction working hours; and
- h. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use.
- i. a scheme of work detailing the extent and type of piling proposed.

The approved CEMP shall be adhered to throughout the construction period for the development.

REASON: In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

18. Sustainability Provision shall be made for at least 1 electric vehicle (EV) 'rapid charge' point per 10 residential dwellings.

REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.

19. Sustainability All dwellings must be designed with water efficiency measures to seek to meet the government's optional standards requirement of no more than 110 litres per person per day usage.

REASON: In the interests of preserving water quality and resources

20. Linking No development shall commence on site until a scheme for the provision of pedestrian/cycle infrastructure necessary to facilitate safe and convenient access from the site subject of planning permission (P/18/1118/OA) and onward connections at Woodcote Lane, including a programme for its implementation, has been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.*

REASON: In order to secure appropriate means of pedestrian/cycle access to local facilities and services from related development.

21. Brookers Lane No development shall commence on site until a scheme for improved pedestrian access on the public right of way known as Brookers Lane to the extent between the eastern side of the pedestrian crossing of the B3385 (Newgate Lane East) and the gateway adjoining no.61 The Drive, Gosport, has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved scheme has been implemented in full.

REASON: In order to secure improvements where required to existing pedestrian/cycle links.

Alternative Provision

* In the event that permission is granted in respect of the Newgate Lane South site only, Condition 20 should be amended as follows:

20. Linking No development shall commence on site until a scheme for the provision of pedestrian/cycle infrastructure necessary to facilitate safe and convenient access from the site and onward connections at Woodcote Lane, including a programme for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

REASON: In order to secure appropriate means of pedestrian/cycle access to local facilities and services.

NB. Highlighted text indicates that not agreed through the submitted SoCGs