

To:
Mrs S Stephen
Barton Willmore
7 Soho Square
London
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For: XLB Property Ltd

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Grant of Outline Planning Permission**

Application Number: APP/22/00172

Site Address: Langstone Technology Park, 2B Langstone Road, Havant, PO9 1SA

Proposal: Outline Planning Application for Phased demolition of existing buildings and the erection of new flexible use employment floorspace (Use Classes E(g)(i)-(iii)/B2/B8) and ancillary uses (Use Classes E(b), E(d) and E(f)); and associated works. All matters reserved except Access.

Further to your application received on 02 March 2022 (which was valid from 10 March 2022) Havant Borough Council, as Local Planning Authority, **Grants Outline Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 Application(s) for approval of reserved matters for any phase must be made not later than the expiration of ten years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of ten years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before development first takes place on any phase - the

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appearance; landscaping; layout; and scale.

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

Site Location Plan Drawing No. 008

Planning Statement Employment-led Redevelopment Project Ref: 20638 Ref:

32283/A5/SS/PN Issue/Rev: 01 February 2022

Design and Access Statement and Principles Document Rev A

Transport Assessment Rev B 16th February 2022

Technical Note (Highways) Motion 16th June 2022

Technical Note (Highways) 05 Motion 8th September 2022

Designers Response (Highways) Motion 27th September 2022

Stage 1 Road Safety Audit Gateway TSP ref: SG/WP/2207-10 RSA1 v1.0 July 2022

Stage 1 Road Safety Audit Gateway RSE ref: SG/WP/2209-09 RSA1 v1.0 22nd September 2022

Pedestrian and Cycle Improvements Footpath 51 Widening and Signage Drawing No: 2010053-10 Rev B

Pedestrian and Cycle Improvements Footpath 51 Widening and Signage Drawing No: 2010053-11 Rev A

Framework Travel Plan Dated 17th October 2022

Walking, Cycling and Horse-Riding Assessment Report: Report No. 2010053/WCHAR01

Construction Environmental Management Plan Framework Rev 1 15th June 2022

Flood Risk Assessment & Outline Drainage Strategy Report: Report Ref: R102 Rev 5 6th January 2022

Sustainability and Energy Statement February 2022 Rev C 4th February 2022

Masterplan Noise Assessment Project Ref: PJB9272/21410/V1.1

Air Quality Assessment February 2022 Report No. 11042.S V1

Land Quality Assessment Report Reference 13023/AB/LQA Rev 3.0 February 2022

Preliminary Ecological Appraisal February 2022 Project No. 10538 Rev 1

Biodiversity Net Gain Assessment February 2022 Project No. 10538 Rev 1

Utilities Statement & Strategy Report Ref: R100 Rev A December 21

Odour Technical Note Phlorum Ref: 11042 (Od)v1.docx 16 December 2021

Heritage Statement February 2022 Report Ref: edp5537_r005b

Arboricultural Impact Assessment SJ Stephens Associates Project no: 1746 7th January 2022

The following plans/documents have been considered in the determination of this application:

Indicative Phasing Plan Drawing No: 001

Proposed Development Access Plan 002

Proposed Building Heights Drawing No: 003

Indicative Plots Drawing No: 004

Landscape Mitigation Sections Drawing No: 004

Indicative Master Plan Drawing No: 005

Indicative Master Plan (Parking annotated) Drawing No: 005 Rev A

Existing and proposed site sections Drawing No: 008 Rev A

Proposed Site Section A-A Indicative Maximum Building Height Drawing No: 009

Proposed Section D-D Drawing No: 015

Plot A Scale and Massing

Landscape Framework Strategy Drawing No: 006

Landscape Software General Arrangement Sheet 1 of 4 Drawing No: 011

Landscape Software General Arrangement Sheet 2 of 4 Drawing No: 012
Landscape Software General Arrangement Sheet 3 of 4 Drawing No: 013
Landscape Software General Arrangement Sheet 4 of 4 Drawing No: 014
Landscape Mitigation Option 002 C
Landscape Mitigation Option SK003 B
Hollis Summary Report Reference: 92553/MAS/CBk 13 November 2020
Hollis Reinstatement cost assessment Ref: 92877/39/JT/LSS 22nd October 2020
Statement of Community Involvement begc January 2022
Economic Benefits Statement Project Ref: 32283 Issue/Rev 2 10th February 2022
Habitats Regulations Assessment Phlorum Rev 1 March 2022
Langstone Park - Floorspace Comparison 32283/A3/SS/PN

Reason: - To ensure provision of a satisfactory development.

4 The development hereby permitted shall provide a maximum of:

- 52,000 sqm GEA floorspace within use classes E(g)(i)-(iii)/B2/B8 and ancillary uses Use Classes E(b), E(d) and E(f);
- of which a maximum of 500 sqm GEA can be for ancillary uses Use Classes E(b), E(d) and E(f);

The development shall not be used for any other use class purposes within the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the development can provide for a range of business and employment opportunities, including knowledge based businesses, in accordance with policy CS2 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5 Prior to the commencement of any development hereby approved a phasing plan and schedule shall be submitted to and approved in writing by the Local Planning Authority to show how the full development of the site is to be carried out in numbered phases, and this plan and schedule shall be updated as phases are subsequently divided, subdivided or amalgamated and each updated version shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan and schedule and any updated version shall include all of the following information:

- i) The location of each phase
- ii) The quantum of the development of each phase (size of the site or floorspace of buildings)
- iii) Any elements of Sustainable Drainage (SUDS) to be provided within each phase and how these will connect to other drainage downstream or upstream of each phase with a timetable for the provision of drainage relative to each phase
- iv) The provision of access to each phase
- v) A timetable for the provision of ecological mitigation and provision of new habitat relative to each phase
- vi) A timetable for the provision and completion of landscaping areas

Development shall only be carried out in accordance with the approved phasing plan,

schedule and timetable or any approved updated version unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a co-ordinated and comprehensive form of development in which interdependent elements of the overall development are planned for and time tabled. It also allows flexibility by means of updating of these phases and time tabling as detailed plans for the site emerge. This is important in delivering a high quality and properly planned form of development having due regard to policy CS19 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Prior to the demolition of the building known as 'Building 6000', a historic building record (including a full photographic record of the exterior and interior of the building), shall be submitted to, and approved in writing by the Local Planning Authority, which shall retain the record thereafter. Original photographs suitably referenced, dated and supplemented by a key plan will be needed in fulfilment of this condition.

Reason: To serve as a record of the building in its existing state having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the demolition of the building and thus go to the heart of the planning permission.

- 7 The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment & Outline Drainage strategy Report ref:13023 / R102 rev 5.0) and the following mitigation measures it details:

- Finished floor levels shall be set at 5.90 mAOD for buildings within Zone 1 and 2 north of the link road, and 5.50 mAOD for the buildings within Zone 3B south of the link road

These mitigation measures shall be fully implemented prior to occupation in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants (workers) having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No development shall take place on site until a Framework Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority which sets the overarching construction traffic management principles the phase-specific Construction Traffic Management Plans must abide by.

Reason: To safeguard the amenities of the locality and in the interest of highway safety and having due regard to policies DM10 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dB_{Amax} – measured at the sensitive receptor) shall be avoided during the bird overwintering period (i.e. October to March inclusive) unless otherwise agreed in writing by the Local Planning Authority in consultation with Natural England. The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Reason: To avoid impacts on the SPA, SPA supporting habitat and Protected Species having due regard to policies CS11 and DM10 of the Havant Borough Local Plan, the Habitat Regulations and the National Planning Policy Framework.

- 10 Notwithstanding the submitted details no phase of the development shall be commenced (including site clearance and demolition) unless and until full details of tree protection and mitigation have been submitted to and approved in writing by the Local Planning Authority for each phase. The tree protection measures relevant to each phase shall be in place prior to commencement and retained during the course of the demolition and construction works and the works carried out in accordance with the approved details of each phase.

Reason: To ensure the retention of important trees having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No more vulnerable use class as defined in the National Planning Policy Framework shall be located in flood zone 3 or a future flood zone.

Reason: To ensure that a more vulnerable use class is not located in an area of flood risk for users having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 Prior to the commencement of development in any phase, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall be in accordance with the outline measures detailed within the Preliminary Ecological Appraisal (Phlorum, February 2022) and Biodiversity Net Gain Assessment (Phlorum, February 2022) unless otherwise agreed in writing by the local planning authority.

The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the ongoing management of all compensatory/enhancement habitat; location, type and number of all bat/bird boxes and other ecological enhancements; details of lighting. All ecological compensation/enhancement measures shall be installed/implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 13 The phased scheme shown for illustrative purposes on Drawing No. 11392-PL001 shall be built in accordance with the approved Design and Access Statement and Principles Document (Rev A) unless a further phase specific full planning application is submitted and approved by the Council in substitution for that part of the approved development.

Reason: To allow for the submission of a full planning application which would be assessed on its own planning merits having due regard to policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 The Reserved Matters stage proposed landscaping scheme for the relevant phase of development shall include details of the proposed landscaping and planting as shown on the following plans:

Landscape Mitigation Option SK002 C
Landscape Mitigation Option SK003 B

Reason: To ensure that additional planting is provided to the eastern boundary bund in the interests of providing additional screening to residential properties having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 The maximum height of buildings within any phase of the development shall not exceed those shown on Proposed Building Heights Drawing No: 003.

Reason: In the interests of the character and appearance of the area and the amenities of nearby residents having due regard to policy CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Any building(s) erected within the area annotated as Plot A on drawing No. 004 shall be sited a minimum of 4m to the west of the adjacent eastern estate road (as shown on the Indicative Master plan drawing No. 005).

Reason: To ensure an appropriate relationship to residential properties to the east and having due regard to policy CS16 and the National Planning Policy Framework.

- 17 Any building(s) erected within the area annotated as Plot C on drawing No. 004 shall be sited a minimum of 74m to the east of the eastern elevation of No.47 Brookside Road (as shown on the Indicative Master plan drawing No. 005).

Reason: To ensure an appropriate relationship to the closest residential property to the west and having due regard to policy CS16 and the National Planning Policy Framework.

- 18 The Reserved Matters applications in relation to any phase of development shall seek to ensure that the design of any units set close to nearby residential properties incorporate layout and designs that minimise potential impacts to residential amenities for example, in relation to loading bay positions, external equipment, openings, windows and lighting.

Reason: To ensure that impacts on residential amenity are minimised in accordance with policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 The Reserved Matters stage submission(s) shall demonstrate how they have incorporated the design principles set out in the Design and Access Statement and Principles Document Revision A. In particular the phased development shall seek to provide a whole site design aesthetic and provide a degree of continuity in building designs, detailing and materials.

Reason: In the interests of providing a high quality of design across the site and a campus style of development reflecting the attractiveness of the business site and the existing campus style development of Langstone Technology Park having due regard to policies CS11 and CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 Prior to first the occupation of the development hereby permitted, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall include details of the management of HGV movements to and from the site to ensure the routing of these vehicles occurs via Brookside Road.

Reason: To ensure any future occupier abides by the routing and servicing requirements agreed through the management plan in the interests of appropriate traffic management and having due regard to policies CS20 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 21 Prior to the first occupation of the development hereby permitted, a management plan for the proposed traffic barriers within the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The traffic barriers shall cap the number of vehicle movements into the site via Langstone Road to no more than 585 two-way movements between 07:30 – 09:00 in accordance with the assessment undertaken with the Transport Assessment.

Reason: In the interests of highway safety and operation having due regard to policies CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 22 Prior to the occupation of any phase of the development hereby permitted, plans detailing the signage strategy to direct HGV movements to access the site via Brookside Road shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved signage strategy shall be implemented prior to first occupation of the development and thereafter retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that HGV movements are directed to limit access from Langstone Road in the interest of traffic flow and highway safety and having due regard to policies CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 23 Prior to first occupation of the development hereby permitted, final details of the pedestrian and cycle link between Langstone Road and Footpath 51, as indicatively shown in drawing number 2010053-11 Rev B, supported by a Stage 1 Road Safety Audit, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

No phase of the development hereby approved shall be brought into use until the approved works have been implemented, and thereafter they shall be retained and maintained.

Reason: To provide cycle connectivity to the site having due regard to policies CS19 and CS20 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 Construction Environmental Management Plan:

Prior to the commencement of development in each phase (including demolition) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The CEMP shall include, but not be limited to, the following:

In relation to the impact on the strategic road network and environmental impacts

Construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

- Construction Traffic Management Plan (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from demolition and/or construction so as to avoid undue interference with the operation of the public

highway, particularly during the Monday-Friday AM Peak (0800-0900) and PM Peak (1630-1800) periods);

- an estimate of the daily movement of the construction traffic;
- the hours of construction work and deliveries;
- area(s) for the parking of vehicles of site operatives and visitors;
- area(s) for the loading and unloading of plant and materials;
- area(s) for the storage of plant and materials used in constructing the development;
- details of waste management arrangements;
- consideration of emissions to air, water and land. Including noise & vibration, dust, general discharges and appropriate mitigation strategies;
- the storage of materials and construction waste, including waste recycling where possible;
- Risk Assessments and Method Statements for the works; and
- contact details of personnel responsible for the construction works.

In relation to minerals recovery:

A statement providing the following:

- i. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use;
- and,
- ii. a method to record the quantity of recovered mineral (re-use on site or off site) and to report this data to the Local Planning Authority in consultation with the Minerals Planning Authority.

In relation to steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent Chichester and Langstone Harbours SPA, Ramsar and the Spas functional land:

- Noise/visual/vibrational impacts
- Visual screening (for SPA birds)
- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into designated sites
- Waste disposal.

All measures forming part of the approved CEMP for each phase of development including demolition shall be implemented in full through the course of development operations within that phase.

Reason: To mitigate any adverse impact from the development on the A27 and to ensure that the A27 continue to be effective parts of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. To ensure that environmental impacts are controlled and where necessary mitigated including impacts on the SPA. All having due regard to policies CS11, CS15, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 Prior to the commencement of each phase of development, full details of all proposed drainage and its location relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). Each phase of development shall thereafter be undertaken in strict accordance with the approved details of each phase of development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the proposed development onto the Strategic Road Network or into any drainage system connected upstream of the Strategic Road Network. No drainage connections from any part of the development hereby

permitted may be made to any
Strategic Road Network Drainage system.

Reason: To ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety having due regard to policies CS15 and DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 Prior to the commencement of each phase of development details of measures to protect public sewers shall be submitted to and approved in writing by the Local Planning Authority. The development in each phase shall thereafter be carried out in accordance with the approved protection details.

Reason: To protect drainage infrastructure in accordance with policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 27 Prior to the commencement of each phase of development (excluding site clearance and demolition) details of the proposed means of foul sewerage disposal based on the principles set out in the Flood Risk Assessment and Outline Drainage Strategy Report, shall be submitted to, and approved in writing by, the Local Planning Authority. The development in each phase shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 28 Prior to the commencement of each phase of development a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Outline Drainage Strategy Report ref: 13023 / R102 Rev 5.0, shall be submitted and approved in writing by the Local Planning Authority.
The submitted details shall include:

a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.

b. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.

c. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.

d. Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.

e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

f. evidence to show that the proposed SuDS scheme will ensure there will be no deterioration in water quality (or changes in water quantity) in discharges from the site.

g. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development in each phase shall thereafter be carried out in accordance with the approved drainage details for that phase.

Reason: To ensure that the development ensures appropriate surface water drainage and does not increase flood risk or impact water quality having due regard to policy CS15 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 29 Prior to the commencement of each phase of development the condition of the existing sewers, which will take surface water from the development site, shall be investigated. If necessary, improvement to their condition as reparation, remediation, restitution or replacement shall be undertaken before any connection is made. Evidence of this, including photographs shall be submitted to and approved in writing by the Local Planning Authority. If necessary, evidence that the asset owners have agreed to the principle of connection/reusing existing connections and discharge rates, shall be submitted before any connection is made.

Reason: To ensure that the development ensures appropriate surface water drainage and does not increase flood risk having due regard to policy CS15 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 30 Prior to the commencement of each phase of development hereby approved (other than any above ground site clearance, demolition of above-ground structures, or consequential works for the purpose of ensuring structural stability of retained construction-), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority for that phase.

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

1) Site investigation appropriate to both the previous & approved uses of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.

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

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

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

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

Reason: To ensure that the development does not contribute to-, is not put at unacceptable risk from- nor is adversely affected by-, unacceptable levels of contamination. This condition is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework 2021. Prior investigations suggest that soil contamination may be present within previously un-investigated areas of the site that could pose a risk to controlled waters, buildings & services, and/or future occupants.

- 31 Prior to the commencement of each phase of development (excluding site clearance and demolition), details for the on site provision of cycle storage facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved cycle parking shall be provided on site and made available for use prior to the occupation of each phase of development, and shall thereafter be retained at all times.

Reason: To ensure the adequate provision of on site facilities for cyclists, to provide non-car based travel in the interests of sustainability and having due regard to policies DM11 and DM14 of the Havant Borough Local (Core Strategy) 2011 and the National Planning Policy Framework.

- 32 Prior to the commencement of each phase of the development full details of the car parking proposed for that phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved parking shall be provided for each phase of the development prior to the occupation of the units within the phase, and shall thereafter be retained at all times.

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.

- 33 Prior to the commencement of each phase of the development details of the Ecological Mitigation, Compensation and Enhancement Strategy requirements secured under condition 12 and how they relate to the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority for that phase.

All ecological compensation/enhancement measures for the relevant phase shall be installed/implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 34 Prior to the commencement of development in each phase (excluding site clearance and demolition), details of sustainable features such as Green Roofs, Photovoltaic cells and heat pumps for that phase shall be submitted to and approved in writing by the Local Planning Authority for that phase. The approved features shall be provided on site prior to the buildings in that phase being brought into use and thereafter retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and in the interests of sustainability having due regard to policy CS14 of Havant Borough Local Plan and the National Planning Policy Framework.

- 35 Prior to the commencement of development in each phase (excluding site clearance and demolition), written documentary evidence demonstrating that the development will achieve at minimum 'Excellent' against the BREEAM Standard (or equivalent if not available), in the form of a design stage assessment, shall be submitted to and agreed in writing by the Local Planning Authority for that phase. The development in that phase shall be carried out in accordance with the approved details.
Reason: To ensure the development contributes to sustainable construction having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 36 Prior to the commencement of each phase of the development details of lighting proposed for that phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be designed to avoid light spill beyond the site and to protect ecology. The lighting subsequently installed shall accord with the approved details and no other lighting shall be installed on site unless otherwise agreed in writing by the Local Planning Authority.
Reason: To avoid light pollution and impacts on ecology having due regard to policies CS11, CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 37 No development shall take place on each phase of the development (excluding site clearance and demolition) until details of existing and finished floor and site levels for that phase relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: To ensure that the development has an acceptable appearance in terms of the visual amenities of the area and residential amenities having due regard to policies CS11 and CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 38 With the exception of demolition work and temporary works, no development hereby permitted shall commence within each phase until a specification of the materials to be used within that phase 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 permitted within that phase shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 39 Notwithstanding any description of materials in the application no above ground construction works shall take place within each phase until samples and a full specification of the materials to be used externally on the buildings within that phase 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 for that phase shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 40 Details for the long-term maintenance arrangements for the surface water drainage system for each phase of the development shall be submitted to and approved in

writing by the Local Planning Authority prior to the development being brought into use on that phase. The submitted details shall include;

- a) Specification of the responsibilities of each party for the implementation of the SuDS scheme;
- b) Specification of a timetable for implementation;
- c) Maintenance schedules for each drainage feature type and ownership;
- d) Details of protection measures;
- e) A management and maintenance plan for the lifetime of the development.
- f) SuDS funding arrangements.

The maintenance and other arrangements shall thereafter be in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- 41 Hard standing areas including yards, roads and parking areas in each phase shall not be brought into use unless and until details of oil/petrol interceptors for surface water drainage have been submitted to and approved in writing by the Local Planning Authority for each phase. The approved details shall be provided on site in each phase prior to the areas being brought into use and thereafter retained and maintained in accordance with the approved details.

Reason: In the interests of protecting the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 42 Prior to the occupation/use of each phase of the permitted development, any verification report required in accordance with condition 30 shall be submitted to and approved in writing by the Local Planning Authority for that phase. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers, and contingency actions (a “long-term monitoring and maintenance plan”).

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the development does not contribute to-, is not put at unacceptable risk from- nor is adversely affected by-, unacceptable levels of contamination. This condition is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework 2021. Prior investigations suggest that soil contamination may be present within previously un-investigated areas of the site that could pose a risk to controlled waters, buildings & services, and/or future occupants.

- 43 Each phase of the development shall not be brought into use unless and until details of the provision of Electric Vehicle (EV) charging points have been submitted to and approved in writing by the Local Planning Authority for that phase.

Unless otherwise agreed in writing by the Local Planning Authority, the EV charging points shall be provided on the basis of a minimum of 10% of parking spaces and with a minimum of 20% of parking spaces passively equipped.

The charging points shall be installed prior to use of the associated building phase being brought into use and thereafter retained and maintained in accordance with the approved details.

Reason: In the interests of sustainability and air quality having due regard to policies CS14 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 44 The external sound level emitted from plant, machinery or equipment in any phase of the development shall be equal or lower than the representative background sound level, with noise levels assessed (if necessary) in accordance with BS 4142:2014+A1:2019 at the nearest and/or most affected noise sensitive premises.

Reason: In the interests of the amenities of nearby residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 45 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed in each phase of the development until and unless details of the external appearance and acoustic and odour prevention performance of the same have been submitted to and approved in writing by the Local Planning Authority for that phase.

Any plant, machinery or structures required for ventilation or filtration purposes shall be provided and maintained in accordance with the approved details.

Reason: To protect the residential amenities of nearby residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 46 Within 6 months of each phase of the development first becoming occupied (or such other date as may be agreed in writing by the Local Planning Authority), written documentary evidence proving that the development has achieved at minimum Excellent against the BREEAM Standard (or equivalent if not available) in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval for that phase.

Reason: To ensure the development contributes to sustainable construction having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.

- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development Service at the Civic Offices or by telephoning 023 9244 6015.
- (4) Your attention is drawn to the provisions of Section 12 of the Hampshire Act 1983, relating to access for the Fire Brigade. A copy of the Act may be inspected at the Planning and Development Reception at the Civic Offices.
- (5) Before undertaking any work which affects a public highway (including a footpath) you must obtain specific written approval from the Head of Technical Services, Havant Borough Council, Civic Offices, Civic Centre Road, Havant PO9 2AX (tel. no (023)9244 6428/9). This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or the construction of new boundary walls and foundations immediately alongside the public highway.
- (6) You are advised that consent may be required from Southern Water Services Ltd to build in the vicinity of public sewer. You can inspect a copy of the Southern Water Services Maps of public sewers, which are held by Technical Services at the Civic Offices to determine the proximity of any public sewer to the proposed development. If you are in any doubt or need information regarding the procedure for obtaining consent from Southern Water Services Ltd, you should seek further advice from the Development Control Manager, Southern Water Services Ltd (01962 714585).

(1) Southern Gas Networks - Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete

and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work

<https://www.sgn.co.uk/damage-prevention>

- Further information can also be found here

<https://www.sgn.co.uk/help-and-advice/digging-safely>

- (2) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

- (3) The applicant is advised of the following comments from Environmental Health which will guide the submission of details in relation to condition 36:

The applicant must assess the impact of any artificial light proposed as part of this development on the future use and indeed, the neighbouring properties within proximity. It is required to establish the impact of lighting on the surrounding environment that details are provided of any artificial lighting of the site and an artificial lighting impact assessment is undertaken with predicted lighting levels at proposed. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The artificial lighting impact assessment will be required to establish lighting during pre and post curfew, in accordance with the ILP guidance notes. The assessment of light intrusion into windows as vertical lux levels is required. A common software assessment technique of this is "The outdoor site lighting performance method (OSP)". This software provides a transparent "shoebox" surrounding the development. It has vertical sides at the boundary above the highest mounted luminaire in the installation or the highest point of the property illuminated. By identifying the location and magnitude of the maximum illuminances on the vertical surfaces of the shoebox, the potential for light trespass can be established.

- (4) The following comments have been received from Environmental Health in relation to conditions 30 and 42:

Conditions numbered [30] & [42] omit any strict requirement for a desk-based assessment. This omission in the interests of flexibility, and to avoid any requirement for repetition of assessment work within subsequent development phases. However, given the scale of buildings to be demolished, the design of the required intrusive investigations may be helpfully informed by the existing body of investigatory work, alongside a phase-specific site walkover/building inspection prior to demolition, & research into previous business operations. It is also recommended

that phase specific risk assessments consider relevant results from previous investigations, where these might be material to the site conceptual model &/or any specific source pathway-target linkage (whether or not those results fall within the red-line area for that phase). The Council does not expect repetition of work in future phases where risks to common receptors have been adequately addressed in prior development phases – it will be acceptable to refer to previously approved documentation in support of discharging reserved matters conditions. This may apply to both investigation & assessment reports, or to remediation & risk mitigation provisions.

Alex Robinson

Alex Robinson
Executive Head of Place

22 December 2023

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at:** <https://www.gov.uk/appeal-householder-planning-decision> for householder applications; <https://www.gov.uk/appeal-planning-decision> for full applications; <https://www.gov.uk/planning-inspectorate> for anything else.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Our Ref: APP/22/00172

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571

Southern Gas advisory note

In June 2021 SGN issued a comprehensive advisory note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone: 0800 912 1722 / Email: plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work
<https://www.sgn.co.uk/damage-prevention>
- Further information can also be found here
<https://www.sgn.co.uk/help-and-advice/digging-safely>

SGN personnel will contact you accordingly.