

Mr Johnson
Spa Creators
The Studio
9 Courtenay Drive
Emmer Green
Reading RG4 8XH

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

Application Number: APP/20/00485

Site Address: The Langstone Hotel, Northney Road, Hayling Island, PO11 0NQ

Proposal: **Erection of modular clad portable building for health and wellness activities with associated re-configuration of car park. (Resubmission).**

Further to your application received on 22 June 2020, which was valid from 01 July 2020, Havant Borough Council, as Local Planning Authority **Grants 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 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:

Location Plan on LPA website dated 24 Jun 2020
Block Plan on LPA website dated 24 June 2020
Planning Submission Feedback responses by SPA Creators dated 08/02/21

Flood Risk Assessment (FRA) by SPA Creators dated 19th June 2020 as amended by email dated 27th August 2020 confirming finished floor levels.

Flood Risk Plan Drawing number LQPSP_FR dated 17/12/20

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Landscape Plan Drawing number LQPSP_LAN dated 17/12/20

Outline Dimensions Plan Drawing number LQPSP_OD dated 17/12/20

Topographic Survey Drawing number LQPSP_TOPG dated 13/01/21

Satellite View Drawing number LQPSP_SV dated 17/12/20

Front Elevation Drawing number LQPSP_FE dated 17/12/20

First Floor Plan Drawing number LQPSP_FF-Empty dated 08/02/21

First Floor Plan Drawing number LQPSP_FF dated 17/12/20

Ground Floor Plan Drawing number LQPSP_GF_Empty dated 08/02/21

Ground Floor Plan Drawing number LQPSP_GF dated 13/01/21

Left Side Elevation - Drawing number LQPSP_LSE dated 17/12/20

Rear Elevation - Drawing number LQPSP_RE dated 17/12/20

Right Side Elevation - Drawing number LQPSP_RSE dated 17/12/20

Entrance Cross Section Drawing number LQPSP_ECS dated 17/12/20

Lighting Report – Exterior by Deltalight UK Ltd project number OPP-202056560 dated 29.10.2020

Exterior Lighting report by SPA Creators dated 12th August 2020

Finishes Descriptions by SPA Creators dated 19th June 2020 on LPA website dated 24 June 2020

Reason: - To ensure provision of a satisfactory development.

- 3 The hereby approved health and wellness development shall only be open for customers or business between the hours of 09:00 and 22.30 on any day and outside these hours the internal lights shall be switched off (except for security lighting).
Reason: To minimise light pollution in the interest of dark skies and conserving the natural landscape, having due regard to policies CS11, CS12 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011; the Joint Chichester Harbour AONB SPD July 2017, and the National Planning Policy Framework.
- 4 The hereby approved development shall be carried out in strict accordance with the submitted Flood Risk Assessment ('Langstone Quays SPAShell Development Flood Risk Assessment [FRA]', ref APP/PP-08814648, dated 19th June 2020, prepared by Alistair Johnson) and the following mitigation measures it details:
 - Development will be built outside of current day Flood Zone 2 or Flood Zone 3.
 - Finished floor levels will be set no lower than 4.61 metres Above Ordnance Datum (mAOD) (as confirmed by email from Mr Alistair Johnson dated 27th August 2020).
 - As per the void management plan; the void under the structure will remain clear of any obstructions and this will be maintained at all times. A full maintenance and operations manual will be provided to the operator with the guidance on maintaining a clear void to be included.

These mitigation measures shall be fully implemented prior to the building first being used, and subsequently 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 ensure that floor levels are appropriate in order to reduce the flood risk to future occupants having due regard to Planning Practice Guidance to the National

- 5 No percussive piling, or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) shall be undertaken on site within the bird over wintering period, from 1st October to 31st March inclusive. The sensitive receptor is the nearest point of the SPA and SINC or any SPA/SINC supporting habitat (e.g. high tide roosting site).
Reason: To protect the habitats of the adjacent SPA, SSSI and SAC in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) March 2011.
- 6 No development shall take place until a Construction Environmental Management Plan (CEMP) specifying/addressing the following matters have been submitted to and approved in writing by the Local Planning Authority, in consultation with the County Ecologist and Natural England:
- (i) Details of measures to avoid harm to adjacent internationally, nationally and locally designated sites, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP, including:
 - (ii) Noise/visual/vibrational impacts
 - (iii) Visual screening (for SPA birds)
 - (iv) Storage of construction materials/chemicals and equipment
 - (v) Chemical and/or fuel run-off from construction into nearby watercourse(s)
 - (vi) Waste disposal
- Thereafter, throughout such site clearance and implementation of the development, the CEMP shall be adhered to at all times unless otherwise first agreed in writing with the Local Planning Authority.
Reason: To protect the European wildlife and nature conservation sites of the locality, in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 7 Within one month of the hereby approved modular building arriving on site, details of the planting for the hereby approved green roof areas shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the County Ecologist. To be appropriate to the coastal locality a shingle, gravel or porous rubble based vegetation system of native/naturalised perennial and annual grass and herbaceous species is recommended. The details to be submitted shall include specification of the plant species, sizes and numbers, method of installation i.e. mat or tray or blanket system; details of timing of installation; and a landscape maintenance management plan for a minimum of 5 years. The green roof planting shall be implemented in accordance with the approved details within 6 months of the modular buildings arriving on site or other timing as agreed in the submission. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve biodiversity net gain and an enhancement of local habitats, and an appropriate long term landscaping scheme for the roof in this sensitive environment, having regard to policies CS11 and DM8 of the Havant Borough Core Strategy 2011 and the NPPF.
- 8 The hard and soft landscaping works, including lighting, shown on the approved plans [Landscape Plan Drawing number LQPSP_LAN dated 17/12/20] shall be carried out in accordance with the approved details and within the first planting season following the first use of the development hereby permitted, unless alternative

timing is otherwise agreed in writing with the Local Planning Authority. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The external materials used shall be as indicated in the submitted documents and approved plans unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of the amenities of the area and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The re-configured car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be implemented and 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 DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 All glazed surfaces (windows, doors, balustrades) shall be fitted with tinted and/or non-reflective surface and maintained as such in perpetuity.

Reason: To mitigate against excessive reflective glare in this sensitive harbour side location, to protect the landscape setting of the AONB having regard to policy CS12 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 6571.
- (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 Plaza or by telephoning 023 9244 6015.
- (4) A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which

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has now been published and is available to read on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The disposal of surface water from this development shall follow the hierarchy within Part H3 of Building Regulations

- (5) You are advised of the need for an Environmental Permit in addition to planning permission. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- (6) You are advised to sign up to the Environment Agency's flood warning system: you should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>.

- (7) 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 were updated about issues after the initial site visit, additional information and amended plans requested and forthcoming, making your proposal acceptable.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

12 February 2021

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/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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.](#)

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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