

Mr Donohue
Southern Planning Practice
Youngs Yard
Churchfields
Twyford
Winchester SO21 1NN

For: Mr and Mr Shepheard and Savage

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

Application Number: APP/19/00324

Site Address: 5-7 Station Road, Hayling Island

Proposal: Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store.

Further to your application received on 21 March 2019, which was valid from 12 April 2019, 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:

Plans

Site Location & Block Plan 5531 1100 E
Proposed Ground Floor Layout 5531 1200 R
Proposed First & Second Floor Plan 5531 1201 N
Proposed North & South Elevations 5531 1300 G
Proposed North & South Elevations 5531 1310 B
Proposed East & West Elevations 5531 1301 J

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Drainage

Existing Site Runoff Calculations revB
Proposed Site Runoff and Tank Design Calculations revC
New Storm Water Pipework Size Check
Drainage Assessment Report dated 07/05/20
Drainage General Arrangement ref: 414406-100P7

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall not be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste efficiency calculation must be installed before first occupation and retained thereafter;
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

- 4 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:
- (a) A programme of and phasing of demolition and construction work;
 - (b) The provision of long term facilities for contractor parking;
 - (c) The arrangements for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;
 - (e) Access and egress for plant and machinery;
 - (f) Provision of pedestrian and vehicular routes to the adjacent commercial premises during construction;

- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
- (h) Details of all proposed external lighting to be used during demolition, excavation, clearance and construction works and the measures used to limit the disturbance to any nearby properties, to be provided. Lighting shall be used only for security and safety; and
- (i) Details of measures to be employed to control the emission of noise during demolition, excavation, clearance and construction. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites - Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria.

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

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and in the interests of the operations of the adjacent commercial premises and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), 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.

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

- 1) An intrusive site investigation based on the proposals outlined within the GCC Ground Condition Desk Top Study Ref: J19-005-R01; 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 all identified receptors, including those off site;
- 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 in the Remediation Strategy (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 Authority.

Reason: Having due regard to Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site, or contamination-sensitive receptors in the immediate vicinity.

- 6 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 5 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. 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: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2011, contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site, or contamination-sensitive receptors in the immediate vicinity.

- 7 No development shall begin until a detailed surface water drainage scheme for the site, based on the principles outlined under planning reference APP/19/00324, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- a. A technical summary highlighting any changes to the design from that within the approved documentation submitted under APP/19/00324;
- 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; and
- d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall thereafter be carried strictly in accordance with the approved scheme.

Reason: To safeguard the amenities of the locality and ensure that all drainage provision is constructed to an appropriate standard and quality and having due regard to Policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include maintenance schedules for each drainage feature type and ownership.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is maintained to an appropriate standard and quality and having due regard to Policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the

materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 10 No above ground construction works shall take place until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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

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

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

- 12 No above ground construction works shall take place until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

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

- 13 No above ground development shall take place until a scheme for the external lighting of the development has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby properties, on and off site, from light disturbance / nuisance, and in order to provide for the safety and security of residents and visitors in accordance with Policies CS8, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 No above ground development shall take place until a scheme for the provision of CCTV covering the development has been submitted to and approved in writing by the Local Planning Authority. The approved CCTV scheme shall be implemented in accordance with the approved details prior to the occupation of the development, and shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: In order to provide for the safety and security of residents and visitors in accordance with Policies CS8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No above ground development shall take place until a scheme for the provision of EV charging points covering the development has been submitted to and approved in writing by the Local Planning Authority. The approved EV charging point scheme shall be implemented in accordance with the approved details prior to the occupation of the development, and shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: In order to provide for more sustainable modes of transport in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Pre-submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

- 16 No dwelling shall be occupied until:

(i) a scheme of acoustic mitigation measures has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings will achieve and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms; and for traditional external areas that are used for personal amenity space, such as gardens, patios and balconies, that the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments; and

(ii) The approved measures have been installed and demonstrated through post validation testing to determine compliance with the approved acoustic performance levels.

The mitigation measures shall thereafter be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the dwellings hereby approved is not impacted upon by any external noise levels and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 17 The development shall not be brought into use until space for the parking and turning of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

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

- 18 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the commercial units shall only be used as Class B1(a) offices, and for no other purposes within Class B1 of the above Use Classes Order, without the prior written consent of the Local Planning Authority.

Reason: To accord with the terms of the application submitted; to ensure that the use of the commercial units is compatible with the Local Centre setting of the site; to ensure that satisfactory car parking provision is available locally for the development; and having due regard to Policies CS4, CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL3 of the Havant Borough Local Plan (Allocations) 2014, 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) 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.
- (5) With regard to Condition 5, the Council holds information in the historic planning archive relevant to the former potentially contaminating uses of the site. Relevant extracts were provided to the authors of the Ground Condition Desk Top Study under EIR reference 190125001. It is expected that the design of the Phase 2 Intrusive investigation works at the site will be based upon this information, as well as that presented within the GCC J19-005-R01 report. If a different consultant is selected for this onward work, the applicant should contact the Council to request a copy of the information held.
- (6) A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
Please read their New Connections Services Charging Arrangements documents which has now been published and is available to read on their website via the following link: <https://beta.southernwater.co.uk/infrastructure-charges>
- (7) You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site.
This is in order to protect the occupants of nearby residential properties from dust pollution.
- (8) You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08:00 - 13.00.
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
- (9) You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.
This is in order to protect the occupants of nearby residential properties from smoke pollution.
- (10) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 10th February 2021 which requires:
- (i) A £3000 contribution to Hampshire County Council (Highways Authority) to go towards an additional pedestrian crossing point on Manor Road;
 - (ii) A £5000 contribution to Havant Borough Council (Traffic Team) to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development; together with a sum not exceeding £2000 for the implementation and administration of said TRO;
 - (iii) A Solent Recreation Mitigation Strategy contribution of £9,613.70; and
 - (iv) Monitoring fees

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

11 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.](#)

Our Ref: APP/19/00324

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