

Mr Jay
The Planning Service
134 North Lane
Clanfield
Waterlooville
PO8 0RL

For: Mr Madgwick
B.M Scaffolding

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

Application Number: APP/20/00533

Site Address: B.M Scaffolding, Brockhampton Road, Havant, PO9 1JU

Proposal: Proposed demolition of existing industrial unit in favour of a new replacement unit for B1, B2 and B8 use

Further to your application received on 07 July 2020, which was valid from 10 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:

Proposed Location & Site Plan Drawing Number P001 V6. dated 22/01/2021
Site Investigation & Building Positioning with below Ground Assets Drawing Number P002 V6.1 dated 07/12/2020
Proposed Elevations Drawing Number P003 V6.1 dated 07/12/2020
Proposed Perspectives Drawing Number P004 V6.1 dated 07/12/2020
Proposed Floor & Roof Plans Drawing Number P005 V6.1 dated 07/12/2020

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Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (Use Classes) Order 2020, or any other Town and Country Planning (General Permitted Development) Order, the premises shall only be used for Class B2 (industrial), Class B8 (storage and distribution) and Class B1 (a), (b), (c) (offices and research and development) of the 1987 Order and for no other purposes within Class E of the 2020 Order.

Reason: The location of the site is not necessarily suitable for other Class E uses without appropriate assessment of their impacts on amenity, highway safety, free flow of traffic etc, and having due regard to Policies CS2, CS16 and DM3 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The proposed works shall be carried out in strict and full accordance with the Arboricultural Method Statement by Arbetch dated 17 December 2020; Arboricultural Impact Assessment Drawing No. AIA 01 dated Dec 2020; and Tree Protection Plan Drawing No. TPP 01 dated Dec 2020.

Reason: To ensure the highway trees are not adversely affected by the construction of the development and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 5 No development shall take place until a Construction Method Statement specifying/addressing the following matters have been submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England and the Council's Arboriculturalist:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

(iii) Details of construction method with regards to any craneage of roof trusses/roof panels and measures to ensure no encroachment or danger of over spilling onto the A27 highway embankment or damage to trees.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To mitigate any adverse impact from the development on the trees and A27 and to maintain road safety, having due regard to policies CS11, DM8 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework and section 10 of the Highways Act 1980.

- 6 No development hereby permitted shall commence until plans and particulars specifying the layout, depth, capacity and connections of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Drainage shall have due regard to pollution risks. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or in to any drainage system connected to the Strategic Road Network. No drainage connections from any, part of development hereby permitted may be made to any Strategic Road Network drainage systems.

Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority and thereafter retained in accordance with the agreed specification.

Reason: To safeguard the amenities of the locality, environmental quality, and to mitigate any adverse impact on the A27 to ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, and policies and proposals CS16, DM10 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Prior to the installation of any external lighting anywhere on the site, full details of the lighting and its location shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). Such details shall include height and direction of lamp, bulb details, light spread and spillage. The development shall thereafter be undertaken in strict accordance with the approved details prior to any lighting being first switched on, and retained in accordance with the agreed specification.

Reason: To mitigate any adverse impact from the development on the A27. 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 and policies and proposals CS16, DM10 and DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development shall be carried out in full accordance with the submitted Flood Risk Assessment by STM Environmental version No. 2 dated 26/08/2020 and the following mitigation measures it details:
- [14.2.1] Finished Floor Levels: Finished floor levels shall be set no lower than 5.3 metres above Ordnance Datum (AOD)
 - [14.2.2] Flood displacement storage: Compensatory storage shall be provided through use of under floor voids.
 - [14.2.2] All development within Flood Zone 3 must not result in a net loss of flood storage capacity
 - [14.2.2] Maintenance and clearance of the underfloor voids should be undertaken regularly to assure the effective use of the underfloor as flood storage

These mitigation measures shall be fully implemented prior to occupation 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 flood risk mitigation is adequate in order to reduce the flood risk to future occupiers having due regard to Planning Practice Guidance to the National Planning Policy Framework and policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 Prior to the commencement of any specific phase of development approved by this planning permission (or such 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 shall be undertaken by competent persons, and the findings presented as a written report.

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

- 1) A site walk-over survey &/or sufficient desk-based research to identify;
 - All relevant previous uses of the site,
 - Potentially significant features and contaminants associated with those uses
 - Uncertainties relating to previous use or associated potential contaminants
 - A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
 - A summary of potentially unacceptable risks arising from contamination at the site.
- 2) Site investigation based on (1), 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 receptors that may be affected, including those off site.
- 3) The results of an appropriate risk assessment based upon (1) & (2), 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.
- 4) 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 Authority .

Reason: Contamination may be present at the site as a result previous land uses, activities and/or demolitions that could pose a risk to controlled waters, groundworks personnel, or future occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 10 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 9 shall be submitted to and approved in writing by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. 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: Contamination may be present at the site as a result previous land uses, activities and/or demolitions that could pose a risk to controlled waters, groundworks personnel, or future occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework .

- 11 The car parking, servicing and other vehicular access arrangements; the cycle racks; and refuse bins and refuse storage area shown on the approved plans to serve the development hereby permitted shall be fully provided, laid and marked out and made 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.

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) You are advised of the presence of a Gas mains along the northern and eastern

boundaries of the site. It is essential that you comply with the restrictions detailed in SGN's document SGN/WI/SW2 in order to protect their equipment and for the safety of your own operatives. A SGN representative must be contacted before any works commence.

- (5) You are advised that as the development will take place within 8m of a Statutory Main River the works will need a Flood Risk Activity Permit. You should contact the Environment Agency with this regard by visiting <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contacting the National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm).
- With respect to the flood storage compensation the EA advise that this must be addressed in detail through the Flood Risk Activity Permitting Process and they would expect to see precise calculations detailing that there will be no net loss of flood storage.
- With regards to the voids, for these to be considered an acceptable form of compensation it is important that the conditioned reference to the regular maintenance and clearance of the voids is sustained throughout the lifetime of the development. Failure to do so would make the void's redundant and increase flood risk to people and property elsewhere.
- The Applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and you are advised to consult with the EA at the earliest opportunity.

- (6) 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 details requested and forthcoming, making your proposal acceptable.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

22 January 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