

Mrs Fellows
Luken Beck
Ground Floor
30 Carlton Crescent
Southampton
SO15 2EW

For: Mr Hooper
Kingsbridge Estates Ltd Pension Scheme

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

Application Number: APP/19/00660

Site Address: 38 New Lane, Havant, PO9 2ND

Proposal: Demolition of existing industrial buildings and erection of 2No industrial buildings (comprising 12No individual units) within B1, B2 and B8 use classes together with ancillary office use, landscaping, car and cycle parking and access.

Further to your application received on 03 July 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:
LOCATION_PLAN-1182009
PROPOSED_BLOCK_18041-HNW-ZZ-ZZ-DR-A-2115
PROPOSED UNITS 7-12 - 18041-HNW-ZZ-ZZ-DR-A-2203
PROPOSED UNITS 1-6 - 18041-HNW-ZZ-ZZ-DR-A-2202
AMENDED PROPOSED UNITS ELEVATIONS - 18041-HNW-ZZ-ZZ-DR-A-2330 REV B
AMENDED PROPOSED SECTIONS 18041-HNW-ZZ-ZZ-DR-A-2322 REV B
LANDSCAPE GENERAL ARRANGEMENT DRAWING- LLD1619-LAN-DWG-100 REV 01
SOFT LANDSCAPE LAYOUT - LLD1619-LAN-DWG-200 REV 01
DETAILED PLANT SCHEDULE AND SPECIFICATION- LLD1619-LAN-SCH-001
TREE RETENTION AND PROTECTION PLAN - LLD1619-ARB-DWG-002 REV 02
Reason: - To ensure provision of a satisfactory development.
- 3 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity 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. 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 Local Planning Authority in consultation with Southern Water.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Flood Authority and Southern Water, in consultation with the Local Planning Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 The work shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan
Reason: To safeguard the continued health and presence of the retained trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 No installation of any plant or equipment shall take place at the rear of or on the roof of any units facing onto New Lane, until an acoustic assessment to show that the rating level of such plant & equipment, as part of this development, will be at least 5 dB below the existing background levels, has been submitted to and been approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant / engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.
Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring

properties including nearby residential receptors and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The contamination 'watching brief' referred to at section 7.5 of the Soil Consultants Ltd. Report No. 10383/OT(rev1) 20/06/2019 shall be observed during all groundwork operations. In the event that suspected contamination (obviously contaminated soil / groundwater, or any buried waste materials that are out of keeping with ground conditions described within the 10383/OT report) is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,
OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to site construction workers or future occupants

- 8 Prior to the use of the new access to Stanbridge Road being brought in to use the existing vehicular access points from Downley Road at the northern end of the site, New Lane to the rear of unit 5 and Stanbridge Road to the east of the proposed shall be physically and permanently closed, including the provision of full face kerbing and the highway margins reinstated accordingly.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Prior to the occupation of the first unit the areas shown on the approved plan and drawings in the Transport Assessment for the parking and manoeuvring of vehicles shall be provided and reserved for these purposes at all times.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority in consultation with Portsmouth Water, which may be given for those parts of the site where it has been demonstrated through:-

☐ ☐ a piling risk assessment undertaken by competent consultants identifying anticipated depths for each pile for the proposed development, with the piling risk assessment being shared with Portsmouth Water for consultation;

☐ ☐ Associated geotechnical site investigation that confirms the maximum depth of anticipated piles (e.g. 1m below the maximum pile depth) does not enter the Chalk that makes up the principal aquifer;

☐ ☐ Submission, approval and implementation of a piling method statement detailing how potential risks will be minimised.

That there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies within the groundwater Source Protection Zone 1c for the Bedhampton and Havant springs, a public water supply. Preferential pathways could cause contamination to migrate downwards towards the Chalk (a principal aquifer) and pollute drinking water supplies. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. 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 or in the immediate vicinity of the site as a result of both previous & current land uses (&/or activities) that could pose a risk to controlled waters.

- 11 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 building(s) 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.

- 12 The landscaping works shown on the approved plans LLD1619-LAN-SCH-001 DETAILED PLANT SCHEDULE AND SPECIFICATION shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 Notwithstanding the submitted plans no part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard 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.

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) Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public

highway. 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 other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

- (6) A formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Water's 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>.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

02 October 2019