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For: Ms Collins
MIPA Paints Ltd.

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

Application Number: APP/19/00875

Site Address: Land adj, Fulflood Road, Havant

Proposal: Variation of condition No.2 of Planning Permission APP/18/00478 relating to amendment to approved plans.

Further to your application received on 03 September 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 hereby permitted shall be carried out in accordance with the following approved plans:
The development shall be carried out in accordance with plans and details approved under planning permission reference APP/18/00478 as amended by:
Revision to Approved Plans and Elevations (Site Plan/Ground Floor Plan) Drawing No. 1853.01B
Amended Elevations Drawing No. 1853.03B
Amended First Floor Plan Drawing No. 1853.04B
Revision to Drainage Layout Drawing No. 1853.05
Reason: - To ensure provision of a satisfactory development.
- 2 The development shall take place in accordance with the Site Levels Plan information submitted in relation to planning permission reference APP/18/00478 condition No.3 and subsequently approved by the Local Planning Authority on the 27th September 2018.
Reason: To ensure the appearance of the development is satisfactory and having

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due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The refuse store and pallet store shall be provided in accordance with the details of Refuse and Pallet Store Design approved in relation to condition No.4 of planning permission APP/18/00478 on the 12th October 2018.
Reason: To ensure that they will not impact negatively on the Root Protection Area of the adjacent Alders and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.
- 4 The building shall not be brought into use until space for the loading, unloading and parking of vehicles and cycles has been provided within the site, in accordance with approved plan Drawing No. 1853.01B. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.
- 5 The development hereby approved shall be carried out in accordance with the details approved in relation to Condition 6 of Planning Permission APP/18/00474 on the 1st February 2019 in relation to Contamination issues.
Reason: The site lies over the Bognor Sand Member over London Clay, the former classified as a Secondary A Aquifer. The site also lies adjacent to the Riders Lane Stream which is a tributary to the Hermitage Stream. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk to groundwater underlying the site and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.
- 6 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation 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 to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.
- 7 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
Reason: To ensure that any contamination identified during the construction works is fully characterised and assessed and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

- 8 The development hereby permitted shall be carried out in accordance with the Surface Water disposal details submitted in relation to condition No.9 of planning permission APP/18/00478 and subsequently approved on the 1st February 2019 as amended by drawing No. 1853.05. All details shall be implemented and maintained in accordance with the previously approved details.
Reason: To ensure the appropriate management of surface water runoff to control the rate of inputs to local surface waters and to mitigate potential pollution of local surface waters. This condition is imposed having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.
- 9 Piling or any other foundation designs using penetrative methods shall be carried out in accordance with the details discharged under planning permission APP/15/01233 under condition No.9. Any alternative details in relation to 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, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, 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 and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March.
- 10 The development hereby permitted shall be carried out in relation to foul drainage in accordance with the details submitted in relation to Condition 11 of planning permission reference APP/18/00478 and subsequently approved on the 2nd October 2018.
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 Core Strategy 2011 and the National Planning Policy Framework.
- 11 The landscaping works shown on the approved plan ref. 27974-PD201 approved under planning permission reference APP/18/00478 shall be carried out in accordance with the approved details, and in accordance with details of the tree species to be submitted and approved in writing by the Authority, within the first planting season following development hereby permitted being bought into use. 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 No part of the development shall be bought into use 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 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 The external lighting shall be fully in accordance with the details submitted in relation to condition No. 14 of planning permission APP/18/00478 and subsequently approved on the 27th September 2018. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 Prior to the development hereby permitted being brought into use a Post Construction Assessment shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of 'very good' BREEAM rating, unless otherwise agreed in writing by the Local Planning Authority following the submission of details and subsequent assessment to demonstrate that this rating is not attainable due to the financial or technical viability of the scheme.

Reason: To ensure that the development is carried out in accordance with 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 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 Development Control Service at the Plaza or by telephoning 023 9244 6015.
- (1) 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:

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- You sought and were provided with pre-application advice,
 - Your application was acceptable as submitted and no further assistance was required.
- (2) You are advised that consent may be required from Southern Water to build in the vicinity of a public sewer. A formal application is required in order to service this development. If you are in any doubt or need further information about obtaining these consents, you should contact Southern Water on 0330 303 0119 or www.southernwater.co.uk.
- (3) The applicant is advised that if training activities involve the use of products containing an aggregate total of VOC exceeding 500kg within any rolling 12 month period, Havant Borough Council Environmental Health should be notified in writing. Coating processes are prescribed under 6.4 Part B b) of schedule 1-, and Schedule 14- to the Environmental Permitting Regulations 2016 (EPR '16 SI No. 1154, as amended) and may require an Environmental Permit. It is an offence to undertake a regulated activity above the prescribed threshold without a valid Environmental Permit (regulation 38). It is the duty of the operator to monitor VOC use and apply for an Environmental Permit when thresholds are likely to be exceeded; this planning consent does not confer consent for the operation of regulated activities.
- (4) If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent of the Lead Local Flood Authority is required for this work. This consent is required as a separate permission to planning. Information on consenting can be found at the following link <http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm>

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

03 December 2019