



Havant
BOROUGH COUNCIL

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Miss H Spinner
Deer View Lodge
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PO11 0QB

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015**
Prior Approval is Required and Hereby Given

Application Number: APP/18/00596

Site Address: Deer View Lodge, Copse Lane, Hayling Island, PO11 0QB

Proposal: Prior notification for change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination.

I refer to your notification on 07 June 2018, which was valid from 04 July 2018 with regard to the above proposal and write to advise you that:

PRIOR APPROVAL IS REQUIRED AND HEREBY GIVEN

You are advised that under the provisions of Part 3, Class O of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), this prior approval notice only has effect if the development is carried out in accordance with the details hereby approved; and in accordance with the following condition(s):

1. The development shall be completed within a period of 3 years starting with the date of this approval notice.
2. Prior to the commencement of development hereby approved (other than any site clearance partial demolition and consequential works for the purpose of ensuring structural stability), 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) Site investigation appropriate to both the previous & approved use of the site, 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 future occupants.
 - 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

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that the works set out in the Remediation Strategy (2) are complete, to include consideration of 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 Adopted Core Strategy [2011], DM17 of the Havant Borough Local Plan (Allocations) [2014], & the NPPF 2018; Contamination may be present at the site as a result of both previous land uses (&/or activities) at site and on adjacent land that could pose an unacceptable risk to future residential occupants.

3. Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 2 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 Adopted Core Strategy [2011], DM17 of the Havant Borough Local Plan (Allocations) [2014], & the NPPF 2018; Contamination may be present at the site as a result of both previous land uses (&/or activities) at site and on adjacent land that could pose an unacceptable risk to future residential occupants.

4. The development shall not be brought into use until a minimum of 2 parking spaces have been provided within the curtilage of the site and thereafter all of those spaces kept available for such purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. 5362 Location plan, existing and proposed floor and elevations plan

Supporting information dated 24 May 2018

Reason: - To ensure provision of a satisfactory development.

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 were updated about issues after the initial site visit

- (5) This prior approval was granted was subject to the completion of a Unilateral Undertaking to secure a contribution of £688.85 towards the Solent Recreation Mitigation Strategy, in accordance with Policy DM24 of the Allocations Plan. The requisite payment must be made prior to the commencement of the residential use, otherwise the development will no longer be lawful.

- (6) 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

- (7) 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.

- (8) 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.

- (9) You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties. This is in order to protect the occupants of nearby residential dwellings from light pollution.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

29 August 2018