



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Mr Parrish
The Planning Group Ltd
Unit D1
Pimley Barns, Pimley Manor
Sundorne Road, Shrewsbury
SY4 4SD

For: Mr Beauchamp

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

Application Number: APP/17/01243

Site Address: 208 London Road, Waterloo, PO7 7AN

Proposal: Erection of a single storey building to accommodate a nursery for a maximum number of 78 children including outside play area together with formation of car park, provision of boundary treatment and landscaping and alterations to existing pedestrian and vehicular accesses following demolition of existing house.

Further to your application received on 20 November 2017, which was valid from 21 December 2017, 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 Site Plan - 208LR 04 Rev B
Proposed Floor Plan - 208LR 11 Rev A
Travel Plan received on 24/4/18.
Proposed elevations - 208LR 21 Rev A
Proposed street frontage elevation - 208LR 22
Revised Acoustic Report - received 13/3/18
Revised Planning Statement - received 13/3/18

Reason: - To ensure provision of a satisfactory development.

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- 3 The day nursery hereby permitted shall not open to the public before 07:30 hours or remain so open after 18:00 hours on Monday to Friday. It shall not be open at all on Saturdays, Sundays or on public holidays.
Reason: To protect the amenities of nearby residential properties and having due regard to policies DM10 and CS16 of the Havant Borough Core Strategy 2011, which forms part of the Local Development Framework and the NPPF 2012.
- 4 The nursery hereby approved shall not accommodate more than 78 children at any one time.
Reason: To maintain a level of control over the intensity of the use in the interests of the amenities of neighbouring residents numbers and in the interests of highway safety and having due regard to policies DM12, DM14 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the NPPF 2012.
- 5 The use of the ground floor level of the premises hereby approved shall be used only as a day nursery, and (with the exception of a museum, library or art gallery use) shall not be used for any other purpose whatsoever including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason: In the interests of neighbouring amenities, traffic parking and to order to maintain a community facility that is a beneficial use and having due regard to policies DM2 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the NPPF 2012.
- 7 The car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully 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 DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 No above ground development shall take place until details including scaled elevations of the hereby approved bin and cycle store have been submitted and agreed in writing by the Local Planning Authority. The approved details shall remain in situ thereafter.
Reason - in the interests of the visual amenity of the site and having due regard to Policy CS16 of the Havant Borough Local Plan and the National Planning Policy Framework 2012.
- 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 and notwithstanding any assessment provided with the planning application), 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 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 in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance 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 Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future occupants of the consented dwellings.

- 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: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future occupants of the consented dwellings.

- 11 The development shall be carried out in accordance with the Noise Assessment report received on 13/3/18.

Reason - in the interests of the amenity of the local area and having due regard to Policy DM10 of the Havant Brough Local Plan 2011 and the National Planning Policy Framework 2012.

- 12 The development shall be carried out in accordance with the Travel Plan received on 24/4/18.

Reason - in the interests of the amenity of the local area and having due regard to Policy DM10 of the Havant Brough Local Plan 2011 and the National Planning Policy Framework 2012.

- 13 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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.

- 14 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials including doors and windows to be used externally on the building 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.

- 15 No development hereby permitted shall be commenced until a 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 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 16 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, acoustic fencing, 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.

- 17 The development hereby permitted shall not commence until a fully annotated plan at a scale suitable to clearly show the required level of detail in relation to the following matters has been submitted to and approved in writing by the Local Planning Authority:

1. hard surfacing material type / product reference and colour,
2. laying bond, edging or threshold detail/type

The development hereby permitted shall not be occupied until the implementation of all such hard surfacing has been completed in full accordance with that specification.

Reason: In the interests of 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 2012.

- 18 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 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.

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 186 and 187 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) 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.

- (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 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.
- (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) Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- (10) 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.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

24 May 2018