



Havant
BOROUGH COUNCIL

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Mr I McFaul
Linden Homes Southern
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Our Ref: APP/14/00600
Direct Line: (023)9244 6522
Ask For: Mrs Sally Smith
Email: planning.development@havant.gov.uk
08 December 2014

**Town and Country Planning (Development Management Procedure) (England) Order
2010
Discharge of Conditions Application**

Application Number: APP/14/00600

Site Address: Former site of Havant Retail Park, Portsdown Hill Road, Havant

Proposal: Discharge of Condition No's 2, 4, 7, 11, 15, 16 & 19 of Planning Permission
APP/13/00266.

This decision relates to your application received on 04 June 2014 which was valid from
04/06/2014, and in particular the plans and other documents submitted with your application.

**Havant Borough Council as Local Planning Authority hereby APPROVES the submitted
application as meeting the information requirements of the following Conditions of
Planning Permission APP/13/00266.**

The conditions in respect of which information has been submitted are:

2. No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.

Reason: To ensure that they are constructed to satisfactory standard and, where appropriate a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Submitted details:

Construction Details 4982:20

Drainage Construction Details 4982:21

Drainage Layout 4982:01 B

Levels Layout 4982:02A (as relevant to this condition only; not for garden areas)

Longitudinal sections 4982:10 A

Private Drainage Construction Details 4982:22

Street Lighting layout 4982:502

4. No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing 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.

Submitted details:

External Works 4982:40 B (as appropriate to APP/13/00266 layout)

7. No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure including the acoustic fence adjacent to the A3(M) and catch fences where required adjacent to the chalk faces within the site have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

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 2012.

Submitted details:

External Works 4982:40 B (as appropriate to APP/13/00266 layout)

External Works 4982:40 K (as relevant to catch fences only)

Email from I McFaul of 31 October 2014 re catch fences

External Works Close Boarded Fence & Single Brick Boundary Walls (1800mm high) PP1169 7004-01 SK02

External Works Boundary Wall with Railing/Acoustic Fence PP1169 7004-02 SK02

11. The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. 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 2012.

Submitted details:

Street Lighting layout 4982:502

15. Piling 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: In order to protect water sources as the site is located on the Portsdown Chalk that is designated as a Principal Aquifer and the north west of the site is located in the Source Protection Zone for the public water supply abstraction at Havant and Bedhampton Springs and having due regard to policies CS19 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework March 2012.

Submitted details:

Geo-Environmental letter of 29th May 2014 Ref GE9725/GR04/140529
Geo-Environmental Plan - Foundation Recommendations GE9725 fig 11 09/04/2014
Geo-Environmental Ground Investigation Report GE8756/GIR Version 1 Aug12
Geo-Environmental Supplementary Ground Investigation Report GE9752-SGIR-140425
Version 1
Addendum to Supplementary Ground Investigation Report 6 November 2014.
GE9752-GRO5/141106
Geo-Environmental Remediation Method Statement GE9752-RMS-141106 Version 1.1
Nov14

16. The development hereby permitted shall not commence until a scheme for protecting the proposed dwellings from traffic noise from the A3(M) has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

N.B. The configuration of double glazed window units shall not contain panes of equal thickness and the maximum noise level (predicted 15 years from completion of dwellings) in habitable rooms, with windows closed and other means of ventilation provided should not exceed the following:

Daytime 35 dB LAeq,16h

Night time 30 dB LAeq,8h

Reason: To safeguard the amenities of occupiers of those dwellings and having due regard to policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework March 2012.

Submitted details:

Clarke Saunders Associates Statement AS7013 Havant Retail Park of 21 March 2014
Simon Acoustic Ventilators
S Vent Slotvent

19. Immediately prior to the commencement of site clearance works, an updating badger survey shall be undertaken and the results submitted in writing to the Local Planning Authority. The applicant will undertake any necessary mitigation, compensation or enhancement measures resulting from the updating survey in accordance with an agreed timescale.

Reason: In order to provide appropriate protection and mitigation and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework 2012.

Note: Under the Protection of Badgers Act 1992, it is an offence to willfully kill or injure a badger or to intentionally or recklessly interfere with a sett. Any works which will interfere with a sett will need to be carried out under licence.

Submitted details:

WYG Havant Retail Park: Pre-Commencement Badger Survey Ref: A080628 27 May 2014
WYG Fig 1: Location of Badger Evidence A080628

Reasons for approval

The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

- (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 6573.
- (2) 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 Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)
Date: 08 December 2014