



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 J Mitchell
Lidl UK GmbH
Southampton Property Office
Lidl UK
Foxes Park
Brownhill Way, Southampton
SO16 0AW

For: Mr J Mitchell
Lidl UK GmbH

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

Application Number: APP/17/00656

Site Address: Land South of, Manor Road, Hayling Island

Proposal: **Erection of a discount foodstore with associated parking and landscaping and new vehicular and pedestrian accesses to Manor Road.**

Further to your application received on 17 June 2017, which was valid from 27 June 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:
Soft Landscape Proposals PR-011 Rev H
Preliminary Ecological Appraisal (October 2016, The Ecology Partnership)
AAJ5079 / PR-012 - Typical Tree Pit Details (RPS Group plc)
AAJ5079 - Landscape Management and Maintenance plan (RPS Group plc)
Preliminary Ecological Appraisal (The Ecology Partnership, June 2017) and
The Ecology Partnership - Solent Waders & Brent Goose Strategy addendum dated 5th June 2017
Arboricultural Assessment and Method statement - JSL2697_775A
Design and access statement
Proposed Lighting Layout DWG no. D-0 Rev: 4 dated 26/02/18

Our Ref: APP/17/00656

LiAS Design Notes & Luminaire Schedule DWG 00 Rev:4 dated 26/02/18
 Lidl updated lighting strategy dated 26/02/18
 Noise Impact Assessment - Reference: 6586/PP/pw - March 2017
 Planning Statement - June 2017
 Retail Statement - LIDW3001 - June 2017
 Ventilation and extraction statement
 Landscape and Visual Impact Assessment - by RPS - JSL2697_171 dated July 2017
 Flood Risk Assessment and SUDS report - Ref: 15045-01-FRA Revision B
 Transport Assessment - Transport Assessment Review - Technical Note JNY9067-03 dated 11 October 2017
 Travel Plan - Lidl Store, Manor Road, Hayling Island - August 2017 produced by Arcadis
 Hayling Island Travel Plan - Updates following HCC Highway comments
 Site plan - Drawing number 3671 02 Rev: X
 Proposed elevations - Drawing Number: 3671 05 Rev: N
 Surface Dressing plan- Drawing Number 3671 06 T
 Roof plan - Drawing number 3671 07 T
 Site location plan 3671 08 Rev A
 Street scene elevation - Drawing number: 3671 09
 Proposed Access Arrangement Ghost Island Right Turn Option Drawing number LIDLHAYLING.2/01

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until a Construction Traffic Management Plan plans and particulars specifying the following matters has been submitted to and approved in writing by the Local Planning Authority:
 The provision to be made within the site for:
 - (i) construction traffic access
 - (ii) the turning of delivery vehicles
 - (iii) provisions for removing mud from vehicles
 - (iv) the contractors' vehicle parking during site clearance and construction of the development;
 - (v) a material storage compound during site clearance and construction of the development.
 Thereafter, throughout such site clearance and implementation of the development, the approved construction traffic access, turning arrangements, mud removal provisions, parking provision and storage compound shall be kept available and used as such.
Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, the applicant shall secure all of the following matters in relation to potential archaeology on the site:
 - (1) No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved in writing by the Local Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist on the site. The assessment shall take the form of trial trenching within should take the form of trial trenching located within the footprint of the proposed foodstore, access roads and associated car park
 - (2) If the results of the evaluation are deemed significant by the Local Planning Authority, then a programme of archaeological mitigation of impact, based on the results of the trial trenching, shall be carried out in accordance with a further Written Scheme of Investigation that has been submitted to and approved in writing by the

Local Planning Authority prior to development taking place.

(3) Following the completion of all archaeological fieldwork, a report shall be produced in accordance with an approved programme including, where appropriate, a post-excavation assessment consisting of specialist analysis and reports together with a programme of publication and public engagement.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets, in accordance with policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 Notwithstanding the submitted details 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: In the interests of amenity and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 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 buildings 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.

- 7 All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information, including maintenance arrangements including drawing numbers:
Soft Landscape Proposals PR-011 Rev H by RPS,
Preliminary Ecological Appraisal (October 2016, The Ecology Partnership) AAJ5079 / PR-012 - Typical Tree Pit Details (RPS Group plc)
AAJ5079 - Landscape Management and Maintenance plan (RPS Group plc)
3671 06 Rev T - Surface dressing plan

The landscaping works shall be completed within the first planting season following completion of building operations / first use of the food store (whichever occurs first). Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policy CS16 of the Havant Borough Core Strategy March 2011.

- 8 Prior to the commencement of development works a detailed Ecological Mitigation and Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include, but not be restricted to: details of all details of habitat management measures; details of measures to avoid harm to protected species, including lighting; details of ecological enhancement measures for the remainder of the application site. All mitigation and enhancement features shall be permanently retained and maintained.

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS11 of the Havant Borough Core Strategy 2011.

- 9 Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan 700 Rev A and supported by the tree report reference JSL2410_775 by RPS dated 1st June 2017. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policy CS16, of the Havant Borough Core Strategy 2011.
- 10 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the numbered plan 700 Rev A and supported by the tree report reference JSL2410_775 by RPS dated 1st June 2017 prepared by Chris Chambers shall be installed. The Council's Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with Tree Protection Plan drawing number 701 (telephone 023 92 446525). No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policy CS16, of the Havant Borough Core Strategy 2011.
- 11 The development permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (24/03/2017) and the following mitigation measures detailed within the FRA:
1. The finished floor level of the retail unit is to be set no lower than 4.600m AOD as specified within Paragraph 6.1 of the FRA.
2. The car park surface is set no closer than 6.6m away from the Church Road drain watercourse, as specified within drawing 14501-01-DR01 within Appendix VII of the FRA.
3. The additional flood storage basin proposed in Paragraph 7.4 of the FRA is implemented and maintained.
The mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements within the scheme Flood Risk Assessment (FRA) (24/03/2017), unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Council Core Strategy 2011.
- 12 The store hereby permitted shall not open until such time as the highway works associated with the works to Manor Road as shown on plan Proposed Access Arrangement Ghost Island Right Turn Option - Drawing Number: JNY9067-06 Rev: B have been completed to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority. (Note: These off-site highway works are also to be secured through a Section 106 legal agreement).

Reason: To ensure that the agreed highway enhancements works are provided before the store hereby approved is opened, in order to ensure that customers have sustainable alternative modes of transport, having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The car 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.

- 14 The store hereby permitted shall not open until full details of the proposed local/public art installations, outlined on plan - Elevations as proposed 3671 05 Rev: N have been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out 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.

- 15 The store hereby permitted shall only be used for a hard discount food store. This is defined as a store which is characterised by; discounted food products and non-food ranges promoted through "weekly specials", dominance of private or "exclusive" labels, selling a limited range of products (less than 3,500 product lines which can be demonstrated through the availability of stock keeping records as requested), significantly cheaper products in terms of average price than all other multiple food retailers. No use other than a hard discount food store as outlined above shall occupy the premises unless an express planning permission for an alternative use is granted by the Local Planning Authority.

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011

- 16 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) England) Order 2015 (or any Order revoking and re-enacting that Order), the discount food store hereby approved shall only have a maximum of twenty five percent (25%) of the total floor space used for the sale of the following goods:

- i) Clothing and footwear, fashion accessories including handbags and luggage, watches and jewellery;
- ii) Pharmaceutical and personal care products (including perfumes, toiletries, spectacles and contact lenses;
- iii) Books, music records and CDs, DVDs and other recorded media; and
- iv) Toys

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

- 17 Notwithstanding the provisions of Part 7, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) order 2015 (or any Order revising, revoking and re-enacting that Order) no enlargement by way of extension, installation of a mezzanine floor or other alteration to any building the subject of this permission shall be carried out without express planning permission first being obtained.

Reason: In the interest of preserving the vitality and viability of neighbouring District Centres in accordance with the NPPF and policy CS4 of the Havant Borough Local

- 18 Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 'Very Good' against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.
- 19 Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.
Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.
- 20 The store hereby permitted shall not open until full details of the measures to ensure the safety of users of the proposed cycle storage, including CCTV, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies 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 sought and were provided with pre-application advice, and discussions took place throughout the planning application process

- (5) 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
- (6) 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.
- (7) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 7 March 2018 which requires:
 1. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
 2. S106 monitoring fee
 3. Management and maintenance plan for the lifetime of the development for SuDs and bond.
 4. A contribution in relation to traffic management
 5. Travel Plan (HCC)
 6. Highway Works (HCC) - Provision of the site access and sustainable travel improvements as shown in principle on drawing 14-018-016
 7. Delivery vehicle management plan regarding restriction of all delivery traffic from turning right in and left out of the site access.
- (8) 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.
- (9) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.

Andrew Biltcliffe

Andrew Biltcliffe

Head of Planning

08 March 2018