



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 Dowell
GVA
65 Gresham Street
London
London
EC2V 7NQ

For: Mr Lashley
Away Resorts Ltd.

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

Application Number: APP/16/01237

Site Address: Mill Rythe Holiday Village, 16 Havant Road, Hayling Island, PO11 0PB

Proposal: Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site.

Further to your application received on 30 November 2016, which was valid from 12 December 2016, 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 LAYOUT PLAN - 3877-410 REV K
HABITAT REGULATIONS ASSESSMENT: STAGE 1 SCREENING REPORT Report
No: RT-MME-123420-06-Rev C undertaken by Middlemarch Environmental

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Endoscope Bat Survey at Mill Rythe Holiday Village, Havant Road, Hayling Island - RT-MME-124714-Rev A
Preliminary Roost Assessment by Middlemarch Environmental (Ref: RT-MME-123420-02)
Preliminary Ecological Appraisal by Middlemarch Environmental (Ref: RT-MME-123420-01)
Tree Survey, Arboicultural Impact Assessment, Tree Protection Plan & Heads of Terms for the Arboricultural Method Statement by MJC Tress Services Ltd. (Ref: MJC-16-0182)
MILL RYTHER HOLIDAY VILLAGE- LANDSCAPE PLAN - 16030-CO-LP-0-01-REV-3
Site Location and Ownership Plan by A & M (Ref: 3877-300)
Existing Site Plan by A & M (Ref: 3877-110)
Proposed Site Plan by A & M (Ref: 3877-410 Rev D)
Existing Plans, Elevations and Sections as follows:
Main Complex (3877-320 & 3877-321)
Dover (3877-330)
Harrow (3877-331)
Ganton (3877-332)
Ganton (3877-333)
Ryde, Seaton & Solent (3877-334)
Matlock (3877-335)
Oxford, Nutley, Otley & Norfolk (3877-336)
Windsor (3877-337)
Section A-A (3877-340 Rev A)
Existing Section B-B (3877-341 Rev A)
Existing Section C-C (Ref: 3877-342 Rev B).
Proposed Plans, Elevations and Sections as follows:
Proposed Elevations Plan (3877-400)
Main Complex Building (3877-420)
Main Complex Building- Proposed Elevations (3877-421)
Central Area (3877-422)
Adventure Play (3877-423)
Splash Play Area (3877-424)
Adventure Golf Area (3877-425)
Dover (3877-430)
Harrow (3877-431)
Ganton (3877-432)
Tenby (3877-433)
Ryde, Seaton & Solent (3877-434)
Matlock (3877-435)
Nutley, Otley and Norfolk (3877-436)
Windsor (3877-437)
Section A-A (3877-440 Rev A)
Sections B-B (3877-441 Rev A)
Section C-C (3877-442 Rev A)
Design & Access Statement by A & M (Ref: 3877, Issue 1)
Landscape and Visual Impact Assessment by EBLA (Ref: 16030)
Flood Risk Assessment and Outline Drainage Strategy by H20K (Ref: J-10847)
Further information Flood Risk Assessment and Surface Water Drainage Strategy J-10847-01-HS

Reason: - To ensure provision of a satisfactory development.

- 3 The holiday caravans and chalets shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the holiday village shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that control over the development and that the caravans do not become separate residential dwellings in accordance with policy DM4 of the Havant Borough Local Plan (Core Strategy) 2011 and NPPF.

- 4 No more than 87 units of holiday accommodation and 203 static caravans shall be stationed on the site.

Reason: To ensure that control over the development and that level of development on the site, given its sensitive location in accordance with policies DM4, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and policies AL1 and AL2 of the Havant Borough Local Plan (Allocations) 2014.

- 5 Notwithstanding the details shown on the approved plans no development shall commence unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, windows, and roofs of the refurbished buildings and for all caravans, including external walls, roofing, window/door frames and ancillary access or decking elements surfacing and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area, the adjacent AONB and the quality of the development, in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
- ii) Planting methods, tree pits & guying methods,
- iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) Manner and treatment of watercourses, ditches and banks,
- vi) A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
- vii) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
- viii) Means of enclosure, in particular boundary walls and planting around properties and holiday caravans including their frontages, including any retaining structures,
- ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF.

- 7 Details of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate public

realm, and conserve dark night skies of the AONB in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the NPPF.

- 8 Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within the Habitats Regulations Assessment Screening Report Revision C (Middlemarch, April 2017) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be permanently retained and maintained in accordance with the agreed details.

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011, in order to provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NERC Act 2006, NPPF, Policies DM23 and DM24, CS21 of the Havant Borough Local Plan (Allocations) 2014, and the NPPF.

- 9 No development shall commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and agreed in writing by the Local Planning Authority. This shall include, but not be restricted to: details of all avoidance and mitigation measures in relation to SPA bird species; details of habitat management measures for the SINC; 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 CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 No development shall take place, including any works or demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- i) The access route of construction vehicles to and from the site.
- ii) Location of construction compound and car parking.,
- iii) Storage and location of equipment and materials.,
- iv) Potential for run-off from the site and waste disposal resulting from site preparation, groundwork and the construction phase of the development and appropriate mitigation measures,
- v) Measures to minimise creation and impact of dust,
- vi) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). Details of noise monitoring of the construction and demolition work at sensitive locations,
- vii) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) should not be undertaken during the bird overwintering period (i.e. October to March inclusive).
- viii) Measures to visually screen the construction works from the sensitive areas;
- ix) Details of the ornithological watching brief necessary for any demolition and construction works during October to March.
- x) During construction, access onto the sea wall from the development site should be restricted.

Reason: To provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NERC Act 2006, NPPF, Policies DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014, and the NPPF.

- 11 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Oct 2016) and the following mitigation

measures detailed in section 6 the FRA:

- i) The recommended improvement/protection and maintenance regime of existing flood defences will be provided.
- ii) The EA's flood warning system is signed up to.
- iii) The identified safe route(s) into and out of the site (Havant Road) to an appropriate safe haven (St Patricks Roman Catholic Church, Manor Road) are made available to staff and holiday makers.
- iv) Finished floor levels are set no lower than 1.115 m above Ordnance Datum (AOD).
- v) Static caravans should be securely anchored to the ground

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, unless otherwise agreed in writing, by the Local Planning Authority.

Reason: The site is within flood zones 2 and 3 where development is sensitive to flood risk, as such without the protection measures outlined within the Flood Risk Assessment in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 12 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), 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.
 - Presence of historic unexploded ordnance (UXO) or bombs (UXB)
- 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 Local Plan (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 employees & guests at the site, and/or to adjacent sensitive environmental receptors.

- 13 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 12 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 in accordance with the approved details.

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (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 employees & guests at the site, and/or to adjacent sensitive environmental receptors.

- 14 No development shall commence on site until details of a scheme for foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- i) Specify the responsibilities of each party for the implementation of the SUDS scheme
- ii) Specify a timetable for implementation
- iii) Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details before any part of the development is occupied and shall be retained thereafter.

Reason: To ensure adequate provision for drainage in accordance with the NPPF and in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 15 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 the open areas in the western quarter of the site.

(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 and the NPPF.

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 and amended plans were recieved to overcome concerns regarding the impact on the adajcent AONB, SPA and SINC
- (5) Where the proposals include works to an ordinary watercourse, under the Land drainage Act 1991, as amended by the Flood and Water Management Act 2010, a 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>
It is strongly recommended that this information is reviewed before Land Drainage consent application is made.
 - (6) The application contains a proposal for a swimming pool for commercial/public use. If the pool produces filter backwash water this would need to be discharged to the public foul sewer. The rate and times of discharge of this water to the sewer, and of the contents of the pool, if these need to be drained to the sewer, would have to be

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agreed with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors. Please see <https://www.southernwater.co.uk/BusinessCustomers/wasteServices/tradeEffluent/> for further information.

- (7) Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, 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.
- (8) This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, within 16m of a sea defence. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

05 May 2017