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Our Ref: APP/20/00529
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23 March 2022

Town and Country Planning (Development Management Procedure) (England) Order 2015 Discharge of Conditions Application - Split Decision

Application Number: APP/20/00529

Site Address: Unit 3, Station Approach, North Street, Emsworth, PO10 7PW

Description: Single storey extension as a continuation from the existing warehouse with the addition of a single storey link building between the two, new parking platform near the entrance to building. (Revised). (23.10.20). Request to discharge conditions 3,4,5,6,7,8,9 (20.05.21).

This decision relates to your request to discharge conditions which was valid from 02/07/2021.

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/20/00529. Please also note below the conditions that have not been discharged.

The conditions in respect of the following information have been submitted:

Condition 3:

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), a supplementary assessment contamination risk shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be based upon the information presented within the Soils Limited Reports referenced 17974/PIR, 17974/MIR_R27 & 17974/LR 19/06/2020, 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 both future occupants and contamination sensitive receptors outside the curtilage of the development land.

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 that the

works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: The site is underlain by a significant depth of Made Soils known to contain elevated concentrations of contaminants. Insufficient information has been submitted to date to confirm that contaminants present within these soils do not represent an unacceptable risk to contamination -sensitive 'receptors down topographic slope'-, or 'down hydraulic gradient'- of the site. This is in line with Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 178-180 of the National Planning Policy Framework.

Details submitted:

Soils Ltd report 18780/LR dated 4.12.20

Condition 4:

Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 3 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: The site is underlain by a significant depth of Made Soils known to contain elevated concentrations of contaminants. Insufficient information has been submitted to date to confirm that contaminants present within these soils do not represent an unacceptable risk to contamination -sensitive 'receptors down topographic slope'-, or 'down hydraulic gradient'- of the site. This is in line with Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 178-180 of the National Planning Policy Framework.

Details submitted:

Soils Ltd report 18780/LR 04.12.20

Condition 7:

No development above slab level shall take place until details have been submitted to and approved in writing by the Local Planning Authority addressing any externally mounted plant or equipment that will be used on the site, including measured background noise levels, Leq, peak noise, tonal effects, proposed mitigation measures (if needed) and the required maintenance regime for the system. The details shall be prepared by a competent person for the purpose of assessing noise nuisance to surrounding properties and based on measured levels representative for the site.

The agreed details shall be fully implemented before the use hereby approved is commenced and the equipment shall be operated and maintained in accordance with the approved details and shall be retained thereafter.

Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

No externally mounted plant or equipment is proposed therefore no noise assessment required. See letter dated 20.05.21

Condition 8:

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 building(s) 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.

Details submitted:

Building materials specification - see letter dated 20.05.21

Vertical Wall Cladding Kingspan KS1000 trapezoidal insulated vertical panels Pre-coated steel

Leathergrain effect Merlin Grey

Horizontal Wall Cladding Kingspan KS1000 micro rib insulated horizontal panels Pre-coated steel

Leathergrain effect Goosewing Grey

Roof Cladding Kingspan KS1000 trapezoidal insulated roof panels Pre-coated steel Leathergrain effect Goosewing Grey

Rooflights Kingspan KS1000 trapezoidal Day-Lite Polycarbonate Translucent

Flashings Corners, abutments and junctions Pre-coated steel Leathergrain effect Merlin Grey Goosewing Grey

Rainwater Goods Gutters & downpipes Pre-coated steel Leathergrain effect Merlin Grey

Brickwork Ground level plinth wall Smooth finish clay engineering brick Red

Windows Polyester powder coated Aluminium frames and cills - standard matt finish (30% gloss) Anthracite Grey

Doors Polyester powder coated Steel frames and door leaf - standard matt finish (30% gloss) Anthracite Gray

Drawing 122 REV C Cross Sections

Condition 9:

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, 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.

Details submitted:

The top of the bank to the southern perimeter is proposed to be protected by the installation of a low, Kentish Ragstone filled gabion wall and softwood featheredge fence panels fixed to softwood posts.

It is proposed to screen the refuse store softwood featheredge fence panels fixed to softwood posts. See letter dated 20.05.21 and drawing numbers 1727, 118C, 119B & 122 C

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.

The following conditions cannot be discharged at this time:

Condition 5:

No above ground work shall commence until further details in respect to the proposed SuDs scheme have been submitted to and approved in writing by the Local Planning Authority. Such details shall include

- (i) Specify the responsibilities of each party for the implementation of the SuDS scheme;
- (ii) Specify a timetable for implementation; and
- (iii) Provision of 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.

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.

Details submitted:

Refer to SDS Consultancy Ltd Report
Drawing 202026-900 P1

To discharge the condition, Southern Water has advised that the final connection point for surface water disposal needs to be shown on a detailed drainage layout plan.

Condition 6:

No external lighting/ floodlighting shall be installed on the proposed extension until such details have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed, operated, and maintained in accordance with the approved details.

Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

Note: When submitting details for approval, it is requested that a report from a competent Lighting Professional is provided, confirming that the external lighting installation meets the standards for Environmental Zone E3 as set out in the "Guidance Notes for the Reduction of Obtrusive Light" (Guidance Note 01/20) issued by the Institute of Lighting Professionals

It is noted that no external lighting is proposed other than emergency lighting. This condition does not need complying with unless/until a scheme of external lighting is proposed. However, to maintain the intended protection of the condition, it is not discharged.

- (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.

Simon Jenkins

Simon Jenkins

Director of Regeneration and Place

Date: 23 March 2022