

To:
Mr J Hollyman
Harris Lamb Limited
75 - 76 Francis Road
Edgbaston
Birmingham
B16 8SP

For: N/A
Hargreaves Properties Limited

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

Application Number: APP/18/01072

Site Address: Former BAE Systems, Waterloo Park, Elettra Avenue, Waterlooville

Proposal: Outline planning application with all matters apart from access reserved for subsequent approval for the erection of Class B1(c) / B2 / B8 development and Class B8 Trade Counter use, Class A1 Retail, Class D2 Leisure and Classes A3 and A5 Drink / Food Establishments

Further to your application received on 24 October 2018 (which was valid from 29 October 2018) Havant Borough Council, as Local Planning Authority, **Grants Outline 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 hereby permitted shall be begun before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of the grant of this planning permission.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 No development hereby permitted shall commence until a Phasing Layout Plan has been submitted to and approved in writing by the Local Planning Authority. The development of the site shall be carried out in accordance with the approved phasing plan. Any amendment to the approved phasing programme as phases are subsequently divided, subdivided or amalgamated must be first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a co-ordinated and comprehensive form of development in which interdependent elements of the overall development are planned for and timetabled. It also allows flexibility by means of updating of these phases and timetabling as detailed plans of the site emerge. This is important in delivering a high quality development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.

- 4 No development hereby permitted in any approved phase, except for site clearance, set up and remediation works, shall commence until plans and particulars specifying the detailed proposals for all of the following aspects of that phase of the same [herein called "the reserved matters" and "other matters"] have been submitted to and approved in writing by the Local Planning Authority.

(i) **The reserved matters:**

- (a) Appearance, to include external appearance, materials, decoration, lighting, colour and texture;
- (b) Landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, formation of banks or other earthworks, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels; and also the intended timing of completion of the landscaping works
- (c) Layout;
- (d) Scale, to include height, width and length of each building.

(ii) **Other matters:**

- (e) The finished levels (above ordnance datum) of both the ground floor of the proposed buildings(s) and the surrounding ground levels;
- (f) Access facilities for the disabled;
- (g) The manner of treatment of existing water courses and ditches;
- (h) Tree protection including an accurate plan showing the position, type and spread of all existing trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring the tree(s) to be retained to a satisfactory condition; and also details of any proposals for the felling, lopping, topping or uprooting of any tree;
- (i) The arrangements to be made for the future maintenance of landscaped and other open areas;
- (j) The alignment, height and materials of all walls and fences and other means of enclosure;
- (k) The provision to be made for the parking, turning, loading and unloading of service vehicles;
- (l) The provision to be made for the storage and removal of refuse from the premises;
- (m) Measures for security and crime prevention;
- (n) The provision to be made for street lighting within the site;
- (o) Details of the foundation design including:
 - i) the methods to be used;

- ii) the design depths of the various structures involved and rationale; iii) the density of piling, if any; and
 - iv) details of materials to be removed or imported to site;
- (p) measures to protect the public sewers.

The development shall be implemented in full accordance with the approved details.

Reason: To secure orderly development.

- 5 Notwithstanding the provisions of The Town and Country Planning (Use Class Order), the business units hereby permitted shall not at any time be used for any purpose within the scope of Class B1a (office) of the Town and Country Planning (Use Classes) Order 1987 (as amended), (except any Ancillary floorspace) without the prior written approval of the Local Planning Authority. This condition shall apply notwithstanding any Town and Country Planning (General Permitted Development) Order.

Reason: In the interests of highway safety and having due regard to policies DM11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 6 The development hereby permitted in any approved phase shall not be occupied until details of parking allocation, including cycle parking, for each building/unit have been submitted to and agreed in writing with the Local Planning Authority. The spaces shall be surfaced and marked out and allocated in accordance with the approved details prior to the bringing into use of the building/unit. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 7 With respect to the development in any approved phase, equipment shall be installed to suppress and disperse fumes and/or smell produced by cooking and food preparation for commercial sales, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the approved equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use of the relevant building in any approved phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 No development hereby permitted in any approved phase shall be occupied until details of external plant and equipment have been submitted to and approved in writing by the Local Planning Authority. The details shall include acoustic performance. The equipment shall be installed prior to the use of the building(s) commencing, and shall thereafter be maintained and operated only in accordance with the approved details.

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

- 9 No development hereby permitted in any approved phase shall commence, apart from site clearance, set up and remediation works, until plans and a scheme specifying the layout, depth and capacity of all foul and surface water drains, swales or similar features 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 together with details for the maintenance of surface water drainage and swales after completion of development.

The surface water drainage scheme for the site shall be based on the principles set out within the Peter Brett Associates Flood Risk Assessment rev C and Flood Risk Addendum 42567/4001/TN001 rev. A. The submitted details shall include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- c. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- e. Confirmation that there will be no building located in Flood Zone 2.
- f. Confirmation that finished floor levels shall be raised at least 0.3m above existing ground level and at least 400mm above the swale crest level.

Details for the long term maintenance arrangements for the entire surface water drainage system (including all SuDS features) shall include:

- a. Plans detailing the responsibility of the different drainage features
- b. Confirmation from Southern Water that the discharge rates are acceptable
- c. Maintenance schedules for each drainage type
- d. Protection measures to protect the drainage features while construction is ongoing

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 necessary to serve that phase of development in full accordance with such plans and particulars as are thus approved by the Authority. The surface water drainage shall be maintained in accordance with the maintenance arrangements thus approved.

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.

- 10 The implementation of the approved landscaping shall be completed in full accordance with the timing provisions approved under Condition 3 (i)(b). 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Use Class A1 floorspace within this development shall only be used for the sale of DIY products (including materials and accessories), home improvement products, carpets and floor coverings, fabric, furniture, soft and hard furnishings, floor coverings, household goods, homewares, decorative products, glassware, cookware, kitchen utensils, white and electrical goods, automotive and cycle parts, pet food, garden tools, arts and crafts materials, variety retailing, tents, camping, caravanning, leisure and outdoor activity equipment, toys and games, beauty

products and medicines, baby products, seasonal items, ancillary items such as clothing and footwear, or related accessories for all of the aforementioned or the provision of ancillary café facilities, unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the viability and vitality of Waterlooville town centre in particular and having due regard to policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 No development in any approved phase (excluding site clearance, set up and remediation works) shall commence until details of the Highways Works and access with supporting construction management plan (to include lines, widths, levels, gradients, cross section, drainage and lighting) required for that phase have been submitted to and approved in writing by the Local Planning Authority. The phase of development shall not be occupied until the agreed Highway Works have been implemented in accordance with the approved details.

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.

- 13 No development in any approved phase shall commence until details of the means of cycle access direct to Hambledon Road in the vicinity of the existing footpath link from within the site have been submitted to, and approved in writing by the Local Planning Authority. The approved cycle access shall be constructed in accordance with the approved details and made available prior to the occupation of the first unit.

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 No development shall commence in any approved phase until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction. The development shall be carried out in accordance with the approved details.

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.

- 15 In the event that contamination is found at any time when carrying out the approved development which was not previously identified, development shall stop on that part of the site affected by the unexpected contamination and it shall be immediately reported in writing to the Local Planning Authority. An additional investigation and risk assessment shall be undertaken and where remediation is necessary, a remediation scheme shall be prepared, which shall be submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with the approved details unless otherwise 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 within brownfield areas of the site that could pose a risk to future occupants.

- 16 No development in any approved phase shall take place, including any works or demolition, until a Construction Environmental Management Plan (CEMP) 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 of that phase. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- i) A construction-phase drainage system for surface water to prevent pollutants from leaving the site;
- ii) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

Reason: The proposal has the potential to impact on the underlying groundwater and thus the Havant and Bedhampton Springs public water supply. This condition is therefore necessary 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.

- 17 Unless otherwise agreed in writing with the Local Planning Authority, before the commencement of the development in any phase hereby permitted, written documentary evidence demonstrating that the development will achieve at minimum a level of 'Very Good' against the Building Research Establishment Environmental Assessment Method (BREEAM) Standard, in the form of a design stage assessment, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E12 of the emerging Havant Borough Local Plan 2036.

- 18 Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of the development in any phase hereby permitted, written documentary evidence proving that the development has achieved at minimum a level of '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, and approved in writing by the Local Planning Authority.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E12 of the emerging Havant Borough Local Plan 2036.

- 19 Notwithstanding the provisions of any Town and Country Planning (Use Classes) Order, the development hereby approved should not result in more than 19,105 square metres of floorspace being created, of which not more than 2,787 square metres for B8 trade counter and 4,334 square metres for uses falling within Use Classes A1, A3, A5 and D2 of the Town and Country Planning (Use Classes) Order 1987 as Amended

Reason: In the interests of highway safety and in the interests of preserving the vitality and viability of Waterlooville Town Centre in accordance with policies DM13 and CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 The development hereby permitted shall be carried out in accordance with the following approved plans:

ARBORICULTURAL REPORT AND METHOD STATEMENT 15217-AA2-CA
TREE PROTECTION PLAN 15217-BT2
LOCATION PLAN 1618-PL-100
SITE ACCESS PLAN 1618-PL-103

Reason: - To ensure provision of a satisfactory development.

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 6573.
- (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 Civic Offices or by telephoning 023 9244 6015.
- (4) Your attention is drawn to the provisions of Section 12 of the Hampshire Act 1983, relating to access for the Fire Brigade. A copy of the Act may be inspected at the Planning and Development Reception at the Civic Offices.
- (5) Before undertaking any work which affects a public highway (including a footpath) you must obtain specific written approval from the Head of Technical Services, Havant Borough Council, Civic Offices, Civic Centre Road, Havant PO9 2AX (tel. no (023)9244 6428/9). This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or the construction of new boundary walls and foundations immediately alongside the public highway.
- (6) You are advised that consent may be required from Southern Water Services Ltd to build in the vicinity of public sewer. You can inspect a copy of the Southern Water Services Maps of public sewers, which are held by Technical Services at the Civic Offices to determine the proximity of any public sewer to the proposed development. If you are in any doubt or need information regarding the procedure for obtaining consent from Southern Water Services Ltd, you should seek further advice from the Development Control Manager, Southern Water Services Ltd (01962 714585).
- (7) In accordance with paragraphs 38-50 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 you were updated about issues after the initial site visit.
- (8) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 14/10/21, which requires Highway contributions and travel plan.
- (9) The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. 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
- (10) The applicant is advised that the highway works required in relation to the implementation of the agreed highway works required a S278 Agreement with Hampshire County Council as the Highway Authority.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

15 October 2021

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Our Ref: APP/18/01072

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571