



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 Davies
Studio Four Architects
1-3 Lyon Street
Southampton
SO14 0LD

For: Ms O'Dell
R O'Dell (Holdings) Ltd.

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

Application Number: APP/16/00060

Site Address: 36, 38 and 40 Station Road and 1 West Lane, Hayling Island, PO11 0EQ

Proposal: Demolition of existing buildings (shop, 1no. flat, workshop, associated compound and 2no. dwelling houses) and construction of 18no. new build flats and 3no. shop units (planning class A1) with associated bin store, cycle store, vehicle parking and landscaping.

Further to your application received on 20 January 2016 (which was valid from 04 May 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 Compulsary Purchase Act 2004.

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

Proposed Site Plan drwg.no 110-B received 17 March 2016
Proposed Location and Block Plan drwg.no 100-D received 17 March 2016
Proposed Elevations North and East drwg.no 126-A received 17 March 2016
Proposed Elevations South and West drwg.no 125-A received 17 March 2016
Proposed Ground and First Floor Plans drwg.no 115-A received 17 March 2016
Proposed Second Floor and Roof Plans drwg.no 116 received 20 January 2016
Proposed Perspective Views drwg.no 191-B received 20 January 2016
Proposed Perspective Views drwg.no 191-C received 20 January 2016

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Proposed Perspective Views drwg.no 191-D received 20 January 2016
Design and Access Statement received 25 February 2016
Parking Strategy received 20 January 2016
Viability Assessment received 5 May 2016
Environmental Risk Assessments received 20 January 2016
Ecological Assessment received 20 January 2016
Biodiversity Checklist received 20 January 2016

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any 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 may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation based on the proposals outlined within the "Constructive Evaluation Phase 1 Environmental Risk Assessment" (Ref: 15.8909); 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 identified receptors.
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 in the Remediation Strategy (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: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site.

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with Condition 3 (3) above 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: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site.

- 5 Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall include a schedule of operational and preventative maintenance for surface water drainage structures as may be required for the proper operation of the system to its design flow rates. The system design shall account for the principles of water quality management (design principles, CIRIA C753), and shall avoid installation of infiltration drainage in ground adversely affected by contamination. Parties responsible for observing the maintenance plan shall be clearly identified within the plan, and the plan shall be implemented as approved.

Reason: To ensure appropriate surface water management measures are implemented in order to mitigate any contribution to downstream surface water sewer flooding, and to prevent surface water systems acting as a vector for pollution or mobilising agent likely to driving significant migration of any contamination that may be found to be present on site. This condition is imposed having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM10, DM17 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework 2012.

- 6 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 the visual amenities of the area and the amenities of adjoining properties, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The soft landscaping scheme shall be completed in full accordance with the approved details prior to the occupation of the last dwelling. 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 policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework 2012.

- 8 The car parking, servicing and other vehicular access arrangements along with all external works shown on the approved plans hereby permitted shall be fully completed and made fully available for use prior to the occupation of the first residential unit.

Reason: In the interests of highway safety and the amenities of the area having due regard to policy CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or 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.

- 10 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.

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.
- (1) 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

- (2) A formal application for connection to the public sewerage system is required in order to service this development.

Due to changes in legislation that came into 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 site. 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 these matters with Southern Water Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- (3) **Regarding Hours of Work:** 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:

8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

- (4) **Regarding Bonfires:** 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.

- (5) **Regarding Dust Control:** You are hereby requested to ensure that dust mitigation measures are put in place, to prevent any potential dust nuisance from occurring during the demolition, excavation, clearance and construction phases of the development. This is in order to protect the occupants of nearby residential properties from dust pollution.

- (6) **Regarding light pollution:** You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the proposed building, is so positioned so as not to cause nuisance. This is in order to protect the occupants of nearby residential dwellings from light pollution.

- (7) This permission was granted subject to a unilateral undertaking made under Section 106 of the Town & Country Planning Act 1990 dated 26 September 2016 which secures:

- (i) Parking Arrangements
- (ii) A contribution in respect to the Solent Recreation Mitigation Partnership;
- (iii) Traffic Regulation Order
- (iv) Monitoring and Administration Fee

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Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

29 September 2016