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Our Ref: APP/17/01324
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22 July 2021

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

Application Number: APP/17/01324

Site Address: Dunsbury Park, Fitzwygram Way, Havant, PO9 4EE

Description: Variation of Condition B6 of Planning Permission APP/15/00732 to remove restriction on proportion of B8 floorspace allowed within the Dunsbury Park development, and thus provide for a maximum mixed use floor space of 61,779sqm within Classes B1, B2 and/or B8 of the Use Classes Order 1987 as amended.(13.12.18).Request to discharge conditions A3, A5, A10, A11, A12 & 13, A14, A17 & 18 and B10 (03.12.20).

This decision relates to your request to discharge conditions which was valid from 03/12/2020.

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/17/01324.

The conditions in respect of which information has been submitted are:

The following conditions are part discharged:

Condition 5:

A5. Materials

Construction of each building or structure shall not commence until samples and details of all external materials and any surfacing (including semi-permeable materials) have been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in the construction of each building, structure or surfacing work.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

External Envelope Materials Plan - DHF-BMD-Z4A-XX-DR-A-17800-P01.2 (BAM)

Condition 10:**A10. Tree Protection**

Prior to the commencement of each phase of development a full Tree Protection Plan for that phase must be submitted to the LPA for approval, (unless agreed otherwise in writing by the Local Planning Authority)

No development including site clearance shall commence on the site until all trees not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing, the extent of which shall first be agreed in writing with the Local Planning Authority. Such fencing shall conform to the following specification in accordance with BS5837 2012.: Trees in relation to construction shall be of a minimum 2.4 metres high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting a minimum of 20mm exterior grade ply.

Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Tree protection Plan - DHF-FIR-ZA4-DS-S-004 (FIRA)

Condition 11:**A11. Environmental Management During Construction**

Prior to the commencement of each phase of development a Construction Environment Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority including:

- a. Site management conforming to Environmental Statement, air quality, suppression of dust, control of noise & vibration, protection of water quality, waste management plan, wheel washing, hours of work
- b. Traffic management, routing, delivery hours, frequency, site manager / banksman,
- c. Identify specific responsibilities and enforcing agencies (not only Planning Authority)

Each phase of development shall only be carried out fully in accordance with the Construction Management Plan for that phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate and minimise the impacts of development in accordance with the Environmental Statement submitted with the application and having due regard to policies DM8, DM10, CS18 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and policy AL1 of the Submission Version of the Havant Borough Local Plan (Allocations) December 2013, and National Planning Policy Framework, March 2012

Details submitted:

CEMP (BAM Rev 01)

Condition 12:

A12. Contractor parking on site.

Prior to the commencement of each phase of development, including any related site clearance, a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of each phases of development, all such temporary parking provision shall be provided and used only as such.

Reason: In the interests of highway safety and to safeguard the amenities of the locality and and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Logistics & On-site Traffic management Plan (BAM)

Condition 13:

A13. Site compound & Storage

Prior to the commencement of each phase of development , including any related site clearance, plans and particulars specifying the provision to be made for a material storage compound shall be submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period for each phase and no materials shall be stored anywhere else on the site unless otherwise agreed in writing by the Local Planning Authority. This condition shall apply notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or and Order revoking or re-enacting that Order.

Reason: To mitigate and minimise the impacts of development in accordance with the Environmental Statement submitted with the application, to control pollution, to safeguard the amenities of the locality and having due regard to policies CS16, CS18 CS20, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Logistics & On-site Traffic management Plan (BAM)

Condition 14:

A14. Contaminated land – scheme

Prior to the commencement of each phase of development a scheme to deal with the risks associated with contamination of that part of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

- i. A desk study identifying:
 - a. All previous uses
 - b. potential contaminants associated with those uses.

- c. a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- ii. A site investigation scheme based on previous investigation reports, for the purpose of provide informing an appropriate assessment of the risks to all receptors that may be affected, including those off site.
- iii. The results of the site investigation and risk assessment (2) and if appropriate, a method statement based on these results giving full details of the remediation measures required and how they are to be undertaken.
- iv. A verification report shall be prepared on completion of the remediation measures set out in (3) confirming that measures have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

The approved scheme shall be implemented prior to development of each phase commencing on site and shall be adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent future site users, and buildings being exposed to unacceptable risks of harm arising from previous land uses, inclusive of filled land & soil gas, and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM17 of the Submission Version of the Havant Borough Local Plan (Allocations) December 2013, and National Planning Policy Framework, March 2012.

Details submitted:

Ground Condition Assessment (ridge May 2017)

Condition 17:

A17 Ecology – Dormice

Prior to the commencement of any development activities, fully-detailed dormouse mitigation, compensation and enhancement measures for each development plot shall be submitted to and agreed in writing by the Local Planning Authority, Such details shall be broadly in accordance with the measures detailed within Chapter 15 of the 'Dunsbury Hill Farm Environmental Statement Volume 1' (Atkins, March 2012) and the 'Dormouse Mitigation Strategy Technical Note' (Atkins, August 2013) and will include (but not necessarily be restricted to) such matters as: location, extent and timing of vegetation loss; location, extent and composition of habitat creation; location of mitigation features such as nest boxes. The development shall only be carried out in accordance with the approved details and mitigation, compensation and enhancement measures, unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to safeguard protected species and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

Details submitted:

Ecological Impact Assessment (atkins 4 June 2020)

Condition 18:

A18 Ecology – Bats

Prior to the commencement of any development activities for each development plot a detailed scheme of bat mitigation measures shall be submitted to, and agreed in writing by, the Local Planning Authority.

Such details shall be broadly in accordance with the outline mitigation, compensation and enhancement measures detailed within Chapter 15 of the 'Dunsbury Hill Farm Environmental Statement Volume 1' (Atkins, March 2012) and the 'Phase 2 Bat Survey' report (ECOSA, August 2013) and will include (but not necessarily be restricted to) such matters as: results of updating Phase 1 and Phase 2 bat roosting and activity surveys; assessment of likely impacts to roosting, foraging and commuting bats; measures for the enhancement of the site for bat species (e.g. protected/enhanced flight routes, new roosting opportunities etc.). The development shall only be carried out in accordance with the approved mitigation measures unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to safeguard protected species and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.

Details submitted:

Ecological Impact Assessment (atkins 4 June 2020)

Extent of Approval - This approval relates to plot 4a only.

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.

- (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: 22 July 2021