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BOROUGH COUNCIL

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

Application Number: APP/15/00919

Site Address: Land north of, Station Road, Hayling Island

Proposal: Mixed use development comprising 76 residential units (4No. 1bed, 22No. 2 bed, 31No. 3bed; and 19No. 4 bed dwellings; and 1000sqm of light-industrial accommodation (use Class B1) with associated parking, access, landscaping and surface water drainage.

Further to your application received on 24 August 2015 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:

Plan Title

Location Plan ST-10-15
Planning Layout ST-10-03M
Coloured Layout Plan ST-10-04H
Storey Height Plan ST-10-09C
Parking Strategy Plan ST-10-08C
Bin and Cycle Store Plan ST-10-13C
Affordable Housing Plan ST-10-06D
Drainage Strategy Plan 001-REVP
External Enclosure Plan ST-10-10C
External Finishes Plan ST-10-11B
Housetype Portfolio
Landscape Masterplan BDWS 20001-10B
Landscape Proposals (Sheets 1 - 5) BDWS 20001-11 Rev B
Light Industrial Units - Proposed Coloured Elevations 147-01-06 Coloured
Light Industrial Units - Ground Floor Plan 147-01-05
Light Industrial Units - Proposed Elevations 147-01-06
Light Industrial Units - Proposed Sections 147-01-07
Light Industrial Units - Site Layout Plan and Roof Plan 147-01-04
Lighting Plan E-F1682.00 Rev R1
Management Area Plan ST-10-17C
Section through Eastern Boundary ditch
Streetscenes ST-10-14A
Street Elevation 2 ST-10-17
Construction Management Plan ST-10-03E
Floor Plans and Elevations Plot 3 only Chesham-Hipped
Floor Plans and Elevations Plot 76 only Thornbury

Documents

Statement of Community Involvement - Barratt Homes
Design and Access Statement - Barratt Homes
Affordable Housing Statement - Barratt Homes
Planning Assessment - Barratt Homes
Building for Life 12 Assessment - Barratt Homes
Preliminary Ecological Assessment - WYG Ecology
Biodiversity Checklist - WYG Ecology
Biodiversity Action Plan - WYG Ecology
Landscape Management and Maintenance Plan ACD Environmental
Soft Landscape Specification - ACD Environmental
Arboricultural Impact Assessment and Method Statement Rev C 09.12.15 - ACD Environmental
Flood Risk Assessment and Drainage Strategy Issue 3 - OPUS
Transport Assessment- Paul Basham Associates
Travel Plan - Paul Basham Associates
Construction Method Statement - Barratt Homes
Construction Management Plan Document - Barratt Homes
Estate Management Statement - Barratt Homes
Archaeological Desktop Assessment - CgMs
Economics Benefit Assessment - Nathaniel Litchfield
Land Contamination Assessment - Wilson Bailey
Foul Sewage and Utilities Assessment - Opus
Outdoor Lighting Reports (x3) - Lighting Reality
CIL Form

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until plans and particulars setting out a phased programme for implementation of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing programme unless an alternative is first agreed in writing with the Local Planning Authority.
Reason: In the interests of sustain ability and providing a comprehensive development and having due regard to policies CS2 of the Havant Borough Local Plan (Core Strategy) 2011 and HY2 of the Allocations Plan and the National Planning Policy Framework 2012.
- 4 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 and notwithstanding any assessment provided with the planning application), 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. Site investigation based on the Wilson Bailey Letter Report Ref: J15109/DB/c01a, 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.
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 (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) on land coincident with & adjacent to the site, that could pose a risk to future site residents.

- 5 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 4 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 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 site occupiers.
- 6 No development hereby permitted shall commence on each phase until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same for that phase have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.
Reason: To ensure that they are constructed to satisfactory standard and, where appropriate, a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 The development hereby permitted shall not commence until a phasing plan for the construction of the off site highway works indicated in principle on plan number 041.0019.003 (within Appendix B of the submitted Transport Assessment) for the provision of a new junction access, crossing points and footway improvements in Station Road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority.
NB: In order to construct these works the developer will need to enter into a Section 278 agreement with the Highways Authority
- Unless otherwise agreed in writing by the Local Planning Authority, all of these works shall be completed, in full accordance with such plans, particulars and programme as have been approved in writing by the Local Planning Authority in consultation with the Highway Authority, prior to the occupation of any dwellings on the site.
Reason: To ensure that the required highway improvements are provided and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011. Also to ensure the safety of cyclists and pedestrians and having due regard to policy CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

8 No development hereby permitted shall commence until the applicant has secured:-

- the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Hampshire County Council. The first stage of the evaluation should be a geophysical survey, followed by trial trenches that target features identified by the geophysics as well as any 'blank' areas. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
- the implementation of a programme of archaeological mitigation of impacts based on the results of the archaeological evaluation, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
- Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, 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; to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations; to contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available; and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

9 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. Proposals shall be in accordance with the principles of CIRIA C753 section 26.7 (SUDS Manual, 2015; Managing pollution risks), and where appropriate shall include a schedule of operational and preventative maintenance for surface water drainage structures, pumps or separators required either for the proper operation of the system to its design flow rates or for the effective retention of pollutants to prevent downstream release. Parties responsible for observing the maintenance schedule shall be clearly identified. All details submitted in accordance with this condition shall be implemented as approved.

Reason: The proposed surface water drainage system discharges highway runoff to a field drain which is located within an adopted SINC and is linked to ecologically sensitive & protected transition waters (Langstone Harbour, designated SSSI / SAC / SPA / RAMSAR). Appropriate system design is required to prevent surface water drainage functioning as a pathway for pollutants to enter the harbour waters. This condition is imposed having due regard to policy DM10 (Havant Borough Local Plan (Core Strategy) 2011) and the National Planning Policy Framework 2012.

10 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.

- 11 Development activities shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Assessment (WYG, August 2015) unless otherwise agreed in writing by the Local Planning Authority. Any mitigation, compensation and enhancement features shall be maintained in perpetuity unless otherwise agreed in writing by the LPA.
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 12 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (i.e. October to March inclusive).
Reason: To provide ecological protection in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 13 Notwithstanding the details shown on the approved plans, no above ground development shall commence until a specification of the materials to be used for the surfacing of all private parking courts/driveways has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be brought into use prior to the implementation of its related hardsurfacing in full accordance with the approved specification.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 14 The employment floorspace hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority the assessment shall demonstrate that the development will attain a minimum standard of 'very good' BREEAM rating. The development shall be carried out only in accordance with the details the subject of the assessment.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 15 The soft landscaping scheme shall be completed in full accordance with the approved details prior to the occupation of the last dwelling in each phase of the development. 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 CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework 2012.
- 16 None of the dwellings on Plots 43-47 inclusive and 52 shall be occupied before the proposed acoustic barrier fence described in Section 5, paragraph 5.1 of the submitted Noise Impact Assessment has been installed in strict accordance with the recommendations set out therein. Such fence shall at all times be retained, unless an alternative method of noise attenuation is agreed in writing with the Local Planning Authority.
Reason: In order to secure a satisfactory relationship between the proposed residential dwellings and the adjacent commercial premises, and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 17 The car parking, garaging, servicing and other vehicular access arrangements shown on the approved plans to serve the dwellings hereby permitted shall be made fully available for use prior to the relevant dwelling being first brought into use and shall be retained thereafter for their intended purpose.
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.
- 18 No dwelling or light industrial building hereby permitted shall be occupied anywhere on the site until the road(s) serving that dwelling or building have been laid to at least base course.
Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 19 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed on the east elevations of the light industrial buildings hereby approved until and unless details of the external appearance and acoustic performance of the same, including a report showing that the existing/current background levels will not be increased as per the requirements of BS4142:2014 and as indicated in Section 5.6 of the Acoustics 24 Noise Impact Assessment dated 30 October 2015, have been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 20 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure shall be constructed within the curtilage of the residential dwellings hereby approved without the prior written approval of the Local Planning Authority.
Reason: In the interests of the character and amenities of the development, in order to ensure satisfactory levels of amenity space given the limited plot depths available to the dwellings, and in the interests of the amenities of adjoining residents; and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 21 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions to the roof or dormer windows shall be constructed to the dwellings comprising Plots 27-42 inclusive without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 22 Notwithstanding the provisions of any Town and Country Planning General Development or Use Classes Order, no unit of building of employment accommodation hereby approved shall be used at any time for any purpose not falling wholly within the scope of Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987, as now amended.
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.

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
- (5) You are advised that the consent from Southern Water under s106 (connection) of the Water Industry Act is required. If the foul drainage is to be offered for adoption an application under section 104 needs to be submitted and approved by Southern Water. No trade effluent can be discharged to any public sewer without the consent of Southern Water.
 - (6) It is the responsibility of the developer to ensure development, upon completion, is safe & suitable for its consented future use. Notwithstanding any site investigation or assessment report submitted with the planning application hereby approved, or submitted in accordance with any condition of this decision notice; contamination may be present at the site within un-investigated areas of the site associated with sources that were either unanticipated, not previously identified, or anticipated but not located. Such contamination may be identified during the course of development. In the event that any discoloured soils or groundwater, oily sheens, foul or solvent odours, or deposits / inclusions comprising obvious waste materials be encountered during groundwork, or if groundwork staff report acute symptoms (skin, eye or respiratory); works in that area of the site should cease until an appropriate assessment of the nature and extent of the suspected contamination has been undertaken. The local planning authority should be notified of the nature of the contamination, and how that contamination is to be dealt with.

- (7) **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.
- (8) **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.
- (9) **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.
- (10) **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.
- (11) **Ordinary Watercourse:** The prior written consent of the relevant Lead Local Flood Authority is required for the erection of any flow control structures, culverting or diversion of ordinary watercourses, including streams, land drains and ditches. Please be aware that the Lead Local Flood Authority has up to two months to determine applications for consent made under Section 23 of the Land Drainage Act 1991 and you are therefore advised to Hampshire County Council as soon as possible to discuss making an application.
- (12) This permission was granted subject to a unilateral undertaking made under Section 106 of the Town & Country Planning Act 1990 dated 18th December 2015 which secures:
- (i) The Travel Plan;
 - (ii) Affordable Housing;
 - (iii) A contribution in relation to traffic management if required;
 - (iv) Employment and Skills Plan;
 - (v) A contribution in respect to the Solent Recreation Mitigation Project;
 - (vi) Management of the communal areas;
 - (vii) SUDS bond; and
 - (viii) Maintenance of boundaries with respect to ecological mitigation

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

23 December 2015