

To:
Mr J Gratton
Lidl UK GMBH
1st and 2nd Floor
Boyatt Wood Shopping Centre
Shakespeare Road
Eastleigh
SO504QP

For: Lidl UK GMBH

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: 06/71971/001

Site Address: Land East of Somborne Drive, Havant, PO9 5BH

Proposal: Demolition of existing office building. Construction of Lidl neighbourhood food store (retail area 1286 square metres) and two storey office and reception (743 square metres).

Further to your application received on 11 December 2006, 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 your application, as amended by plans and documents received on 8 February 2007 and;
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development hereby permitted shall commence 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 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 and proposals T5 and T6 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, T7 and T8 of the Havant Borough District Wide Local Plan 1996-2011.
- 3 No development hereby permitted shall commence until details of all proposed means of vehicular and pedestrian access to or from a highway (including the sight lines to be provided at the same) have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the provision of all such means of access has been completed in full accordance with such details 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 and proposals T5 and T6 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, T7 and T8 of the Havant Borough District Wide Local Plan 1996-2011.
- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains 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. 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 UB3, E1 and E2 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, PC1 and PC3 of the Havant Borough District Wide Local Plan 1996-2011.
- 5 Construction of the building(s) hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies and proposals UB3, C4, C5, E6 and E16 of the Hampshire County Structure Plan 1996-2011 (Review) and C1, C3, D1, HE1, HE5, HE7, HE8 and HE10 of the Havant Borough District Wide Local Plan 1996-2011.
- 6 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To protect the amenities of the local area and safeguard the existing vegetation and having regard having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and D1 of the Havant Borough District Wide Local Plan 1996-2011.

- 7 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.
Reason: To protect the amenity of adjoining residents and having due regard to policies and proposals D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 8 The development shall not be commenced until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved in writing by the Local Planning Authority.
Reason: To protect the amenity of adjoining residents and having due regard to policies and proposals D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 9 Details of any proposed noise making equipment (i.e. refrigeration units, air conditioning, extract ventilation equipment including background and predicted noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
Reason: To protect the amenity of adjoining residents and having due regard to policies and proposals D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 10 Deliveries shall only be taken and/or dispatched from the site between the hours of 07:00 and 21:00 Mondays to Saturdays and 09:00 and 17:00 on Sundays and Bank Holidays.
Reason: In the interests of the amenities of occupiers of nearby residential properties and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 11 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 12 Prior to commencement of the approved retail use a clear waste management policy shall be submitted and approved in writing by the Local Planning Authority. The applicant shall provide the Local Planning Authority with a clear statement explaining the method of waste management which will be used throughout the applicants activities including disposal of trade waste and disposal of office waste.

Reason: To safeguard the amenities of the locality and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

- 13 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. 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 and proposals E6, E8 and UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, D3, L1, L2, L3, L4, L5, L6, L7, HE1, HE5, HE7, HE8, HE10 and HE15 of the Havant Borough District Wide Local Plan 1996-2011.

- 14 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies and proposals UB3, T5, R1, E7 and E16 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, D3, L7, HE1, HE5, HE7, HE8, HE10 and HE15 of the Havant Borough District Wide Local Plan 1996-2011.

- 15 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and D3 of the Havant Borough District Wide Local Plan 1996-2011.

- 16 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent damage to existing trees and hedgerows on the site throughout implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times which such implementation is in progress. Any such trees or hedgerow which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same

position and of not less than 2 metres height when planted.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies and proposals UB3 and E8 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011.

- 17 No development hereby permitted nor any related site clearance shall commence until 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 the development hereby permitted, all such temporary parking provision shall be provided 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 and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review), and D1, T9 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

- 18 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been 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 and no materials shall be stored anywhere else on the site.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

- 19 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent deposition on nearby roads of mud and spoil from vehicles leaving the site throughout the implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.

Reason: In the interests of traffic safety and having due regard to policies and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review) and D1, T7 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

- 20 No developments hereby permitted shall commence until plans and particulars specifying the siting, external appearance and means of enclosure of any proposed above ground public utility installations including CCTV or other equipment have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 of the Havant Borough District Wide Local Plan 1996-2011.

- 21 Notwithstanding the provisions of any Town and Country Planning General Development or Use Classes Order, no unit of building accommodation on the lands shall be used at any time for any purpose not falling wholly within the scope of Classes A1 or B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987, as now amended.

Reason: In the interest of the proper planning of the area and having due regard to policies and proposals UA3, EMP, TC1 and TC2 of the Havant Borough District Wide Local Plan 1996-2011.

- 22 No equipment, raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time except within the buildings or storage areas approved in writing by the Local Planning Authority for that express purpose.

Reason: In the interest of the appearance of the site and the visual amenities of the surrounding area and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

- 23 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policies and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review), and T9 of the Havant Borough District Wide Local Plan 1996-2011.

- 24 The use of the building hereby permitted shall not commence until the existing accesses to the site from Billy Lawn Avenue and Somborne Drive have been closed.

Reason: In the interests of highway safety and having due regard to policies and proposals T6 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and T7 of the Havant Borough District Wide Local Plan 1996-2011.

- 25 No development hereby permitted shall commence until a method statement prepared by a specialist arboriculturist has been submitted to and approved by the Local Planning Authority in relation to works proposed in the vicinity of the 2 protected Oak trees on site. This is to fully specify the methods of construction of hardsurfacing, to include the sequence of events, levels, methods of excavation, methods to be used and the measures for protection of the trees during development. Such approved methodology shall be fully adhered to at all times during the process of demolition and construction.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies and proposals UB3 and E8 of the Hampshire County Structure Plan 1996-2011 (Review), and D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011.

Other Important Information:

In reaching its decision the Council has had regard to the policies and proposals :-

Hampshire County Structure Plan 1996-2011 (Review)

UB1

UB3

S1, S2, S3

EC1

E8

Urban Regeneration

Town Centres and Shopping

Economy

Landscape

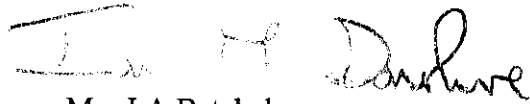
Havant Borough District Wide Local Plan 1996-2011

UA1	Concentration of Development Within the Urban Areas
UA2	Urban Regeneration
UA3	Leigh Park Regeneration
PC1	Control of Potentially Polluting Uses
PC4	Light Pollution
D1	High Quality Design
D3	Public Spaces
L6	Conservation and Protection of Existing Natural Features
L7	New Landscape Works
EMP5	Maximising Employment
EMP7	Conversion and Change of Use
TC1	Hierarchy of Centres
TC3	Sequential Approach for Retail, Commercial and Other Uses - Paragraphs 340/1
T4	The Needs of People with Disabilities and Mobility Problems
T6	Public Transport, Cycling and Walking – New Development
T9	Provision of Vehicle Parking and Turning Facilities
T11	Developer Contributions Towards Green Transport Infrastructure
IMP1	Financial Contributions

The Council considers, having regard to the objectives of these policies and proposals, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the compliance with policies, the effect upon the existing shopping centre, the effect upon surroundings and parking provision. Having taken into account the requirements of Section 54a of the Town and Country Planning Act 1990 and all other material considerations, the Council has determined that planning permission should be granted for the development.

- (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 Department for Transport Local Government and the Regions, 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.
- (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) It will be necessary to achieve extinguishment of highway rights relative to part of the application site area. In this regard you are advised to contact GOSE, Hampshire Area Team - Transport, Bridge House, 1 Walnut Tree Close, Guildford, GU1 4GA, Tel: 01483 882936 after ascertaining visibility requirements.
- (5) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 14 March 2007, which requires the payment of a public realm contribution of £150,000.



Mrs J A Batchelor
Head of Development & Technical Services

21 March 2007