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BOROUGH COUNCIL

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To:
Mr Moran
CMA Planning
113 The Timberyard Drysdale Street
London
N1 6ND

For: Hayling Island Builders Ltd

**The Town and Country Planning (Development Management Procedure) (England) Order
2010
Grant of Outline Planning Permission**

Application Number: APP/13/00639

Site Address: Land north of Station Road/East of Furniss Way, West Town, Hayling Island

Proposal: Outline planning permission for mixed-use development comprising up to 59 dwellings and 1,250sqm of light-industrial accommodation (Use Class B1). Off-site highway works including widening of footpath.

Further to your application received on 26 June 2013, which was valid from 27 June 2013, 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 Approval of the details of the following aspects of the development, **hereinafter called "reserved matters"** shall be obtained from the Local Planning Authority in writing before any development is commenced:
 - (i) the scale of the development;
 - (ii) the appearance of the development
 - (iii) the landscaping of the site
 - (iv) the layout of all the buildings**Reason:** In order to secure a satisfactory development.

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- 4 The development shall be carried out in accordance with a Phasing Layout Plan to be submitted to and agreed 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 must be first agreed in writing by the Local Planning Authority.
Reason: To ensure satisfactory comprehensive development and proper planning of the area.
- 5 Construction of the development hereby permitted shall not commence on each phase 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 for that phase have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that site levels are adequately addressed in the interests of the character and amenity of the area and of neighbours having due regard to policies CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2011.
- 6 No development hereby permitted shall commence on each phase until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced (including semi-permeable materials) for that phase have first been submitted to and approved in writing by the Local Planning Authority. Each phase 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 CS16, and DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.
- 7 Construction of the dwellings hereby permitted shall not commence on each phase 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 for that phase have been first submitted to and approved in writing by the Local Planning Authority. No dwelling within that phase shall be occupied until completion of the installation of all its screening provision as is thus approved by the Local Planning 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Construction of the development hereby permitted shall not commence on each phase until an Arboricultural Impact Assessment and Method Statement has been submitted and agreed in writing by the Local Planning Authority. The proposed works shall be carried out in accordance with the approved details.
Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.

- 9 The development hereby permitted shall not be occupied on each phase until plans and particulars specifying the provision to be made for external lighting of the same and the type of street lighting including calculations, contour illumination plans and means to reduce light pollution for that phase 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. The approved details should be adhered to at all times.
Reason: To safeguard 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.
- 10 No development hereby permitted shall commence on each phase until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewerage disposal including proposed to serve the same, the treatment of existing water courses and ditches and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) for that phase have first been submitted to and approved in writing by the Local Planning Authority. No dwelling or building within that phase shall be occupied until completion of the implementation of its 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 CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan, and National Planning Policy Framework.
- 11 No development shall commence on each phase until a Construction Management Plan and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved Construction Management Plan and Construction Method Statement.
Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features and having due regard to policies DM8, DM10, and CS20 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 12 Any single garage/car port shall measure a minimum of 6m by 3m and be constructed as such and made available for the parking of motor vehicles at all times.
Reason: To ensure compatible use of the garage with the interests of local amenity. To ensure adequate on-site car parking provision for the approved dwellings and to discourage parking on the adjoining highway in the interests of local amenity, and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 13 The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation without the prior written approval of the Local Planning Authority.
Reason: To ensure the retention of adequate on-site car parking and to discourage parking on the adjoining highway in the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 14 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 15 No dwelling or building shall be occupied until space for the loading, unloading and parking of vehicles serving it has been provided within the site and surfaced and marked out in accordance with details to be agreed in writing with the Local Planning Authority. 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 the National Planning Policy Framework 2012.

- 16 Construction of the buildings hereby permitted shall not commence on each phase until a specification of the provision to be made for the storage and disposal of refuse for that phase has been submitted to and approved in writing by the Local Planning Authority. The dwellings within that phase shall not be occupied until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

Reason: To safeguard the amenity of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.

- 17 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.

- 18 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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 19 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A/D/E and F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England) Order 2008, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 20 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B/C of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, shall be constructed without the prior written approval of the Local Planning Authority.
Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 21 No bonfires shall be allowed on site during the period of demolition, clearance and construction.
Reason: To protect the amenity of existing residents in the vicinity of the site during construction and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework.
- 22 The development hereby permitted shall not be commenced until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.
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.
- 23 The residential development shall not commence until such time as the details of the access arrangements for the site access onto Station Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until such time as the access has been completed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure safe and appropriate access to the site and having due regard to policy CS20 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 24 The Employment development shall not commence until such time as the details of the access arrangements for the site access onto Furniss Way have been submitted to and approved in writing by the Local Planning Authority. No employment floor space shall be occupied until such time as the access has been completed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure safe and appropriate access to the site and having due regard to policy CS20 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 25 Clearance of suitable bird nesting habitat (including vegetation and buildings) shall only take place between September to mid-March (inclusive). If this is not possible then a pre-clearance check for occupied birds nests shall be undertaken by a suitably experienced ecologist. Work shall cease in any areas where occupied nests are identified and an exclusion zone of 5m maintained around such nests, until such time as those nests become unoccupied of their own accord.
Reason: To avoid impacts to nesting birds and having due regard to policy DM8 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 26 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 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 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 approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
 - Following completion of archaeological fieldwork the production of a report in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
- Reason:** To safeguard the potential archaeological interest of the site and having due regard to policies CS11, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 27 Prior to development commencing on each phase, detailed plans and proposals for the removal of any hedgerows, including for the protection of any birds and reptiles, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully adhered to and the site managed in accordance with the approved plan.
- Reason:** To conserve and enhance biodiversity and having due regard to policy DM8 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 28 No development hereby permitted shall commence on each phase until such time as a surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented for that phase before the dwellings are occupied and thereafter managed and maintained in accordance with the approved details. These details shall include:
- i. Information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site and the measures taken, including petrol/oil interceptors, to prevent pollution of the receiving surface waters;
 - ii. Calculations to demonstrate that the capacity of the attenuation pond is adequate and may exceed the needs of sustainable drainage; and
 - iii. a timetable for its implementation of i. above; and
 - iv. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable urban drainage scheme throughout its lifetime.
- Reason:** To prevent the increased risk of flooding and to improve and protect water quality, habitat and amenity and ensure future maintenance and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework.
- 29 Prior to development commencing on site, a scheme to deal with the risks associated with identified contamination at 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.

1. A desk study identifying:

- All previous uses
- potential contaminants associated with those uses.
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme based on previous investigation reports, for the purpose of informing an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3. 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 or other risk mitigation measures required, and how they are to be undertaken.

4. A verification report or statement shall be prepared (as appropriate) on completion of the remediation or risk mitigation 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.

All elements shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that no contamination sources exist or remain on the application site that may pose an unacceptable risk to future site users, offsite residential land uses, buildings & services, or controlled waters, and having due regard to policies E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Draft Local Plan (Allocations) 2012.

- 30 If, during development, contamination not previously identified on site is found to be present, no further development shall be undertaken until a report has been submitted to and approved in writing by the Local Planning Authority detailing how that contamination is to be dealt with. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to.

Reason: To ensure that no contamination sources exist or remain on the application site that may pose an unacceptable risk to future site users, offsite residential land uses, buildings & services, or controlled waters, and having due regard to policies E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Draft local Plan (Allocations) 2012.

- 31 Construction of the development hereby permitted shall not commence on each phase until samples and details of all external roofing and external facing materials for that phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

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.

- 32 Notwithstanding the provisions of any Town and Country Planning General Development or Use Classes Order, no unit of building accommodation on the land shall be used at any time for any purpose not falling wholly within the scope of 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.

- 33 The development hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by 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.

- 34 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) to be undertaken during the bird over wintering period (i.e. October to March inclusive).

Reason: To conserve and enhance biodiversity and having due regard to policy DM8 of the Havant Borough Local plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 35 Prior to development commencing on each phase a detailed plan for the creation, establishment and long-term maintenance of features for biodiversity enhancements at the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully adhered to and the site managed in accordance with the approved plan.

Reason: To conserve and enhance biodiversity and having due regard to policy DM8 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, March 2012.

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

Location Plan CSa/2128/1-4
Design and Access statement
Illustrative masterplan 2128-103RevE
Planning Statement July 2013
Flood Risk Assessment
Travel Plan June 2013 version No.2.0
Transport Statement June 2013
Ecology Assessment 1435-2011-R02a-JA-RW
Landscape and visual assessment Report No CSa/2128/01
Drainage Strategy Report and Flood risk Assessment. June 2013 version No.2.0
Brent Goose Mitigation Strategy September 2013.
Community Involvement Statement,
Ground Investigation Report,
Tree survey and constraints
Archaeological Desk Based Assessment,
Habitat Regulations Assessment Report,

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 6571.

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- (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) The applicant is advised that the development the subject of this outline consent is liable to the Community Infrastructure Levy (CIL) Schedule which became a material planning consideration on 1st August 2013. On approval of the last reserved matter arising from this outline consent, this development will be liable to pay the Council's CIL upon commencement of development. For further information, see the CIL pages online at www.havant.gov.uk



Mr Chris Murray
Service Manager (Planning Development)

09 October 2014