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BOROUGH COUNCIL

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Mr J Sayer
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61 South Street
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For:

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

Application Number: APP/13/00592

Site Address: Former Council Depot, Harts Farm Way, Havant

Proposal: Application for removal of Condition 13 of Planning Permission APP/10/00737.

Further to your application received on 13 June 2013, 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 hereby permitted shall be begun either before expiration of 5 years from the date of 23rd June 2011 (the decision date of APP/10/00737), or before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.
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 5 years from the date of 23rd June 2011 (the decision date of APP/10/00737).
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 No phase of the development hereby permitted shall commence until plans and particulars specifying the detailed proposals for the following aspects of the same have been submitted to and approved in writing by the Local Planning Authority or otherwise agreed in writing by the Local Planning Authority as part of a phased development of the site:

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(i) The reserved matters:

- (a) The layout, scale and appearance of all the buildings;
- (b) The means of access thereto from an existing or proposed highway (including pedestrian, cycles, and vehicles);
- (c) Landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;

(ii) Other matters:

- (d) The layout of the development including the positions and widths of roads and footpaths;
- (e) The finished levels (above ordnance datum) of both the ground floor of the proposed buildings(s) and the surrounding ground levels;
- (f) Access facilities for the disabled;
- (g) The layout of foul sewers and surface drains;
- (h) The manner of treatment of existing water courses and ditches;
- (i) Landscaping including an accurate plan showing the position, type and spread of all existing trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to bring the tree(s) to be retained to a satisfactory condition; and also details of any proposals for the felling, lopping, topping or uprooting of any tree;
- (j) Landscaping including the arrangements to be made for the future maintenance of landscaped and other open areas;
- (k) The alignment, height and materials of all walls and fences and other means of enclosure;
- (l) Hardsurfacing proposals including surfacing materials;
- (m) The provision to be made for the parking, turning, loading and unloading of vehicles;
- (n) The provision to be made for the storage and removal of refuse from the premises;
- (o) The provision to be made for street lighting;
- (p) The provision to be made for external lighting;
- (q) The measures to be taken to prevent damage to existing trees (and hedgerows) throughout implementation of the development;
- (r) The areas to be used for contractors' vehicle parking and materials storage during (site clearance and) construction of the development;
- (s) A phased programme for implementation of the development;
- (t) The provision to be made for the parking of cycles.
- (u) The provision to be made for CCTV.
- (v) The provision for bat access points within the development.
- (w) Details of footway/cycleway provision to serve the site.

Reason: In order to secure a satisfactory, safe and sustainable form of development and to ensure that the completed development provides an acceptable layout having regard to the National Planning Policy Framework and development plan policies.

- 4 No development shall take place within the area of the application (this would be the area of the archaeological interest) until the applicant, or their agents or successors in title, 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 in writing by the Local Planning Authority.

Reason: The site is of archaeological significance and it is important that the opportunity should be afforded to excavate the site before development commences and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 No part of the development (other than site investigations and remedial works, the demolition and clearance of the site, provision of service and infrastructure works including works by statutory undertakers, construction to base course of any access/egress and estate roads and completion of the stream diversion and pond alterations/formation) shall commence without the written approval of the Local Planning Authority until such time as the off site highway improvements for the roundabout junction between the A27 westbound off slip and Harts Farm Way and for the Bedhampton Roundabout have been carried out to the satisfaction of the Local Planning Authority and the Highway Authority.

Reason: In the interests of highway safety and having due regard to policies CS16, CS20 and DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development shall take place until the developer has carried out adequate investigation to assess the degree of contamination of the site and to determine its water pollution potential. The methods and extent of the investigation shall be agreed with the Planning Authority before any work commences. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Planning Authority.

Reason: To prevent pollution of the water environment as the site may be contaminated due to the previous use and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 No development approved by this permission shall be implemented until a detailed design for the proposed relocated route of the watercourse that crosses the application site has been agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate conveyance of water past the site, prevent pollution of the environment and to ensure re-creation of the biodiversity of the current watercourse corridor and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 No development hereby permitted shall commence on each phase until a timetable for the implementation and a scheme for the provision of foul drainage works 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 the details and timescale approved.

Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 No development hereby permitted shall commence on each phase until a timetable for the implementation and a scheme for the provision of surface water drainage works 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 the details and timescale approved. No soakaway shall be constructed in contaminated ground.

Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof waters shall not pass through the separator.
Reason: To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 11 The method of piling foundations for each phase of the development shall be carried out in accordance with a scheme to be submitted to and approved in writing by the Planning Authority prior to that phase of the development commencing.
Reason: The site is contaminated/potentially contaminated and piling could lead to the contamination of the underlying aquifer and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 No development shall commence until detailed proposals for the protection/diversion of the public sewer that crosses the site have been submitted to and approved in writing by the Local Planning Authority. If diversion of the public sewer is proposed and approved no construction works shall commence until the diversion of the sewer has been completed.
Reason: To secure the protection/diversion existing sewers and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 13 The construction of the buildings shall not commence until such time as a Site Travel Plan has been submitted to and approved in writing by the Local Planning Authority; the approved plan to be implemented within 3 months of the occupation of the first buildings.
Reason: In order to encourage the use of alternative modes of transport and reduce dependency on car use and having due regard to policies CS16, CS20, DM11, DM12 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 14 The development, hereby permitted, shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which Planning Permission APP/10/00737 was granted or which are subsequently submitted to, and approved by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: To ensure that the development is completed satisfactorily in all respects and is in accordance with conditions 1-13 above.

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 6573.
- (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 Development Control Service at the Civic Offices 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 sought and were provided with pre-application advice,
- You were updated about issues after the submission of the application.

(5) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 4th February 2014 which ties the permission to the Legal Agreements associated with permissions 02/52646/016 and APP/10/00737. The principal agreement dated 31.03.2006 requires:

- (i) SEEDA to undertake to construct the teardrop roundabout at the junction between the A27 westbound off slip and Harts Farm Way and the alterations to the Bedhampton (Rusty Cutter) roundabout; the undertaking of such works to be at SEEDA's own risk and in lieu of any highway and transport infrastructure requirements arising from the development 02/52646/016; and
- (ii) Hampshire County Council and Havant Borough Council to reimburse SEEDA upon receipt of any highway and transport infrastructure contributions arising from development in the Broadmarsh area in accordance with the requirements of the agreement and subject to SEEDA having completed the works at (i).



Mr Chris Murray
Service Manager (Planning Development)

11 February 2014