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To:
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For: Hargreaves Properties Ltd

**The Town and Country Planning (Development Management Procedure) (England)
Order 2010
Split Decision**

Application Number: APP/12/00491

Site Address: 4-10 Solent Road, Havant

Proposal: HYBRID APPLICATION: - Full planning permission for Phase 1 comprising demolition of existing buildings and construction of up to 1465 sqm (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), to include ancillary trade counters and B1a use (offices), with associated access, car parking and landscaping. Outline planning permission for Phase 2 comprising demolition of existing buildings and construction of up to 3608 sqm (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), to include ancillary trade counters and B1a use (offices), with associated access and car parking.

Further to your application received on 10 May 2012, which was valid from 22 November 2012, Havant Borough Council as Local Planning Authority,

(A) Grants Full Planning Permission for only the following part of the above proposal as described:

Full planning permission for Phase 1 comprising demolition of existing buildings and construction of up to 1465 sqm (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), to include ancillary trade counters and B1a use (offices), with associated access, car parking and landscaping.

This permission is subject to compliance with:

- (i) Part of the plans and other documents submitted with regard to your application, which relate to the development as described at **(A)** above only 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.

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- 2 No development approved by this planning permission (other than demolition of buildings) shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
 - 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 (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. 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 in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.

- 3 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in any approved remediation strategy required pursuant to Condition 2(3) above, and the effectiveness of that remediation, has been submitted to and approved, in writing, by the local planning authority. Should such a report be required it shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies, and to the long-term health of future site occupiers. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework, and to policy DM10 of the Havant Borough Core Strategy 2011, which form part of the Local Development Framework.

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies, and to the long-term health of future site occupiers. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework, and to policy DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 5 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Infiltration systems may mobilise any contaminants present which could cause pollution of groundwater. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.
- 6 No development (other than demolition of buildings) shall take place until a surface water drainage scheme for the site, 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 subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.
Reason: To prevent the increased risk of flooding, both on and off site. This condition is in line with paragraph 103 of National Planning Policy Framework and Policy CS15 of the Havant Borough Core Strategy 2011, which forms part of the Local Development Framework.
- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, mobilising contamination. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.
- 8 The commencement of construction of the development shall not take place until a programme for the suppression of dust during the construction 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 unless any variation has been approved by the Local Planning Authority.
Reason: In the interests of residential amenity and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

- 9 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall not be undertaken otherwise than in accordance with the approved details.
Reason: In order to protect the amenities of the area and secure adequate drainage infrastructure, and having due regard to Policy CS21 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 10 No development hereby permitted (other than demolition of buildings) shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard against undue damage to existing trees and other vegetation at and in the vicinity of the site and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 11 Construction of the buildings hereby approved shall not commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floor of the relevant building and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 12 Occupation of the buildings hereby approved shall not commence until:
- (i) plans and particulars specifying the final alignment, width, gradient and type of construction proposed for all new and altered accesses to serve Units 1 and 2 (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for surface water disposal have been submitted to and approved in writing by the Local Planning Authority; and
 - (ii) The implementation and making up of the same has been completed in full accordance with such plans and particulars as are thus approved by the Authority.
- Reason:** To ensure that they are constructed to satisfactory standard and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 13 No development hereby permitted (other than demolition of buildings) shall commence until a specification of measures to be undertaken to prevent damage to existing trees and hedgerows shown for retention on the approved site layout plan on the northern boundary of 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 during which such implementation is in progress. Any such tree 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 3 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 CS11.2 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 14 Construction of either of the buildings hereby permitted shall not commence until samples and details of the external facing and roofing materials for the relevant building have been 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 CS11, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 15 Occupation of the buildings hereby approved shall not commence until:
- (i) 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; and
 - (ii) 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 policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 16 Occupation of the buildings hereby approved shall not commence until:
- (i) 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; and
 - (ii) the installation of all screening provision as is thus approved by the Authority is completed.
- 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework March 2012.
- 17 Occupation of the buildings hereby approved shall not commence until plans and particulars specifying the provision to be made for external lighting of the same have 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 in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 18 Occupation of the buildings hereby approved shall not commence 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 CS11, CS12, CS16, DM8 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 19 No development hereby permitted (other than demolition of buildings) shall commence until an Employment and Skills Plan has been submitted by the developer and approved in writing by the Local Planning Authority. This Employment and Skills Plan shall relate to the construction phase of the development. The Employment and Skills Plan shall include arrangements setting out how the developer and their contractors will work directly with local employment/training agencies. The Employment and Skills Plan shall specify the provision for training opportunities and other initiatives in respect of the vocational and employability skills required by the owners/developer, and their contractors, for any new jobs and business opportunities created by the construction phase of the development.
- Reason:** In order to raise skills levels and increase employability and having due regard to policies CS3 and CS21 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 20 The construction of either Unit 1 or Unit 2 hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of the relevant unit. Unless otherwise agreed 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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 21 Any proposal relating to the installation and operation of potential noise creation equipment (manufacturing plant, refrigeration units, air conditioning, extract ventilation equipment and so forth) shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place.
- N.B.** Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.
- Reason:** In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the residential character of the area, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 22 Any proposal relating to the installation and usage of odour causing processes and / or odour suppression equipment (e.g. extract ventilation equipment) related to processes shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place
- Reason:** To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 23 Access and egress to and from Units 1 and 2 for all purposes shall only be taken from Solent Road, and no construction, delivery, servicing or staff vehicles shall access or egress the site from Brockhampton Lane.

Reason: To accord with the terms of the application as amended, and in order to protect the amenities of the adjacent Brockhampton Lane properties, which lie within a Conservation Area, and having due regard to Policies CS16 and CS11 of the Havant Borough Core Strategy 2011, which form part of the Local Development Framework.

- 24 Units 1 and 2 shall not be occupied until their related space for the loading, unloading and parking of vehicles and cycles has been provided within the relevant 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 policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework March 2012.

- 25 Unless otherwise agreed in writing with the Local Planning Authority, and with the exception of waste materials stored within designated waste areas, no article of any description shall be manufactured, assembled, altered, repaired or stored outside the buildings hereby approved.

Reason: In the interests of the amenity of the area and to retain adequate parking and servicing provision at the site, and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 26 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, the total amount of floorspace in the buildings hereby approved shall not at any time exceed the amount shown for the buildings on the approved drawings, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the adequacy of the associated vehicular parking provision and having due regard to policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

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

Plans:

- P680 – Site Survey
- HA SR TP O1 Rev S - Site Plan
- HA SR TP 02 Rev A - Parameters Plan
- 146-100 201 Rev C - Unit 1 Floor Plans (including roof plan)
- 146-100 301 Rev A - Unit 1 Elevations
- 146-200 201 Rev B - Unit 2 Floor Plans (including roof plan)
- 146-200 301 Rev A - Unit 2 Elevations
- 146-200 402 Rev A - Unit 2 Section

Documents:

- Planning Statement, May 2012
- Design and Access Statement, May 2012 (as updated/submitted 22 November)
- Flood Risk Assessment and Drainage Strategy, July 2012
- Transport Statement, incorporating Draft Framework Travel Plan (as amended/submitted 25/10/12 – Ref: 14126-02)

Other information submitted:

DTA Swept Paths, as provided on 1/11/12:

14126-15 Max Legal Artic Tracking Movements

14126-15 A - Max Legal Artic Tracking Movements Unit 1

14126-15 B - Max Legal Artic Tracking Movements Unit 2

14126-16 - Rigid Truck Tracking Movements

Reason: - To ensure provision of a satisfactory development.

(B) Grants Outline Planning Permission with respect to the following:

Phase 2 comprising demolition of existing buildings and construction of up to 3608 sqm (gross internal) of Class B1c (light industry) and/or Class B2 (general industrial) and/or Class B8 use (storage and distribution), to include ancillary trade counters and B1a use (offices), with associated access and car parking.

This permission is subject to compliance with;

(i) That part of the plans and other documents submitted with your application, which relate to the development as described at **(B)** above only, and;

(ii) The following 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

Such landscaping details 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 all trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

Reason: In order to secure a satisfactory development.

- 4 No development approved by this planning permission (other than demolition of buildings) shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - 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 (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. 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 in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.

- 5 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in any approved remediation strategy required pursuant to Condition 4(3) above, and the effectiveness of that remediation, has been submitted to and approved, in writing, by the local planning authority. Should such a report be required it shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies, and to the long-term health of future site occupiers. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework, and to policy DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Contamination may be present at the site as a result of its historical use(s). Any contamination present may pose a risk groundwater underlying the site and potable supplies, and to the long-term health of future site occupiers. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework, and to policy DM10 of the Havant Borough Core Strategy 2011, which form part of the Local Development Framework.

- 7 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Infiltration systems may mobilise any contaminants present which could cause pollution of groundwater. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.

- 8 No development (other than demolition of buildings) shall take place until a surface water drainage scheme for the site, 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 subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site. This condition is in line with paragraph 103 of National Planning Policy Framework and Policy CS15 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

- 9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies above the Lewes nodular chalk formation, a principal aquifer and within the groundwater Source Protection Zone 1 for the Bedhampton and Havant Springs water supply. Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, mobilising contamination. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. This condition is in line with paragraphs 109 and 121 of National Planning Policy Framework.

- 10 The commencement of construction of the development shall not take place until a programme for the suppression of dust during the construction 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 unless any variation has been approved by the Local Planning Authority.

Reason: In the interests of residential amenity and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

- 11 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall not be undertaken otherwise than in accordance with the approved details.

Reason: In order to protect the amenities of the area and secure adequate drainage infrastructure, and having due regard to Policy CS21 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 12 No development hereby permitted (other than demolition of buildings) shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard against undue damage to existing trees and other vegetation at and in the vicinity of the site and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 13 Construction of the buildings hereby approved shall not commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floor of the relevant building and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 14 Occupation of the buildings hereby approved shall not commence until:

- (i) plans and particulars specifying the final alignment, width, gradient and type of construction proposed for all new and altered accesses to serve Units 3 and 4, and the carriageway and footway alterations proposed to be made to Brockhampton Lane, (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for surface water disposal have been submitted to and approved in writing by the Local Planning Authority; and
- (ii) The implementation and making up of the same has been completed in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To ensure that they are constructed to satisfactory standard and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 15 No development hereby permitted (other than demolition of buildings) shall commence until a specification of measures to be undertaken to prevent damage to existing trees and hedgerows shown for retention on the approved site layout plan on the northern and eastern boundaries of 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 during which such implementation is in progress. Any such tree 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 3 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 CS11.2 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 16 Construction of either of the buildings hereby permitted shall not commence until samples and details of the external facing and roofing materials for the relevant building have been 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 CS11, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 17 Occupation of the buildings hereby approved shall not commence until:
- (i) 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; and
 - (ii) 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 policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 18 Occupation of the buildings hereby approved shall not commence until:
- (i) 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; and
 - (ii) the installation of all screening provision as is thus approved by the Authority is completed.
- 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework March 2012.
- 19 Occupation of the buildings hereby approved shall not commence until plans and particulars specifying the provision to be made for external lighting of the same have 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 in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 20 The landscaping scheme approved pursuant to Condition 3 above shall be completed within the timescale approved as part of that Condition, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants planted or retained as part of such approved landscaping scheme which die during the first 5 years shall be replaced with others 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, CS12, CS16, DM8 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 21 No development hereby permitted (other than demolition of buildings) shall commence until an Employment and Skills Plan has been submitted by the developer and approved in writing by the Local Planning Authority. This Employment and Skills Plan shall relate to the construction and occupation phases of the development. The Employment and Skills Plan shall include arrangements setting out how the developer, occupier and their contractors will work directly with local employment/training agencies. The Employment and Skills Plan shall specify the provision for training opportunities and other initiatives in respect of the vocational and employability skills required by the owners/developer, their contractors and future occupiers, for any new jobs and business opportunities created by the development.
Reason: In order to raise skills levels and increase employability and having due regard to policies CS3 and CS21 of the Havant Borough Core Strategy 2011, which forms part of the Local Development Framework.
- 22 The construction of either Unit 3 or Unit 4 hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority in respect of the relevant unit. Unless otherwise agreed 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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.
- 23 A Travel Plan (which shall include an implementation programme for all measures identified therein), drawn up in accordance with the contents of the Draft Travel Plan No. 14126-02 RevA, or other such measures, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of Unit 3 (or any subdivision thereof) and where the number of employees exceeds 40. The measures set out in the approved document shall be carried out in accordance with the approved implementation programme, or within a timescale which shall have been submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure that the transport impact of the development hereby permitted is reduced and does not materially exceed that forecast at the time permission was granted.
- 24 A Travel Plan (which shall include an implementation programme for all measures identified therein), drawn up in accordance with the contents of the Draft Travel Plan No. 14126-02 RevA, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of Unit 4 (or any subdivision thereof) and where the number of employees exceeds 40. The measures set out in the approved document shall be carried out in accordance with the approved implementation programme, or within a timescale which shall have been submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure that the transport impact of the development hereby permitted is reduced and does not materially exceed that forecast at the time permission was granted.
- 25 A waste management policy for Units 3 and 4 shall be submitted to and approved in writing by Local Planning Authority prior to the occupation of the respective units. Such policy shall provide a clear statement explaining the method of waste management which will be used throughout the site activities i.e. Disposal of trade waste, disposal of office waste, location of waste storage facilities.
Reason: To prevent contamination to land and watercourses, and to minimise odour nuisance and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 26 No works or ancillary operations associated with the construction of the

development which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times

Monday to Friday – 0800 hours - 1800 hours.

Saturday – 0800 hours - 1300 hours

Unless in association with an emergency, or in connection with a continuous construction procedure that cannot be interrupted, or with the prior written approval of the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from noise disturbance, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

- 27 Any proposal relating to the installation and operation of potential noise creation equipment (manufacturing plant, refrigeration units, air conditioning, extract ventilation equipment and so forth) shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place.
N.B. Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.
Reason: In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the residential character of the area, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 28 Any proposal relating to the installation and usage of odour causing processes and / or odour suppression equipment (e.g. extract ventilation equipment) related to processes shall be agreed and approved in writing by the Local Planning Authority prior to any such installation taking place
Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 29 Access and egress to and from Units 3 and 4 for all purposes following first occupation shall only be taken from Solent Road, and no delivery, servicing or staff vehicles shall access or egress the site from Brockhampton Lane.
Reason: To accord with the terms of the application as amended, and in order to protect the amenities of the adjacent Brockhampton lane properties, which lie within a Conservation Area, and having due regard to Policies CS16 and CS11 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 30 Unless otherwise agreed in writing with the Local Planning Authority deliveries of goods in connection with the Class B1(c), B2 and/or B8 uses hereby approved shall only be taken and/or dispatched from the site between the hours of 07:00 hours – 20:00 hours Monday to Friday and 07:00 hours – 19:00 hours Saturdays and not at all on Sundays and recognised Public Holidays.
Reason: In the interest of the amenities of occupiers of nearby residential properties and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 31 Units 3 and 4 shall not be occupied until their related space for the loading, unloading and parking of vehicles has been provided, 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 policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework March 2012.

- 32 Units 3 and 4 shall not be occupied until facilities have been provided for long and short stay cycle parking, in accordance with details that have been first submitted to and approved in writing by 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework March 2012.

- 33 Unless otherwise agreed in writing with the Local Planning Authority, and with the exception of waste materials stored within designated waste areas (as defined by details to be submitted and approved pursuant to Condition 25 above), no article of any description shall be manufactured, assembled, altered, repaired or stored outside the buildings hereby approved.

Reason: In the interests of the amenity of the area and to retain adequate parking and servicing provision at the site, and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework March 2012.

- 34 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, the total amount of floorspace in the buildings hereby approved shall not at any time exceed the amount shown for the buildings on the approved drawings, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the adequacy of the associated vehicular parking provision and having due regard to policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

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

Plans:

- P680 – Site Survey
- HA SR TP O1 Rev S - Site Plan
- HA SR TP 02 Rev A - Parameters Plan

Documents:

- Planning Statement, May 2012
- Design and Access Statement, May 2012 (as updated/submitted 22 November)
- Flood Risk Assessment and Drainage Strategy, July 2012
- Transport Statement, incorporating Draft Framework Travel Plan (as amended/submitted 25/10/12 – Ref: 14126-02)

Other information submitted:

DTA Swept Paths, as provided on 1/11/12:

14126-15 Max Legal Artic Tracking Movements
14126-15 A - Max Legal Artic Tracking Movements Unit 1
14126-15 B - Max Legal Artic Tracking Movements Unit 2
14126-16 - Rigid Truck Tracking Movements

Reason: - To ensure provision of a satisfactory development

Other Important Information:

In reaching its decision the Council has had regard to policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework: and The National Planning Policy Framework, March 2012.

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS12	Chichester Harbour Area of Outstanding Natural Beauty (AONB)
CS14	Efficient Use of Resources
CS15	Flood and Coastal Erosion
CS16	High Quality Design
CS17	Concentration and Distribution of Development within the Urban Areas
CS20	Transport and Access Strategy
CS21	Developer Requirements
CS3	Skills and Employability
DM10	Pollution
DM13	Car and Cycle Parking on Residential Development
DM14	Car and Cycle Parking on Development (excluding residential)
DM8	Conservation, Protection and Enhancement of Existing Natural Features
DM9	Development in the Coastal Zone

National Policies

The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, 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 effect on the character of the streetscene, the effect on the amenity of the neighbouring properties and the Conservation Area, Highway Issues and Environmental Issues. Having taken into account the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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 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) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) take a positive and proactive approach to development proposals focused on solutions. HBC work with applicants and agents in a positive and proactive manner 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

In this instance:

- You were updated about issues after the initial site visit,
Amended plans were accepted in the life of the application to address issues raised.



Mr Chris Murray
Service Manager (Planning Development)

29 January 2013