Havant BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr C Pickup
DPP LLP
14 Windsor Place
Cardiff
CF10 3BY

For: Tesco Stores

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

Application Number: APP/10/00296
Site Address: 3 London Road, Purbrook, Waterlooville
Proposal: Erection of A1 retail unit with 3No. residential dwellings above and associated works.

Further to your application received on 18 June 2010, which was valid from 16 July 2010, 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 before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Construction of the building hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials, including the provision of sample panels of the external facing materials and colour of mortar to be used for the construction of the same, has 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 CS11.4, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

3 The development hereby permitted shall not commence unless and until sample flint panels have been provided and approved in writing by the Local Planning Authority. The flint work subsequently utilised in the building shall conform in detailing and quality with the approved panel.
Reason: In the interests of the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 5.

4 Detailed plans showing the design and external appearance of the shop fronts including fascias shall be approved in writing by the Local Planning Authority before work on the shop fronts commences. The development shall not be brought into use until the approved details have been implemented in full.
Reason: In the interests of visual amenity and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

5 The ground floor windows to the retail unit fronting London Road shall at all times be provided and maintained so as to allow views into the store and an active street frontage in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The use of the retail unit shall not commence except in accordance with the approved scheme.
Reason: In the interests of the character and appearance of the area and the Purbrook Local Centre having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statements 1 and 4.

6 No development hereby permitted shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the setting of the St Johns Conservation Area and the streetscene, and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 5.

7 Before any residential development is occupied, a scheme for protecting the proposed dwellings from noise and vibration from traffic and retail sources shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

N.B.

Maximum noise level (predicted 15 years from completion of dwellings) in habitable rooms, with windows closed and other means of ventilation provided:

Daytime 38 dB $L_{Aeq,16h}$

Night time 30 dB $L_{Aeq,8h}$

Reason: To ensure that the proposed dwellings achieve an acceptable standard in the interests of the occupants and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, Planning Policy Statement 23 and Planning Policy Guidance 24.

8 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: To safeguard the amenities of proposed and existing residential occupants and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, Planning Policy Statement 23 and Planning Policy Guidance 24.

9 Prior to the commencement of the development approved by this Planning Permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of 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 site investigation or groundwater monitoring scheme based on previously Completed Site Assessment documents to provide up-to-date groundwater quality information (for comparison with previously agreed target levels).
2. A quantitative assessment of the risks to all receptors that may be affected, including those off site (this may be based upon documents previously submitted to the LPA).
3. The results of the Site Investigation (1) and Risk Assessment (2), and a Method Statement based on these, giving full details of any required remediation measures and how they are to be undertaken.
4. A verification report shall be prepared on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the Method Statement and setting out measures for maintenance, further monitoring and reporting. All elements shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the water environment & human health, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 23.

10 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, and obtained written approval from the Local Planning Authority for a scheme detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the water environment & human health, and having due regard to Policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 23.

11 No development hereby permitted shall be commenced until a detailed Soft Landscaping Scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 9.

12 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 25.

13 Notwithstanding the submitted details, no development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of a screen fence to be provided to the southern site boundary have been submitted to and approved in writing by the Local Planning Authority.
Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use/occupation prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

14 The development hereby permitted shall not be brought into use/occupation unless and until a 1.8m high boundary wall has been constructed to the northern and western site boundaries in accordance with full details to be submitted to and approved in writing by the Local Planning Authority. These details shall include details of construction to avoid potential harm to off site trees.
Reason: In the interests of the character and appearance of the locality and the setting of St Johns Conservation Area having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Development Framework 2011 which forms part of the Local Development Framework and Planning Policy Statements 1 and 5.

15 No development hereby permitted 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/or other vegetation at and in the vicinity of the site, 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.

16 No development including site clearance shall commence on the site until all trees/shrubs and/or other natural features not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority. Such fencing shall conform to the following specification in accordance with BS5837 2005.
Minimum 2.4m high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting a minimum of 20mm exterior grade ply.
Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.
Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

17 No burning of materials shall take place anywhere on the development site, throughout the period of site clearance and development.
Reason: To protect the health of trees to be retained in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

18 The soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered without the prior written approval of the Local Planning Authority.
Reason: To avoid damage to health of existing trees and hedgerows and having due regard to policies CS11.4 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

19 Any excavation work, including foundations, within the existing crown spread of the trees to be retained shall be carried out only by hand and under the supervision of a representative of the Local Planning Authority. Any roots over 25mm in diameter shall not be severed without the prior agreement of the Local Planning Authority.
Reason: To avoid damage to health of existing trees and hedgerows and having due regard to policies CS11.4 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

20 No development hereby permitted shall commence until a specification of the provision to be made for the storage and disposal of refuse following the commencement of use of the building hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.
Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

21 The retail use hereby permitted shall not commence until provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.
Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

22 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 23.

23 The commencement of the development shall not take place until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved 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 form parts of the Local Development Framework and Planning Policy Statement 23.

24 No equipment, raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time except within the buildings or storage areas approved in writing by the Local Planning Authority for that express purpose.
Reason: In the interest of the appearance of the site and the visual amenities of the surrounding area and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Guidance 23.

25 Deliveries (including waste collections) shall only be taken and/or dispatched from the site between the hours 07.00 to 21.00 Monday to Saturday and 09.00 to 16.00 hours on Sundays or recognised public holidays.
Reason: To safeguard the amenities of proposed and existing residential occupants and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, Planning Policy Statement 23 and Planning Policy Guidance 24.

26 The retail premises hereby permitted shall not open to the public before 07:00 hours or remain so open after 23:00 hours on Mondays to Sundays.
Reason: To protect the amenities 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 and Planning Policy Guidance 23.

27 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 Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 23.

28 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

29 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

30 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent deposition on nearby roads of mud and spoil from vehicles leaving the site throughout the implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.
Reason: In the interests of traffic safety and having due regard to policies CS16, CS20 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

31 The premises shall not be brought into use/occupied before the proposed access and the crossing of the footway is constructed and laid out in accordance with the approved details.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Guidance 13.

32 The development shall not be brought into use until a minimum of 19No. parking spaces have been provided within the curtilage of the site and cycle parking has been provided in accordance with the approved plans and thereafter all of those spaces kept available for such purposes.
Reason: In the interests of highway safety and having due regard to policies DM13 and DM14 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Guidance 13.

33 The development hereby permitted shall not be brought into use unless and until the proposed lay-by has been provided in accordance with the approved plans. The lay-by shall not provide parking other than for delivery vehicles to the retail unit hereby permitted.
Reason: To ensure that adequate provision for deliveries is provided in the interests of highway safety and in accordance with policy DM14 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Guidance 13.

34 The development hereby permitted shall not be brought into use/occupied unless and until a car park management plan including details of the marking out and signage of residential parking spaces, disabled parking and parking restrictions to allow customers to visit other commercial premises within the Purbrook Local Centre, arrangements for staff parking and details of enforcement methods have been submitted to and approved in writing by the Local Planning Authority. The car parking shall thereafter be provided and maintained in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that adequate parking is provided and maintained for the residential use and in the interests of the viability of the Local Centre having due regard to policies DM13, DM14 and CS4 of the Havant Borough Core Strategy 2011 together with saved policy TC1 of the of the Havant Borough District Wide Local Plan 1996-2011 both of which form part of the Local Development Framework and Planning Policy Guidance 13.

35 Prior to the occupation of the development a Code for Sustainable Homes Post Construction Certificate shall be submitted to the Local Planning Authority. The Certificate shall state that the residential development has attained a minimum standard of Level 3 of the Code, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 22.

36 The windows at 1st floor level in the west facing (rear) elevation of the building shall:-

i) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and;

ii) fixed shut or fitted with restricted openings in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

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

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

Location Plan Drawing Number 754706/02
Proposed Site Context Plan Drawing No. 07180 AL20 Rev B
Proposed Site and Ground Floor Plan Drawing No. 07180 AL30 Rev G
Proposed First Floor Residential Plan Drawing No. 07180 AL31 Rev F
Proposed Roof Plan Drawing No. 07180 AL32 Rev B
Proposed Elevations Sheet 1 of 2 Drawing No. 07180 AL35 Rev H
Proposed Elevations Sheet 2 of 2 Drawing No. 07180 AL36 Rev G
Proposed Street Scene Elevations Sheet 1 of 2 Drawing No. 07180 AL37 Rev G
Proposed Street Scene Elevation Sheet 2 of 2 Drawing No. 07180 AL38 Rev A
Existing & Proposed Section A-A Sheet 1 of 2 Drawing No.07180 AL40
Existing & Proposed Section B-B Sheet 2 of 2 Drawing No. 07180 AL41 Rev A
Existing Site Plan Drawing No. 07180 AL02 Rev A
Existing Elevation Drawing No. 07180 AL03
Tree Survey Drawing No. GC.42161.001
Tree Constraints and Protection Plan Drawing No.GC.42161.002
Landscape Supporting Statement December 2010
Design and Access Statement June 2010
Planning and Retail Statement June 2010
Heritage Statement May 2010
Environmental Noise Assessment June 2010
Transport Statement June 2010 as amended by Drawing No. SP12 Rev B
Further Soil Investigation and Updated Detailed Quantitative Risk Assessment Report June 2006
Arboricultural Impact Assessment July 2010
Arboricultural Method Statement July 2010
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 Planning Policy Statements/Guidance -

Havant Borough District Wide Local Plan 1996-2011

CS4	(Cemeteries)
TC1	(Hierarchy of Centres)

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS13	Green Infrastructure
CS14	Efficient Use of Resources
CS16	High Quality Design
CS17	Concentration and Distribution of Development within the Urban Areas
CS19	Effective Provision of Infrastructure
CS20	Transport and Access Strategy
CS21	Developer Requirements
CS6	Regeneration of the Borough
CS8	Community Safety
CS9	Housing
DM10	Pollution
DM11	Planning for More Sustainable Travel
DM12	Mitigating the Impacts of Travel
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

PPG13	(Transport)
PPG24	(Planning and Noise)
PPS 1	(Delivering Sustainable Development)
PPS 3	(Housing)
PPS 4	(Planning for Sustainable Economic Growth)
PPS 5	(Planning for the Historic Environment)
PPS 9	(Biodiversity and Geological Conservation)
PPS22	(Renewable Energy)
PPS23	(Planning and Pollution Control)
PPS25	(Development and Flood Risk)

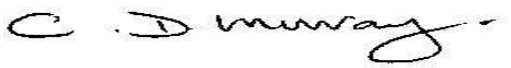
The Council considers, having regard to the objectives of these policies, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the principle of retail development, the nature of development, economic development issues, the effect on the character and appearance of the area including St John's Conservation Area, the appropriateness of the design, the effect on existing neighbouring residential properties, the effect on proposed residential units from noise/vibration and air quality, contamination of land, highways and parking issues, crime and disorder issues and developer contributions. 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) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 22 December 2011 which requires a contribution of £27,925 to the County Council's Transport Contributions Policy



Mr Chris Murray
Service Manager (Planning Development)

14 March 2012