Havant BOROUGH COUNCIL

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For:

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

Application Number: APP/10/00912
Site Address: Interbridges Site, New Brighton Road, Emsworth
Proposal: Extension of time limit for the implementation of Planning Permission 07/54901/007 for development comprising 12No. Industrial units (1822.6sqm within B1 (b&c) and 3No. Office units (395sqm). Open storage and provision of commuter car park with new access to New Brighton Road.

Further to your application received on 16 November 2010, which was valid from 23 November 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(s) hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the National Planning Policy Framework, March 2012.

3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.
Reason: To ensure a satisfactory standard of development and relationship to the streetscene and landscape and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

4 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 policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

5 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. Such particulars shall include details for storage areas, safety exclusion measures relative to the railway and A27 and vehicles barriers and their alignment clear of the footpath.
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 The National Planning Policy Framework, March 2012.

6 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent damage to existing trees and hedgerows on the site throughout implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times whilst 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 2 metres height when planted.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

7 No development shall commence until a landscape management plan and landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall include long term design objectives, management responsibilities and implementation and maintenance schedules for all landscape areas for a minimum period of five years.
Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

8 The approved landscape management plan and landscaping scheme (pursuant to Condition 7) shall be completed within 1 months from the completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.
Reason: To ensure that the landscape scheme is completed in the interests of the appearance of development and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

9 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 policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

10 No development pursuant to the Permission hereby granted shall commence until the applicant or their agents or successors in title have undertaken a detailed Phase II ecological investigation and survey of the site at an appropriate time of year and submitted the findings to the Local Planning Authority for consideration together with a scheme of mitigation and programme for implementation of such measures. The approval in writing of the LPA shall be obtained before any work is commenced and the approved details shall be fully implemented as approved before the units are occupied.
Reason: To ensure that any ecological interest on the site is properly dealt with and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

11 No development approved by this Permission shall be commenced until a scheme for the provision of surface and foul water drainage works, including the provision and implementation of a surface water regulation system, has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with such details and with a timetable to be agreed.
Reason: To prevent the increased risk of flooding and the pollution of the water environment by ensuring the provision of satisfactory means of drainage and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

12 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 in the interests of traffic safety and having due regard to policies CS16 and DM13 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

13 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 8 of the 1995 Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: To maintain control over further development having regard to the level of parking provision and site layout, and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

14 Deliveries shall only be taken and/or dispatched from the site between the hours of 0700 and 2200 Monday to Friday and 0700 and 1300 on Saturdays and not at all on Sundays and recognised Bank Holidays.
Reason: In the interests 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 and The National Planning Policy Framework, March 2012.

15 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 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.

16 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.

17 The development hereby permitted shall not be occupied until plans and particulars specifying the provision to be made for any external lighting, including floodlighting, 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 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 The premises shall not be occupied before the proposed access and associated footways and highway works have been constructed and carried out in full accordance with the approved details to the satisfaction of the Local Planning Authority in consultation with the highway authority.
Reason: In the interests of highway safety and having due regard to 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.

19 The development shall not be brought into use until space for the loading, unloading and parking of vehicles including provisions for cycles and motorcycles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

20 No development hereby permitted (nor any related site clearance) shall commence until there have been submitted to and approved in writing by the Local Planning Authority a specialist report of survey of the site according either with "Code of Practice for the Identification of Potentially Contaminated Land and Its Investigation DD175 1988" or with such other form of survey assessment as has been approved by the Authority for the purpose of determining the nature, scale and location of contaminated land at this particular site and a consequential specialist report specifying the works and actions to be undertaken to safeguard against such contamination. All measures forming part of such approved safeguarding specification shall be undertaken and fully adhered to.
Reason: To prevent pollution of the water environment and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

21 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

22 No development hereby permitted shall commence on site until details of the finished levels and profile (including long and cross-sections) of the proposed access onto New Brighton Road have been submitted to and approved in writing by the Local Planning Authority and in consultation with the Highway Authority. The development shall be carried out strictly in accordance with such approved details.
Reason: In the interests of highway safety and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

23 No excavations or construction works associated with the development of any of the buildings hereby approved shall commence until the new access onto New Brighton Road shall have been constructed in accordance with the details approved pursuant to the above Condition 22 up to base course level including the provision of kerb.
Reason: In the interests of highway safety and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

24 None of the buildings and/or car parking areas hereby permitted shall be brought into use until the new access onto New Brighton Road including the new traffic signal junction and replacement guard railings, shall have been constructed in accordance with details to be approved pursuant to Condition 22 above, and to the required Section 278 Agreement under the Highways Act 1980, and been completed to the satisfaction of the Local Planning Authority and the Highway Authority.
Reason: In the interests of highway safety and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

25 No sound amplifying equipment or other machinery which is audible at any adjacent residential boundary shall be installed in the premises without the written consent of the Local Planning Authority.
Reason: In the interests of the amenities of nearby property and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

26 No goods, plant or materials associated with the use of the approved buildings hereby approved shall be operated, deposited or stored in the open on the site, except that operators of those buildings only may temporarily store goods within the approved storage areas indicated on the approved drawings.
Reason: In order to protect the amenities of the area and maintain adequate parking, services and turning facilities at all times and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any replacement or re-enactment thereof, no vehicular access shall be formed from the site onto the adjacent Seagull Land and public footpath system.
Reason: In the interests of highway safety and the safety of users of the footpath, and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

28 No part of the development shall be occupied until a full Green Travel Plan has been prepared and approved in writing by the Local Planning Authority. No part of the development shall be occupied for a period of more than 1 month until the approved Green Travel Plan has been implemented.
Reason: In the interests of highway safety and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

29 No pedestrian or vehicular access shall be permitted between the application site and the A27 trunk road.
Reason: In the interests of highway safety and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

30 No development including site preparation works shall be commenced until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and such approved plan shall be adhered to throughout the duration of the development.
Reason: In the interests of highway safety and efficiency and having regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

31 No development shall commence until the developer has carried out an investigation assessing the degree of contamination of the site and determining its water pollution potential. The methods and extent of this investigation shall be agreed with the Local Planning Authority prior to works commencing. On completion of this site investigation, details of appropriate measures to prevent water pollution of groundwater and surface water, including provisions for monitoring, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall then incorporate these approved measures.
Reason: To prevent pollution of the water environment and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

32 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 water shall not pass through the separator.
Reason: To prevent pollution of the water environment and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

33 No sewage or trade effluent (including vehicle wash or vehicle steam cleaning effluent) shall be discharged to any surface water drainage system.
Reason: To prevent pollution of the water environment and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

34 Any facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.
Reason: To prevent pollution of the water environment and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

35 Units 1-3 shall be used only for B1 (a) purposes only, and units 4-15 be used only for B1 (b & c) uses, and for no other purposes whatsoever including any other purposes of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason: As proposed to control development and use, and to protect the amenities of neighbouring residential properties and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

36 Notwithstanding the provisions of any Town and Country Planning General Development Order, the total amount of floorspace in each of the units of building accommodation No's. 8, 9, 10, 14 and 15 shown on the drawings hereby approved shall not, at any time, exceed the amount shown for each such unit on those same drawings.

Reason: To safeguard the adequacy of the associated vehicular parking provision and having due regard to policies CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

37 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 The National Planning Policy Framework, March 2012.

38 No development hereby permitted (nor any related site clearance) shall commence 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. All measures forming part of such an approved programme shall be undertaken and fully adhered to throughout the period of construction/demolition unless any variation has been approved in writing by the Local Planning Authority.
Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

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

CS16	High Quality Design
CS17	Concentration and Distribution of Development within the Urban Areas
CS2	Employment
CS20	Transport and Access Strategy
CS6	Regeneration of the Borough
DM10	Pollution
DM13	Car and Cycle Parking on Residential Development
DM8	Conservation, Protection and Enhancement of Existing Natural Features

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 appropriateness of the design and external appearance of the building, the effect on the character and appearance of the area, the effect on the neighbouring properties, the effect on protected species, flood risk issues, footpath link, adequacy of parking and highway implications.. 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 11th June 2012 which is a deed of variation to the previous planning obligation agreement made under Section 106 dated 21 April 2008 and continues to require as part of this development:

(i) A footpath to be provided to a specified standard and maintained by the land owner across the land over a route between footpath Nos 72 and 73 and New Brighton Road, this footpath to be made available at all times for use by the public.

(ii) The provision and maintenance of a 24 space commuter car park within the development site.



Mr Chris Murray
Service Manager (Planning Development)

20 July 2012