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**The Town and Country Planning (Development Management Procedure) (England) Order
2010
Discharge of Conditions Application**

Application Number: APP/12/00009

Site Address: 158 Hart Plain Avenue, Waterlooville, PO8 8QP

**Proposal: Discharge of Condition No's 2, 3, 4, 5, 6, 7, 14, 15, 26 and 31 of Planning
Permission APP/11/00893.**

This decision relates to your application received on 23 December 2011 which was valid from 19 March 2012, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission.

The conditions in respect of which information has been submitted are:

- 2 Construction of the buildings 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 policies CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

Details Submitted

Commercial Building

Brick - Wienerberger Bloomsbury Multi Stock
Roof - Single Ply Membrane Colour Lead Grey

Residential Building

Brick - Wienerberger Bloomsbury Multi Stock
Render - Manufacturer K Rend Scraped Textured Finishes. Colour Polar White
Roof - Single Ply Membrane Colour Lead Grey

Our Ref: APP/12/00009

The submitted brick samples would be acceptable for use on the buildings together with the roofing material for the residential block and these would be in keeping with the character of the area. The details would therefore comply with the condition. The Council has not made a decision regarding the proposed roofing material for the commercial building.

- 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 in writing by the Local Planning Authority.

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 forms part of the Local Development Framework, and Planning Policy Statement 1.

Details Submitted

A Site Layout Plan (Levels Existing and Proposed and Site Boundary Treatment): Drawing No.09-1682-123 P1 has been submitted. The site levels and building levels are considered satisfactory and comply with the requirements of the condition.

- 4 No development hereby permitted shall be commenced until a detailed Soft Landscaping Scheme for all open parts of the site not proposed to be hard surfaced, including the layout of all external amenity spaces, 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 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 9.

Details Submitted

A landscape proposal plan (Drawing No.1379-001 Rev P01) has been submitted. The landscaping plan is considered satisfactory and complies with the requirements of the condition.

- 5 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 hard surfaced 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 hard surfacing 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.

Details Submitted

A landscape proposal plan (Drawing No.1379-001 Rev P01) has been submitted. The landscaping plan is considered satisfactory and complies with the requirements of the condition.

- 6 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 means of enclosure, including screen walls, fences, hedges and other means of enclosure. This shall include the boundary treatment to be erected between the North East corner of the residential block and the adjacent boundary and between the western wall of the cycle store and the wall of the adjoining yard to the rear of the retail premises, 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 occupied until the installation of all approved means of enclosure has been completed. At all times thereafter, all means of enclosure 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.

Details Submitted

A Site Layout Plan (Levels Existing and Proposed and Site Boundary Treatment): Drawing No.09-1682-123 P1 has been submitted. The boundary treatment would ensure that the development is in keeping with the streetscene and are considered satisfactory and comply with the requirements of the condition.

- 7 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 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

Details Submitted

A Site Layout Plan (Levels Existing and Proposed and Site Boundary Treatment): Drawing No.09-1682-123 P1 has been submitted. This shows details of the layout of the foul and surface water drainage. These services will not damage existing trees or vegetation on the site. The details are considered satisfactory and comply with the requirements of the condition.

- 14 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 forms part of the Local Development Framework.

Details Submitted

A Materials Compound Plan (Drawing No.09-1682-124 P1) has been submitted. The location of the material compound plan would not affect amenity and is considered satisfactory and complies with the requirements of the condition.

- 15 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.

Details Submitted

Works will be monitored on a daily basis with localised cleaning as necessary, by hand. Periodic use of a motorised road sweeper will be instigated as necessary. The details are considered acceptable and would therefore comply with the requirements of Condition 15.

- 26 Any proposal relating to the installation of noise making equipment (i.e. refrigeration units, air conditioning, extraction ventilation equipment's) scheme shall be first submitted to and approved in writing by the Local Planning Authority prior to any developments taking place.
Reason: To protect the occupants of nearby residential properties from noise, vibration and/or dour nuisance having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

Details Submitted

An RBA Acoustics Environmental Noise Survey Report prepared on 21 December 2011 and Commercial Unit Plan Information Sheet received by the Local Planning Authority on 26 March 2012 has been submitted. The details are considered acceptable and therefore comply with policy.

- 31 (i). The residential development shall not be commenced until a traffic management plan for the period of development works must be submitted to and approved in writing by the Local Planning Authority and subsequently implemented. The approved traffic management plan must be adhered to at all times.

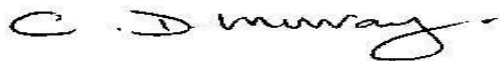
(ii). The retail development shall not be commenced until a traffic management plan for the period of development works must be submitted to and approved in writing by the Local Planning Authority and subsequently implemented. The approved traffic management plan must be adhered to at all times.

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.

Details Submitted

A Traffic Management Plan has been submitted by email on 12/03/12. The details are considered acceptable and therefore comply with policy.

- (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) If any additional noise generating/air moving equipment is proposed for the commercial building in the future the applicant is advised that a further application for discharge should be made under Condition 26.
- (5) Although the material compound is acceptable for the purposes of Condition 14 above, the applicant is advised that a larger compound deeper into the site is advisable.



Mr Chris Murray
Service Manager (Planning Development)

29 March 2012