

8. **18/01615/FULLN (PERMISSION) 22.06.2018**
SITE: Plot 35, South Way, Walworth Business Park,
ANDOVER TOWN (ST MARYS)

51 – 78

CASE OFFICER: Emma Jones

APPLICATION NO.	18/01615/FULLN
SITE	Plot 35, South Way, Walworth Business Park, SP10 5LH, ANDOVER TOWN (ST MARYS)
COMMITTEE DATE	25 th October 2018
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1.0 AMENDMENTS

- 1.1 As a result of the publication of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 on the 1st October 2018, notice is required to be given to an applicant of the Local Planning Authority's intention to impose pre-commencement conditions, should planning permission be granted for a proposed development. This was carried out in relation to this application, and further discussions have since taken place with the applicant in respect of the conditions recommended within the main agenda report. This has resulted in amendments being made to a number of the recommended conditions in terms of the stage of construction by which certain details are required to be submitted. Amendments have also been made to a number of conditions in respect of the level of detail required to be submitted. The amendments are reflected in the recommendation below, and in particular relate to conditions 3, 5, 7, 9, 10, 11, 13 (now 12), and 15 (now 14).
- 1.2 Condition 12 as recommended in the main agenda report has been removed given that separate planning permission would be required for the formation of any additional accesses to the site.

2.0 RECOMMENDATION

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure mitigation in respect of highway infrastructure/delivery of travel plan then PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2369 PL100 A; 2369 PL102 E; 2369 PL103 E; 2369 PL121; 2369 PL110; 2369 PL120; 2369 PL112 A; 2369 PL122 A; 2369 PL111; 2369 PL 113; 2369 PL123; 18025/002 B; 18025/TK03 B; 18025/001.
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. No development shall take place above damp proof course (DPC) level of each of the units hereby permitted until samples and details of the materials to be used in the construction of all external surfaces of each of the units hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development**

shall be carried out in accordance with the approved details.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

4. Notwithstanding the details submitted no development shall take place above damp proof course (DPC) level of the development hereby permitted until full details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include, where appropriate: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.).
Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes, proposed numbers/densities and tree pit details. The landscape works shall be carried out in accordance with the approved details.
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
5. Notwithstanding the details submitted no development shall take place above damp proof course (DPC) level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme. The landscape implementation, management and maintenance shall be carried out in accordance with the approved details.
Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
6. No development shall take place (other than any approved demolition and site clearance works) until a detailed surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority, containing the following elements:
 - Where infiltration is used for drainage, evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015.

Reason: Details are required prior to commencement to ensure the prevention of an increased risk of flooding and to ensure the improvement and protection of water quality, habitat and amenity in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 7. Each of the units hereby permitted shall not be occupied for either of the approved uses until a scheme has been submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site, in accordance with the current BS 4142 assessment. The scheme for the use of each unit shall include:-**
- a) the background level(s) (LA90) for the period the development is in operation; and ensure that**
 - b) the rating level of the noise emitted from the development shall be at least consistent background level at the boundary of the nearest noise sensitive property at the times of the operation of each unit. The development shall be operated in accordance with the approved scheme for each unit.**

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 8. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

Reason: Details are required prior to commencement to ensure a safe working environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

- 9. In the event that contamination that was not previously identified is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local**

Planning Authority prior to the site being brought in to use.

Reason: To ensure a safe working environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

- 10. No development shall take place (other than any approved demolition and site clearance works) until an Employment and Skills Plan to encourage and promote skills and training in the construction industry in accordance with the Construction Industry Training Board (CITB) Client Based Approach to developing and implementing an Employment Skills Strategy on Construction projects, Local Client Guidance - England, v2, CITB and the National Skills Academy 2016 has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: Details are required prior to commencement in order to identify and provide skills needs and training delivery in accordance with Test Valley Borough Revised Local Plan 2016 policy ST1.

- 11. The development shall be designed and built so that it achieves a standard equivalent to Building Research Establishment's Environmental Assessment Method (BREEAM) 'excellent' credit required for water consumption (reference Wat 1). Within one month of the first occupation of each of the units hereby permitted, written evidence demonstrating that this level of water consumption is achieved for that unit shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

Note: Evidence of a suitable BREEAM certificate or written evidence by a BREEAM accredited professional would both be potentially appropriate forms of submission.

- 12. Each unit hereby permitted shall not be occupied for either of the approved uses until the corresponding space for each unit has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plans and this space shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

- 13. Each unit hereby permitted shall not be occupied until provision for cycle parking/storage has been made to serve the same unit for its proposed use, in accordance with details to be submitted and approved in writing with the Local Planning Authority has been made. The approved scheme shall be maintained for this purpose at all times.**

Reason: In the interest of providing sufficient safe parking for cyclists and in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T1.

- 14. No development shall take place (other than any approved demolition and site clearance works) until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should include; construction traffic routes, parking and turning provision to be made on site, measures to**

prevent mud from being deposited on the highway and a programme for construction. The agreed details shall be fully implemented before the development is commenced.

Reason: Details are required prior to commencement in the interests of highway safety in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T1.

Notes to applicant:

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
2. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Developments that affect legally protected species are also likely to be contrary to policy E5 of the Test Valley Revised Local Plan DPD. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
3. Separate permission is required under Section 278 of the Highways Act 1980 to construct/amend/close an access and/or footway. Please contact the Head of Highways, Hampshire County Council, Jacobs Gutter Lane, Hounslow, Totton SOUTHAMPTON, SO40 9TQ, Tel. No. 03005551388 or at roads@hants.gov.uk at least 12 weeks prior to the access works commencing.
4. If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. This consent is required as a separate permission to planning.
5. The Environmental Health Officer has advised that no work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, should take place before the hours of 0730 nor after 1800 on Mondays to Fridays; before the hours of 0800 nor after 1300 on Saturdays; and at all on Sundays and public holidays. Best practicable means should also be used to prevent dust emissions from all demolition and construction activities (e.g. the use of water to suppress dust) to prevent causing a nuisance to people living and working in the vicinity of the site.
6. Attention is drawn to the requirements of the Agreement dated XXXXXX under Section 106 of the Town and Country Planning Act 1990 which affects this development.