Development Management
Application No F/15/77022
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28 January 2016

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No. F/15/77022

In pursuance of their powers under the above Act and in accordance with your application received on 3 August 2015, with subsequent amendments dated

19/10/2015; 28/10/2015; 18/11/2015; 19/11/2015

the Council, as Local Planning Authority hereby PERMIT the following :

Description: Erection of dementia care centre comprising 64no. care beds and 20no. 1 & 2 bed supported apartments with associated access off Otterbourne Hill, car parking, amenity space, boundary treatments and landscaping.
Site: Land Adjacent To Penarth House, Otterbourne Hill, Eastleigh, SO50 4LJ

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be implemented in accordance with the following plans numbered: APL001 REV B, APL002, APL003 REV G, APL004 REV B, APL005 REV G, APL006 REV E, APL007 REV E, APL008 REV C, APL009, APL010 REV A, APL011, APL012, APL013, APL014, APL015 REV B, APL016. Reason: For the avoidance of doubt and in the interests of proper planning.

(3) No construction work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction

work shall only take place in accordance with the approved method statement which shall include:
a) a programme and phasing of the construction work, including landscaping and open space;
b) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
c) the arrangements for the routing/ turning of lorries and details for construction traffic access to the site from Winchester Road;
d) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges];
e) the parking of vehicles of site operatives and visitors;
f) measures to control the emission of dust and dirt generated by construction, taking account of the details contained in the Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition, 2006 [London Authorities] and 'Guidance on the Assessment of Dust from Demolition and Construction, 2014 [Institute of Air Quality Management];
g) construction noise and vibration assessment and scheme for controlling the identified noise and vibration from construction activities (to include piling details and timings);
h) provision for storage, collection, and disposal of rubbish from the development during construction period;
i) measures to prevent mud and dust on the highway during construction;
j) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
k) temporary lighting;
l) protection of pedestrian routes during construction;
m) proposed safeguards to preserve water quality and flows leaving the site (impacting the River Itchen SAC).
Reason: To limit the impact the development has on the amenity of the locality.

(4) No development shall start until the following details have been submitted to and approved in writing by the Local Planning Authority:
a) details and samples of the materials to be used in the construction of the external surfaces of the development;
b) the alignment, height and materials of all walls, fences and other means of enclosure;
c) plans including cross sections to show proposed ground levels and their relationship to existing levels both within the site and on immediately adjoining land;
d) width, alignment, gradient, type of construction proposed for any footpaths and accesses;
e) the provision to be made for external lighting, to be designed and located to minimise light spillage and avoid impacting on flight corridors used by bats;
f) details of the proposed cycle storage;
g) details and location of bat and bird boxes.
The development shall not be occupied until the approved details have been fully implemented unless agreed in writing by the Local Planning Authority.
Reason: To limit the impact the development has on the locality.

(5) Prior to commencement, a scheme of mitigation measures for the protection of the development from road noise and vibration shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme must reference final building layout, floor plans and elevational details, and must be submitted for approval by the Local Planning Authority. All works, which form part of the scheme approved by the Local Planning Authority, must be completed before any of the permitted dwellings is

occupied [unless agreed by the Local Planning Authority] The scheme shall be fully implemented, unless varied with the written permission of the Local Planning Authority in advance of implementation. Reason: To protect the amenity of future occupiers.

(6) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for its implementation and a management/ maintenance plan for the lifetime of the development including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Reason: To reduce the surface water run off from the site, prevent an increased risk of flooding, improve and protect water quality and water flows to the River Itchen; and to ensure future maintenance of the surface water drainage system.

(7) No development shall start until details for the disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(8) Within 3 months of development commencing on site, a BREEAM 'Excellent' interim stage certificate and sustainability report, demonstrating how all of the essential requirements for non-residential development of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met, have been submitted to, and approved in writing, by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(9) Within 3 months of first occupation, a BREEAM 'Excellent' final stage certificate and sustainability report, highlighting how all of the essential requirements for non-residential development of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met, have been submitted to, and approved in writing by, the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(10) No work shall commence on site until the following has been submitted to, and approved in writing by the Local Planning Authority:
(a) Report of preliminary investigation comprising a Desk Study, Conceptual Site Model and Preliminary Risk Assessment documenting previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Reports Nos. 11 CLR11, and BS10175:2011+A1 2013 Investigation of potentially contaminated sites Code of Practice, and, unless otherwise agreed with the Local Planning Authority;
(b) A report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Preliminary Investigation in accordance with BS10175:2011+A1 2013 and BS8576:2013, and, unless otherwise agreed with the Local Planning Authority;
(c) A detailed site specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and

proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works. Reason: To minimise the risk from land contamination for the safety of the building's occupiers.

(11) The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of the above condition 10(c) that any remediation scheme required and approved under the provisions of the above condition 10(c) has been implemented in full in accordance with the approved details [unless varied with the written permission of the Local Planning Authority in advance of implementation]. Unless agreed in writing with the Local Planning Authority such verification shall comply with the guidance contained in CLR11 and EA guidance for the safe development of housing on land affected by contamination - R&D Publication 66:2008. Typically such a report would comprise:-
(a) A description of the site and its background, and summary of relevant site information
(b) A description of the remediation objectives and redial works carried out
(c) Verification data including - sample locations/ analytical results, as built drawings of the implemented scheme, photographs of the remediation works in progress, etc
(d) Certificates demonstrating that imported and /or material left in situ is free from contamination.
Thereafter the scheme shall be monitored and maintained in accordance with the approved scheme under condition 10(c). Reason: To ensure the necessary site remediation works are completed.

(12) Within the first growing season following the discharge of the pre-commencement conditions, the trees numbered 52-66 on the submitted, (but not approved), landscape plan APL004 Rev B, [the details of which to be agreed with the Local Planning Authority], will be planted. Tree Protection Fencing shall be erected around these trees and thereafter no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. Reason: In the interests of visual amenity for nearby residents.

(13) A reptile translocation, habitat creation, management and monitoring strategy will be submitted and agreed before construction commences. This strategy will be informed by updated reptile survey following Natural England’s Standing Advice. Monitoring will be undertaken as laid out within the strategy with monitoring reports submitted to and agreed by Eastleigh Borough Council.
Reason: To ensure the protection of the reptile population.

(14) Immediately before any work is due to commence on site a badger survey should be undertaken and submitted to and agreed by Eastleigh Borough Council. To compensate for badger foraging habitat pasture land and fruit and nut bearing species will be incorporated within the landscaping strategy.
Reason: To ensure the protection of badger setts and the provision of compensatory foraging habitat

(15) Notwithstanding the submitted landscape plan, following completion of the reptile survey and approval of the reptile strategy, a landscape plan incorporating badger and reptile needs shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall cover all hard and soft landscaping [including trees and boundary treatment] and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard. Reason: To enhance the

ecological benefits of the open space and in the interests of the visual amenities of the locality.

(16) The landscape scheme to be approved must be completed within 12 months from the completion of the building shell, or by such later date as the Local Planning Authority may determine. Any trees or plants which die, are removed or become seriously damaged or diseased during the first five years must be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure that the appearance of the development is satisfactory.

(17) No development shall start until an Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The development must accord with the approved details and to the appropriate British Standard. Prior to commencement, the approved Tree Protection Fencing shall be erected and a site meeting attended by the Arboricultural Consultant and Site Manager has taken place where a representative from the Local Planning Authority has inspected and approved the fencing. Once approved no access by vehicles, storage or use of machinery, equipment or materials shall take place within the fenced area. The fencing shall be retained in its approved form for the duration of the work. Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(18) No construction or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

(19) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

(20) Details of all crime prevention proposals must be submitted to and approved in writing by the Local Planning Authority within three months of development commencing. The development must then accord with these approved details. Reason: In the interests of crime prevention.

(21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), the use of the development hereby permitted shall be as a mixed Class C2 and C3b only. Reason: In order to comply with the special planning circumstances given in justifying the development in its countryside location.

(22) Prior to installation, the siting and installation of plant and equipment, including process exhausts, which gives rise, or is likely to give rise, to emissions to air of either ash, dust, fume, gases, grit, odours or soot shall be approved in writing by the Local Planning Authority. Any plant or equipment used for the purpose of air conditioning shall be provided with suitable acoustic attenuation, or sited at agreed locations, to mitigate the effects of noise as approved in writing by the local planning authority. Reason: In the interests of residential amenity.

(23) The development hereby permitted shall not be brought into use until the car park has been constructed, surfaced and marked out in accordance with the approved plan. The approved parking area shall not thereafter be used for any

purpose other than the turning, parking, loading and unloading of vehicles. Reason: To make provision for off street parking for the purpose of highway safety.

(24) Within three months of the commencement of occupation of the approved development, the existing access/egress arrangement via Winchester Road to the site which is to be used for construction traffic shall be stopped up and abandoned and the footway/verge/crossing shall be reinstated in accordance with details to be approved in writing by the Local Planning Authority. Reason: In the interests of highway safety and visual amenity; and to ensure that there is only one vehicular access to the property.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review 2001-2011, and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014 the Submitted Local Plan comprising: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014', the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review [2001-2011], saved Policy 1.CO, 18.CO, 23.NC, 25.NC, 28.ES, 30.ES, 31.ES, 34.ES, 36.ES, 37.ES, 45.ES, 59.BE, 63.BE, 74.H, 100.T, 101.T, 102.T, 104.T, 190.IN, 191.IN.

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, the Submitted Local Plan, Policy S1, S2, S3, S5, S8, S9, S11, DM1, DM2, DM5, DM7, DM9, DM23, DM24M DM28, DM29, DM32, DM33, DM37.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning England Regulations 2012, a fee is required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

Note to Applicant: A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 1SW [Tel. 03303030199] or www.southernwater.co.uk.

Note to Applicant: Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during

construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW [Tel: 0330 303 0119] or www.southernwater.co.uk.



Louise O'Driscoll
Head of Development Management

N.B. See Enclosed Notes (PER)