Development Management
Application No X/16/79327
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28 February 2017

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

Application No. X/16/79327

In pursuance of their powers under the above Act and in accordance with your application received on 6 October 2016

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

**Description:** Variation of planning application F/15/76235 to include amendments to pipeline alignment to allow directional drilling, changes to permanent structures for operation and maintenance, changes to construction easements, compounds, access locations and sizes, removal of pipe bridge and consequential amendments to conditions.

**Site:** Botley Trunk Sewer, Botley, Southampton, Hampshire,

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: MMD-324224-C-DR-00-XX-0516 P4, MMD-324224-C-DR-00-XX-0517 P4, MMD-324224-C-DR-00-XX-0518 P4, MMD-324224-C-DR-00-XX-0519 P4, MMD-324224-C-DR-00-XX-0520 P6, MMD-324224-C-DR-00-XX-0521 P7, MMD-324224-C-DR-00-XX-0522 P7, MMD-324224-C-DR-00-XX-0523 P7, MMD-324224-C-DR-00-XX-0524 P7, MMD-324224-C-DR-00-XX-0525 P6, MMD-324224-C-DR-00-XX-0526 P6, MMD-324224-C-DR-00-XX-0527 P5, MMD-324224-C-DR-00-XX-0528 P6, MMD-324224-C-DR-00-XX-0529 P6, MMD-324224-C-DR-00-XX-0530 P6

Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than 20 July 2018.

Reason: To comply with Section 91 of the Town & Country Planning Act.

(3) All clearance or pruning of trees and vegetation required in association with the development hereby approved, shall be undertaken in accordance with the following documents, approved in relation to Condition 3 on F/15/76235:
•Mott MacDonald Memorandum from Julia Barrett (reference 341181, dated 1.10.15).
•Mott MacDonald Method Statement (reference GPH/VH/341181/01, dated 28.9.15).
•MGjv Methodology for Compliance with Local Planning Authorities Condition Number Three (dated 29.9.15).
•Email from Julia Barrett dated 13.10.15 with details of timescales for works to be undertaken.
•MGjv Ecological Method Statement dated 28.1.16

Reason: To ensure the protection of wildlife and supporting habitats.

(4) The phasing of the development hereby approved shall be carried out in accordance with the following documents, approved in relation to Condition 4 of F/15/76235:
•Construction & Environmental Management Plan (Feb 2016);
•Revised Appendix E to CEMP - Construction Traffic Method Statement; and
•WWN570182WDS-MG-10024-SS "Typical Footpath Diversion Phasing".

Reason: To enable the monitoring of the impact on the local area and transport network.

(5) The development of the new Waste Pumping Station site hereby approved shall be carried out in accordance with the following document, approved in relation to condition 5 of F/15/76235:
•Botley Park WPS Drainage Strategy rev B (August 2016).

Reason: To prevent the increased risk of flooding, both on and off-site.

(6) The development hereby permitted shall be carried out in accordance with the following Construction Environmental Management Plan and supplementary documentation as approved in relation to Condition 7 of F/15/76235:
•Construction Environmental Management Plan (Feb 2016)
•Revised Appendix E of the Construction Environmental Management Plan
•Email from Julia Barrett, Mott MacDonald dated 30.6.16 confirming distance from nearest drill launch pad to watercourse is 50m
•Email from Julia Barrett, Mott MacDonald dated 25.7.16 with confirmation email from Fisher German that 4m separation distance from pipeline is acceptable.
•WWN570182WDS-MG-10017-SS
•WWN570182WDS-MG-10019-SS
•WWN570182WDS-MG-10023-SS
•WWN570182WDS-MG-10022-SS
•WWN570182WDS-MG-10020-SS
•Record of Health, Safety & Environmental Briefing Method Statement
•Workplace Risk Assessment Form
•Method Statement/Risk Assessment Review Form
•WWN570182WDS-MG-40520-SS

Reason: To ensure the protection of water feed to European designated sites wildlife and supporting habitat and secure opportunities for the enhancement of the nature

conservation value of the site in line with national planning policy. Also, without this condition, the impact of a spill arising from this pipeline could cause deterioration of a quality element to a lower status class and/or prevent the recovery of and cause deterioration of a protected area Upper Hamble SSSI, Solent Maritime Ramsar and Solent and Southampton Water SAC because it may result in the release of priority hazardous substances namely Hydrocarbons. The East Hampshire river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

(7) Except for the clearance and pruning of trees and vegetation approved under Condition 3 of F/15/76235, works within the application site on land south of Steeple Court Manor and east of Church Lane shall only be undertaken from 1st April to 30 September.

Reason: To ensure no adverse impact to foraging and roosting Brent geese.

(8) The development hereby approved shall be carried out in accordance with the following badger mitigation strategy, approved in relation to Condition 10 of F/15/76235:
•Badger Licence Method Statement – Botley Park Golf Course – September 2015, revision A
•Natural England Badgers Licence, reference 2015-16286-SPM-WLM, dated 26 October 2015.

In addition during construction a 30m horizontal buffer shall be maintained at all times between badger setts A and B (as identified in the Badger Survey Report submitted with F/15/76235) and the pipeline, and a 20m horizontal buffer is maintained at all times between any construction working area and badger setts A and B.

Reason: To ensure badgers are appropriately protected during the construction works and that there is no damage to the integrity of the sett.

(9) No works with heavy machinery [i.e. plant resulting in a noise level in excess of 69dbA max - measured at the sensitive receptor] shall be undertaken during the bird overwintering period [i.e. October to March inclusive] on works taking place between the south side of Pudbrook Lake Streams and the Brook Lane wastewater pumping station.

Reason: To ensure that the development will not impact upon the features of special interest for which the Upper Hamble Estuary and Woods SSSI is notified.

(10) Unless otherwise agreed in writing by the Local Planning Authority, there shall be no storage of materials, equipment and machinery outside of the easement of the development as shown on the approved plans.

Reason: To ensure that the development will not impact upon the features of special interest for which the Upper Hamble Estuary and Woods SSSI is notified.

(11) The land reinstatement, landscape replacement and mitigation, habitat restoration and species mitigation, management and monitoring for the development hereby approved shall be carried out in accordance with the following documents approved in relation to Condition 13 of F/15/76235:
•Appendix H of the Construction Environmental Management Plan (February 2016) “Landscape Planting & Aftercare Specification” and any sections of the CEMP relating

to land reinstatement, landscape replacement & mitigation, and habitat restoration & species mitigation, management & monitoring only.
•MMD-324224-C-DR-00-DT-3200 rev P3
•MMD-324224-C-DR-00-DT-3201 rev P3
•MMD-324224-C-DR-00-DT-3202 rev P3
•MMD-324224-C-DR-00-DT-3203 rev P3
•MMD-324224-C-DR-00-DT-3204 rev P3
•MMD-324224-C-DR-00-DT-3205 rev P3
•MMD-324224-C-DR-00-DT-3206 rev P3
•MMD-324224-C-DR-00-DT-3207 rev P3
•MMD-324224-C-DR-00-DT-3208 rev P3
•MMD-324224-C-DR-00-DT-3209 rev P3
•MMD-324224-C-DR-00-DT-3210 rev P3
•MMD-324224-C-DR-00-DT-3300

Reason: In the interests of visual amenity of the locality, to safeguard the amenities of neighbouring residents and to preserve the character and appearance of the Conservation Area and the setting of the listed buildings. In addition the NPPF paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF states that if significant harm resulting from a development cannot be avoided [through locating on an alternative site with less harmful impacts], adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused and that opportunities to incorporate biodiversity in and around developments should be encouraged.

(12) For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.

Reason: In the interests of the visual amenities of the locality, to safeguard the amenities of neighbouring residents and to preserve the character and appearance of the Conservation Area and the setting of the listed buildings.

(13) The landscape management and maintenance for the development hereby approved shall be carried out in accordance with the following documents approved in relation to Condition 15 of F/15/76235:
•Appendix H of the Construction Environmental Management Plan (February 2016) "Landscape Planting & Aftercare Specification" and any sections of the CEMP relating to landscape management and maintenance only.

Reason: In the interests of the visual amenities of the locality, to safeguard the amenities of neighbouring residents and to preserve the character and appearance of the Conservation Area and the setting of the listed buildings.

(14) The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan contained within the following document approved in relation to Condition 16 of F/15/76235:
•Botley Park Trunk Sewer Arboricultural Report rev B (March 2016)

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(15) The tree protection shall be positioned and retained as shown on the approved Tree Protection Plan, before any equipment, materials or machinery are brought onto the site for purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monthly monitoring and compliance by the pre-appointed consulting arboriculturist.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

(16) The archaeological evaluation for the development hereby approved shall be carried out in accordance with the following documents, approved in relation to Condition 18 of F/15/76235:
•Appendix I of Construction Environmental Management Plan (Feb 2016) "Botley Trunk Sewer: Written Scheme of Investigation – Geophysical Survey and Fieldwalking Survey rev A (January 2016)"
•Written Scheme of Investigation for Archaeological and Geoarchaeological Evaluation (March 2016)

The approved Written Scheme of Investigation shall be implemented in full.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

(17) The programme of archaeological mitigation for the development hereby approved shall be carried out in accordance with the following document, approved in relation to Condition 19 of F/15/76235:
•An Archaeological Evaluation (Interim Report) (160093/BTM16)

The approved Written Scheme of Investigation shall be implemented in full.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

(18) Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

(19) Within one month of the cessation of construction traffic using Brook Lane a condition survey of the highway and grass verges, including photographic evidence, together with a schedule of works to repair any damage shall be submitted to the Local Planning Authority for approval. The repairs to the highway and grass verges shall be carried out within 3 months of the repair schedule being agreed, and shall be carried out in accordance with the agreed scheme.

Reason: To ensure no permanent damage to Brook Lane from construction traffic following submission of the pre-commencement condition survey submitted under Condition 21 of F/15/76235.

(20) Any excavation or other works required in relation to the development hereby approved that is on or adjacent to Botley Footpath No.2, Botley Footpath No.11 and Botley Bridleway No.6 shall be carried out in accordance with the following documents approved in relation to Condition 22 of F/15/76235:
•Letter from Mott MacDonald dated 10.6.16
•WWN570182WDS-MG-10024-SS "Typical Footpath Diversion Phasing"

Reason: To ensure that these public rights of way remain available and convenient for public use.

(21) A specification for the reinstatement of any public footpath, together with a timetable for the proposed works, shall be submitted to the Local Planning Authority for approval within 1 month of the completion of any section of works affecting a public footpath. The approved works shall be carried out within 3 months of the details being agreed in writing by the Local Planning Authority, in consultation with HCC, and shall be carried out in accordance with the agreed scheme.

Guidance on suitable surfaces can be found on the HCC website at http://www3.hants.gov.uk/countryside/countryside-design-standards.htm.

Reason: To ensure that these public rights of way remain available and convenient for public use.

(22) No construction, demolition or deliveries 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, Bank and Public Holiday, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of the nearby dwellings.

(23) The development hereby approved shall be carried out in accordance with the following documents approved in relation to Condition 25 on F/15/76235 that contain a detailed site specific scheme for remedial works, measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed, and future maintenance and monitoring:
•Contaminated Land Desk Study & Preliminary Interpretative Report - Addendum [28.4.16]
•Contaminated Land Discovery Strategy, dated 29.7.16

Reason: To minimise the risk from land contamination for public safety.

(24) 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 Condition 25 of F/15/76235 that any remediation scheme required and approved under the provisions of Condition 25 of F/15/76235 has been implemented fully 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 remedial works carried out
c] Verification data, including - data [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, gas / vapour membranes have been installed correctly
Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under Condition 25 of F/15/76235.

Reason: In minimise the risk from land contamination for public safety.

(25) Any fixed plant or equipment serving the development shall be provided with suitable acoustic attenuation, or sited at agreed locations, to mitigate the effects of noise [including vibration] as approved in writing by the Local Planning Authority prior to its use.

Reason: In the interests of residential amenity and to protect business interests.

(26) Mitigation measures to control noise and vibration from the development hereby permitted shall be carried out in accordance with the following documents approved in relation to Condition 28 of F/15/76235:
• Appendix J of CEMP - Discharge of Planning Condition 28 re: Noise & Vibration Assessment (April 2016, revision 1)
• Construction Environmental Management Plan (Feb 2016) related to noise & vibration assessment and mitigation.

Reason: To protect European designated sites and the amenities of occupiers of any nearby premises and minimise risk of vibration damage to neighbouring buildings.

(27) The dust mitigation scheme required for the development hereby permitted shall be carried out in accordance with the following documents approved in relation to Condition 29 of F/15/76235:
• Construction Environmental Management Plan (Feb 2016)
• Revised Appendix E of the Construction Environmental Management Plan "Construction Traffic Method Statement" (revision B, June 2016)

Reason: To limit the impact the development has on the amenity of the locality.

(28) The burning of materials obtained by site clearance or from any other source must not take place on this site without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

(29) The routing and turning of construction traffic and deliveries; loading/unloading of plant and materials; and measures to prevent mud on the highway during construction hereby permitted shall be carried out in accordance with the following documents approved in relation to Condition 32 of F/15/76235:
• Revised Appendix E of the Construction Environmental Management Plan "Construction Traffic Method Statement" (revision B, June 2016);
• Construction Environmental Management Plan (Feb 2016)

Reason: To limit the impact the development has on the amenity of the locality.

(30) The development shall be carried out in accordance with the recommendations of the Horizontal Directional Drill (HDD) Vibration Monitoring Report (January 2017, amended 27.1.17.

Reason: The River Hamble and its estuary are known to support migratory salmonids, namely Sea Trout. Sea Trout are protected by current fisheries and nature conservation legislation. Directional drilling and associated vibration has the potential to cause harm to migratory salmonids [smolts and eggs]. November to the beginning of May is the most sensitive time for salmonids. From November to March, adult fish are spawning and from March to May, young smolts are travelling down the streams back out to sea.

Note to Applicant: 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 & 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: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways, HCC call centre number 0845 6035633.

Note to applicant: The proposed pipeline route crosses three 'main river' watercourses to the West and South of Botley. The proposed means of crossing is by using a directional drill technique for the Woodhouse and Pudbrook Lake watercourses and the Hedge End Stream. All of these proposed crossings would require the prior written permission of the Environment Agency, under the terms of the Water Resources Act 1991, in the form of a Flood Defence Consent.

Note to applicant: The discharge of any dewatering effluent during the construction phase will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional ‘Environmental Permitting Guidance’ can be accessed via our main website: Environmental Permits

For further advice on consenting matters please contact Rob Waite, at the Environment Agency, on telephone number 01794 834594.

Note to applicant: The Environment Agency advise that the applicant refers to Pollution Prevention Guidance PPG 5 [Works in, near or liable to affect watercourses] and PPG 6 [Working at construction and demolition sites] which are available from the Environment Agency's website.

In the event of a pollution incident, all works should cease immediately and the Environment Agency contacted on the incident hotline 0800 807060.

Note to applicant: All those involved with the works should be informed of the status and legal obligations attached to the designations and where the boundary of the protected areas are to ensure that the development will not impact upon the features of special interest for which the Upper Hamble Estuary and Woods SSSI is notified.

L O'Driscoll

Louise O'Driscoll
Head of Development Management

N.B. See Enclosed Notes (PER)