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Application	F/22/93844
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Wednesday 7 December 2022

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

Application No. F/22/93844

In pursuance of their powers under the above Act and in accordance with your application received on Tuesday 20 September 2022 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Replacement of an existing two storey commercial/workshop building in existing boatyard.
Site: Deacons Marina, Bridge Road, Bursledon, SO31 8AZ

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: PA22-145:01, PA22-145:02, PA22-145:03 & PA22-145:04.

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

- 2 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.

- 3 No development shall start until details for the sustainable disposal of surface water and 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.

- 4 The Sustainable Drainage Scheme shall be fully implemented and written verification by an appropriate drainage consultant of its implementation in accordance with the approved plans and supporting drainage statements shall be provided to the Local Planning Authority prior to the first occupation of the development. The sustainable drainage scheme shall thereafter be retained, maintained and managed in accordance with the approved management and maintenance statement.

Reason: to prevent flooding and pollution

- 5 The materials to be used must match as closely as possible, in type, colour and texture those listed in the Materials section of the application form, including window frames and rainwater goods.

Reason: To ensure a satisfactory visual relationship of the new development to the existing.

- 6 No excavation, demolition or development related works shall take place on site until an arboricultural method statement, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations), is submitted and approved by the LPA. The approved method statement must be adhered to in full and may only be modified subject to written agreement from the LPA.

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

- 7 No construction or demolition 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) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
 - b) the parking of vehicles of site operatives and visitors;
 - c) measures to control the emission of dust and dirt generated by demolition and construction;
 - d) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
 - e) provision for storage, collection, and disposal of rubbish from the development during construction period;
 - f) measures to prevent mud and dust on the highway during demolition and construction;
 - g) temporary lighting; and
 - h) protection of pedestrian routes during construction.

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

- 8 No demolition or construction works shall start until a Construction Environment Management Plan has been submitted to and approved in writing by the Local

Planning Authority. The Construction Environment Management Plan shall incorporate safeguards to prevent any pollution from construction debris, fuel, oil, or sediment carried in runoff during construction entering the protected waters of the River Hamble as a result of the construction activities. It must also contain a precautionary working method to protect nesting birds, bats and small mammals which might be using the railway corridor.

Reason: To ensure no impact on the River Hamble and in the interest biodiversity protection.

- 9 No noise generating or disruptive construction, demolition 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.

- 10 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.

- 11 No driven piling shall take place on the development hereby permitted.

Reason: To protect the amenity of the occupiers of the nearby properties and birds.

- 12 No development above damp proof course level shall start until details of an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in a wildlife-sensitive manner and ensure that the vegetation along the railway embankment and any bird or bat nest boxes are kept dark.

Reason: In the interests of the amenity of the area and to protect biodiversity habitat.

- 13 No development above damp proof course level shall start until details of biodiversity enhancement measures within the development have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall then be carried out prior to occupation of the development in accordance with the approved details.

Reason: To protect and enhance biodiversity.

Note to Applicant: As the side elevations face southwest and northeast, built-in bat bricks and swift bricks would be appropriate enhancements.

The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds

and exposed to the sun for part of the day, facing south, south-east or south-west. (<https://www.bats.org.uk/our-work/putting-up-your-box>)

Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight. (<https://www.swiftconservation.org/Nestboxes%26Attraction.htm>)

Additional information is available at:

<https://www.swift-conservation.org/OurLeaflets.htm>

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

<https://www.hampshireswifts.co.uk/nesting>

Note to Applicant: In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be informed. Additional information is available on the Bat Conservation Trust website at <https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works>.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (produced by Avison Young for Deacons Marina - Boatfolk Marina's Ltd and dated July 2021) and the following mitigation measures it details: - Finished floor levels for the new building shall be set no lower than 3.66 metres above Ordnance Datum (AOD) as specified in section 7.4 of the Flood Risk Assessment. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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.

Note to Applicant: Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network

Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-andoptimisation/>). This website also provides more information about our Asset Protection team and the services they offer. Where applicable, the applicant must also follow the Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

Note to Applicant: The Environmental Permitting (England and Wales) Regulations 2016 require a permit (called a 'Flood Risk Activity Permit') or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-riskactivitiesenvironmental-permits>.

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

Yours faithfully

A handwritten signature in black ink that reads "Andy Grandfield".

Andy Grandfield
Executive Head for Planning and Economy

N.B. See Attached Notes