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STRUTT & PARKER
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Application	X/22/94322
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Friday 10 March 2023

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

Application No. X/22/94322

In pursuance of their powers under the above Act and in accordance with your application received on Wednesday 7 December 2022 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Variation of conditions 1 (approved drawings), 4 (Design & Access Statement and Site Plan), 13 (foul and surface water sewerage disposal), 14 (surface water drainage scheme), 20 (air quality impacts), 22 (noise mitigation scheme) and 26 (contaminated land verification) and amendments to other conditions of planning permission F/18/83945 for hybrid Planning Application consisting of:

1. Full Planning Application for the construction of a two storey industrial building for a commercial butchery (2,064 m2 of Use Class B1(c)), development of 767m2 of B1b/B1c floorspace (including a first floor extension to the existing security building), construction of a cafe and site maintenance store and the demolition of building 17 and a water tank; and
2. Outline Planning Application for the demolition of Units 10 -15 (1,860m2 of Commercial floorspace), and store building and the development of 6,420m2 of B1b, B1c, B2 and B8 storage and distribution floorspace (All matters other than access reserved).

Site: CHALCROFT BUSINESS PARK, BURNETTS LANE, WEST
END

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: 1001 PL Rev C, 1002 PL Rev A, 1003 PL Rev A, 1004 PL Rev B, 1005 PL Rev B, 2001 Rev TE-A, 2001 PL Rev F, 2002 PL Rev G, 2005 PL Rev G, 2006-PL-C, 3001 PL Rev TE-A, 3002 PL Rev B, 3003 PL

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Rev B, 3004 PL Rev B, 3005 PL, 3006 PL, 3007 PL, 3501 PL, 4001 PL Rev TE-A, 4002 PL Rev B, 4003, 4004 PL, 5002 PL Rev B, 5003 PL, 9002 PL Rev B.

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

- 2 The development hereby permitted must be commenced by the later of either the expiry of three years from the date of the grant of F/18/83945, or the expiration of two years from the final approval of any reserved matter application or, in the case of an approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 Other than for the development where the full details are approved by this planning permission, no development shall start until details of the: a) layout of the site. b) scale of the buildings. c) external appearance of the buildings. d) landscaping of the site [hereafter called "the reserved matters"] have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters not approved by this permission shall be made within three years of the date of F/18/83945. The development shall accord with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 The development of Phase 2 (the outline phase subject to further reserved matters approval) shall be in accordance with the use, layout, scale and design principles set out in the submitted Design and Access Statement (15001 V2) and Addendum (V4 08.03.23) and Site Plan – Outline Application ref 2006-PL-C.

Reason: To ensure design continuity and parameter compliance for the development as a whole

- 5 Within 1 month of the commencement of development of each unit the following details shall be submitted to and approved in writing by the Local Planning Authority: a) Hard landscaping and external surfaces, including their colour and texture b) Retaining structures c) Motorcycle parking d) Crime prevention measures e) Boundary treatments f) External lighting (including lighting specifications of the luminaires to be used, a plan showing lux levels across the application site and surrounds and details in compliance with advice and guidance of the Institute of Lighting Professional, ILP, publication 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011') g) Disabled access ramps and doors h) Electric vehicle charging points i) Bat and bird boxes j) Details and samples of facing and roofing materials The development shall not be occupied until the above provisions have been made in accordance with the approved plans and details only and these provisions shall subsequently be maintained and retained thereafter.

Reason: To ensure compliance with Policies DM1 and DM11 of the Eastleigh Borough Local Plan 2016-2036, and to protect biodiversity

Details for Unit 1E discharged under discharge of condition application DC/20/88046

- 6 Within 3 months of the completion of each unit of the development hereby permitted a report and BREEAM New Construction 2014 post construction stage certificate detailing how water and energy consumption has been minimised and how the development has met the BREEAM New Construction Very Good or Excellent standard for each unit (in accordance with BREEAM Pre-Assessments as agreed by the Local Planning Authority) shall be submitted to the Local Planning Authority. The development shall be implemented in full compliance with the provisions set out in each report.

Reason: To deliver sustainable development in conformity with Policies DM2 and DM3 of the Eastleigh Borough Local Plan 2016-2036, and the non-residential requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'

- 7 No individual part of the development shall be first occupied until the following provisions have been made in accordance with the approved plans and details only and these provisions shall subsequently be maintained and retained thereafter: a) Cycle storage and parking b) Refuse storage c) Disabled parking d) Vehicle loading/unloading and turning areas e) Car, lorry, and van parking

Reason: To ensure compliance with Policies DM1 and DM14 of the Eastleigh Borough Local Plan 2016-2036

- 8 No work shall start until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority in respect of each development phase or sub-phase. Construction and demolition work shall only take place in accordance with the approved CEMP (or CEMP update as the case may be) which shall include: a) A programme of and phasing of demolition and construction work; b) arrangements for the routing/turning of lorries and details for construction traffic access to the site; c) the arrangements for deliveries associated with all construction works, loading/unloading of plant & materials, storage of materials and access and egress for plant machinery; d) the provision for the long-term facilities for contractor parking; e) a dust assessment and measures to control the emission of dust and dirt generated by the works including the use of a dust sheet; f) a noise and vibration assessment and a scheme for controlling noise and vibration from construction activities, including piling (having regard to the advice and guidance contained in British Standard BS5228:2009 (A1 2014) "Noise And Vibration Control On Construction And Open Sites"; g) temporary lighting; h) protection of pedestrian routes during construction works; i) no deliveries to the site, demolition or construction works to 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; j) drainage measures to prevent pollution of surface water and water courses k) temporary protective fencing for trees and habitats l) timings of works in relating to the breeding bird season m) controls to ensure that there is no burning of site clearance materials or vegetation on the site or adjoining land. The means of prevention of discharge of contaminated soils to surrounding watercourses must be specified in the initial CEMP for all phases of the development hereby approved.

Reason: To minimise the impact on amenity, safety and biodiversity during the construction period and to conform with Policies DM8 and DM11 of the Eastleigh Borough Local Plan 2016-2036

Details for Phase 1 discharged under discharge of condition application DC/20/87637

- 9 A Landscape and Ecology Management Plan (LEMP) with final proposals for new site landscaping for each unit shall be submitted to and approved by the Local Planning Authority within 3 months of the commencement of the development of each unit hereby approved and the approved schemes shall be carried out in the first planting and seeding seasons following first occupation of each building. Any trees or plants which, within a period of 10 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: in the interests of visual amenity and biodiversity and to conform with Policy DM1 and DM11 of the Eastleigh Borough Local Plan 2016-2036, and the Trees and Development SPD.

- 10 A 20m buffer from the Round Copse SINC boundary and the Chalcroft Distribution Park SINC boundary shall be provided at all times. These shall be free of all new structures and hardstanding and thereafter managed to benefit biodiversity to the satisfaction of the Local Planning Authority in accordance with the updated Biodiversity Mitigation and Enhancement Plan (BMEP) and Landscape and Ecology Management Plan required by Condition 11.

Reason: To minimise impact on the SINC and to comply with Policies DM11 and WE1 of the Eastleigh Borough Local Plan 2016-2036

- 11 The updated Biodiversity Mitigation and Enhancement Plan (BMEP) (including ongoing management provisions) (referenced BMEP February 2023) and the updated Preliminary Ecological Appraisal (referenced PEA February 2023) shall be accorded to in full.

Reason: To minimise impact on the SINC and to comply with Policies DM11 and WE1 of the Eastleigh Borough Local Plan 2016-2036

- 12 All excavation, demolition and development related works shall take place on site in accordance with the provision of the updated ADS arboricultural report ref CBA11012v1A and tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations). The approved tree protection plan must be adhered to in full and may only be modified subject to written agreement from the LPA.

Reason: to retain and protect existing trees to remain which form an important part of the amenity and biodiversity of the locality and to comply with Policy DM1 of the Eastleigh Borough Local Plan 2016-2036.

- 13 No work for each development phase or sub-phase shall commence on site until the following has been submitted to and approved in writing by the LPA. If there is any interaction between the drainage of different phases or sub-phases then all linked drainage information must be submitted regardless of the phase: Details of the proposed means of foul and surface water sewerage disposal in consultation with Southern Water.

Reason: to provide adequate foul and surface water drainage and to comply with Policy DM6 of the Eastleigh Borough Local Plan 2016-2036.

Details discharged under discharge of condition application DC/20/87858

- 14 No work for each development phase or sub-phase shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the ecological, hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. If there is any interaction between the drainage of different phases or sub-phases, then all linked drainage information must be submitted regardless of the phase. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). The drainage system should be designed to accommodate surface water runoff according to the following criteria: i) Information evidencing that the correct level of water treatment exists in the system in accordance with the Ciria SUDS Manual C753; ii) 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 BRE 365 method of another recognised method including British Standard BS 5930: 2015; iii) Maintenance regimes of entire surface water drainage system including individual SUDS features, including a plan illustrating the organisation responsible for each element. Evidence for those responsible/adopting bodies are in discussion with the developer; iv) Evidence that enough storage/attenuation has been provided without increasing the runoff rate of volume. This must be shown for a 1 in 100 year plus climate change event; v) Evidence that Exceedance flows and runoff in excess of design criteria have been considered calculations and plans shall

be provided to show where above ground flooding might occur and where this would pool and flow; vi) Evidence that the drainage system is designed to comply 24 hours half drain times. If this cannot be met, confirmation of the consequences of consecutive storm events occurring, i.e. where is exceedance water going to surcharge from the drainage system and flow if the 1:100 year half drain down cannot be met; vii) Information demonstrating that any drainage arising from the site will not adversely affect the SINCs or water quality of the receiving watercourses which include the watercourse within the Chalcroft Distribution Park SINC and the River Itchen SAC.

Reason: To provide adequate surface water drainage and protect water quality in compliance with Policy DM6 of the Eastleigh Borough Local Plan 2016- 2036.

Details discharged under discharge of condition application DC/20/87858

- 15 The demolition of the buildings must take place in accordance with the method outlined in the Biodiversity Mitigation and Enhancement Plan (BMEP February 2023) and Dusk Emergence & Dawn Re-entry Surveys for Bat Species Letter of Report (Ecology Partnership, 30 Aug 2018), to be updated in accordance with condition 28.

Reason: To ensure the protection of bats and provision of replacement roosting opportunities and to comply with Policy DM11 of the Eastleigh Borough Local Plan 2016-2036

- 16 If demolition of the buildings is taking place within the breeding bird season (March to September inclusive), the buildings must be checked for the presence of nesting birds prior to demolition. If nesting birds are found, the nest must remain undisturbed, and demolition cannot take place until the young have fledged.

Reason: To protect nesting birds in line with legislation and to comply with Policy DM11 of the Eastleigh Borough Local Plan 2016-2036

- 17 All Heavy Goods Vehicles above 7.5 Tonnes in conjunction with the development hereby permitted and travelling to and from the Chalcroft Business Park site shall follow the agreed lorry routing and signage as appended at Plan 5 to the S106 Agreement dated 12 March 2020. This routing shall be via Chalcroft Way.

Reason: in the interests of highway safety and residential amenity and to comply with Policies DM1 and WE1 of the Eastleigh Borough Local Plan 2016-2036.

- 18 The development hereby approved shall be used only for purposes within Classes E(b), E(g)ii, E(g)iii, B2 and B8 of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that/those Classes in any statutory instrument revoking and re-enacting that Order with or without modification] and for no other purposes.

Reason: In the interests of highway safety and residential amenity and to comply with Policy DM1 of the Eastleigh Borough Local Plan 2016-2036.

- 19 Except for Units 1A, 1C and 1D, prior to the first use of each unit hereby permitted a detailed assessment of air quality impacts arising from the business uses permitted, and recommendations for mitigation of the impacts, shall be submitted to and approved in writing by the Local Planning Authority. The scope of the report and standards to be achieved shall be agreed in writing by the Local Planning Authority prior to the submission of the mitigation scheme. For Unit 1E, the mitigation measures, to be approved in writing by the Local Planning Authority, shall be submitted for approval within 6 months of the date of this permission and fully implemented within 3 months of the date of such approval and shall thereafter be maintained. Verification shall be provided to the local planning authority that the agreed mitigation scheme is performing as required within 3 months of the implementation of the mitigation measures. In the case of every other Unit, the mitigation measures, as approved in writing by the Local Planning Authority, shall be fully installed on first use and verified as performing as required by the agreed mitigation scheme, and shall thereafter be retained.

Reason: in the interests of residential amenity and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036.

- 20 The siting and installation of plant and equipment 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.

Reason: To protect residential amenity in respect of air pollution and to comply Policy DM8 of the Eastleigh Borough Local Plan 2016-2036.

- 21 Except for Units 1A, 1C and 1D, prior to the first use of each unit hereby permitted, a detailed noise mitigation scheme, to include an Operational Management Plan, to address noise arising from the commercial/business units and associated activities shall be submitted to, and approved in writing by, the Local Planning Authority. For Unit 1E, the noise mitigation measures, to be approved in writing by the Local Planning Authority, shall be submitted for approval within 6 months of the date of this permission and fully implemented within 3 months of the date of such approval and shall thereafter be maintained. Verification shall be provided to the local planning authority that the agreed mitigation scheme is performing as required within 3 months of the implementation of the mitigation measures. In the case of every other Unit, the noise mitigation scheme, as approved in writing by the Local Planning Authority, shall be fully installed and verified as performing as required prior to the first use of each unit, and shall thereafter retained.

Reason: in the interests of residential amenity and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036

- 22 Any fixed plant or machinery used on site 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: To protect residential amenity and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036.

- 23 Except for Units 1A,1E and 1F (and only if Units 1E and 1F are occupied by Owton butchery), the hours of use of all commercial uses hereby permitted, including loading and unloading activities and deliveries to and from the site, shall be restricted to 0700 - 1900 hours Monday to Friday, 0800 - 1300 on Saturday, and at no other time on Sundays, Bank and Public holidays. HGV (above 7.5 tonnes) deliveries to/from the Owton butchery at units 1E and 1F between 1900 hours and 0700 hours on any day shall not exceed 6 single movements in total.

Reason: To protect residential amenity and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036

- 24 No work for each development phase or sub-phase shall commence on site until the following has been submitted to, and approved in writing by the LPA: a. 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 and as set out in Contaminated Land Report Nos. 1 and 2, CLR11 (or equivalent), and BS 10175:2011+A2:2017 Investigation of potentially contaminated sites - Code of Practice, and, unless otherwise agreed with the LPA, 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 and in accordance with BS 10175:2011+A2:2017, and BS 8576:2013 and unless otherwise agreed with the LPA 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 protect health and the environment and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036

Details for Phase 1 discharged under discharge of condition application DC/20/87637

- 25 The development in respect of each development phase or sub-phase hereby permitted shall not be occupied/ brought into use until there has been submitted to the LPA verification by the competent person approved under the provisions of condition 24(c) that any remediation scheme required and approved under the provisions of condition 24(c) has been implemented fully in accordance with the approved details (unless these requirements are varied with the written

permission of the LPA in advance of implementation). Unless agreed in writing with the LPA 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 24(c).

Reason: To protect health and the environment and to comply with Policy DM8 of the Eastleigh Borough Local Plan 2016-2036

Details for first sub-phase (Units 1B to 1F) discharged under discharge of condition application DC/21/91923

- 26 Prior to commencement of Phase 2 (the outline phase subject to further reserved matters approval), a lighting scheme which has been checked by a suitably qualified ecologist, must be submitted to and approved in writing by the Local Planning Authority. The scheme shall use the most recently updated bat-sensitivity lighting guidance and will be required to demonstrate that the SINC buffer zone will remain as a dark corridor with light shining from buildings being no more than 1 lux on the buffer area. The lighting shall hereafter be implemented in accordance with the approved details.

Reason: To ensure suitable protection of bats the adjacent SINC, in accordance with policy DM11

- 27 Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 (as amended) [or any order revoking or re-enacting that order with or without modification] no conversion to non-Class E, or non-Class B uses under Schedule 2, Part 3 of the Order shall be carried out without the prior written approval of the Local Planning Authority through submission of a separate planning application.

Reason: To protect the amenities of the locality and to maintain a good quality environment.

- 28 Prior to the demolition of Buildings 3 and 7 within the Outline element of this permission, as referenced in the 'Update Preliminary Ecological Appraisal, February 2023', a single emergence/re-entry survey for each building shall be carried out and a full Bat Survey Report to include details of any required mitigation shall be submitted to and approved in writing by the Local Planning

Authority. Mitigation measures shall thereafter be implemented and maintained in accordance with the agreed details.

Reason: To ensure protection of bats, and to comply with Policy DM11 of the Eastleigh Borough Local Plan 2016-2036

- 29 Prior to demolition of Buildings 2 and 5 within the Outline element if this permission, as referenced in the 'Update Preliminary Ecological Appraisal, February 2023', three bat activity surveys shall be carried out and a full Bat Survey Report to include details of any required mitigation shall be submitted to and approved in writing by the Local Planning Authority. Mitigation measures shall thereafter be implemented and maintained in accordance with the agreed details.

Reason: To ensure protection of bats, and to comply with Policy DM11 of the Eastleigh Borough Local Plan 2016-2036

Note to Applicant: A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, www.southernwater.co.uk

Note to Applicant: You are advised to refer to the Institute of Air Quality Management, IAQM, 'Guidance on the assessment of dust from demolition and construction sites'. <http://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

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.

Yours faithfully

A handwritten signature in black ink, appearing to read "A Grandfield".

Andy Grandfield
Executive Head for Planning and Economy

N.B. See Attached Notes