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UNITED KINGDOM

20 June 2023

Our Ref: 34410/A3/SH/SC/RS/POF

VIA PLANNING PORTAL

Ms Rachael Morris
Planning Department
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

Dear Rachael

LAMBERTS BROTHERS HAULAGE LTD, WOODSIDE AVENUE, EASTLEIGH
SECTION 73 APPLICATION FOR VARIATION OF CONDITIONS ATTACHED TO F/21/91183

Please find enclosed a Section 73 (S73) (of the Town and Country Planning Act 1990) application in relation to Planning Permission Ref: F/21/91183 on behalf of the applicant Athora UK RE Log Property 24 Limited.

This S73 application seeks to vary conditions attached to planning permission F/21/91183 to enable Units 3 and 4 to be combined as one unit.

Planning permission was granted for development on 4 February 2022 for the following description of development:

Erection of Units 1-4 for flexible industrial use (Use Classes B2 and B8) and Unit 5 for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use)

A separate Section 96A (S96A) Non-Material Amendment (NMA) application has been recently approved (dated 14 April 2023), to change the description of development to the following:

Erection of a building for flexible industrial use (Use Classes B2 and B8) and erection of a building for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use)

The updated description of development is therefore applicable at the time of the determination of this S73 application.

Background

Further to the approval of planning permission F/21/91183, various applications have been submitted which seek amendments to the approved scheme, in addition to the submission of details to allow for the discharge of conditions attached to the permission. Full details of these submissions are set out in the table below:

Application Ref.	Application Type	Description	Status
Planning Portal Ref. PP-11402734	S96A NMA	Non-material amendments: A. Unit 5 new northern access to Woodside Road – access to be widened and vision splays varied from those shown on approved drawings. B. Units 1 to 4 ground floor finished level – level to be raised 200mm from that shown on approved drawings. C. Below ground surface water drainage – scheme revised from that approved.	Approved 27/02/2023
DC/22/92905	Condition Discharge	Discharge of condition 3 (construction environment management plan) of planning permission F/21/91183 for erection of Units 1-4 for flexible industrial use (Use Class B8) and Unit 5 for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use).	Discharged 11/04/2023
DC/22/93188	Condition Discharge	Discharge of conditions 4 (method statement), 5 (remediation measures) and 6 (remediation works implemented) of planning permission F/21/91183 for erection of Units 1-4 for flexible industrial use (Use Class B8) and Unit 5 for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use).	Pending determination
DC/22/93706	Condition Discharge	Discharge of conditions 11 (landscape scheme), 12 (planting plan/method statement) & 13 (LEMP) of planning permission F/21/91183 for erection of Units 1-4 for flexible industrial use (Use Class B8) and Unit 5 for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use).	Pending determination
X/23/94844	S73	Variation to condition 27 (hours of operation) of planning permission F/21/91183 for erection of Units 1-4 for flexible industrial use (Use Class B8) and Unit 5 for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use).	Pending determination
Planning Portal Ref. PP-12000481	S96A NMA	Change of description of development to: Erection of a building for flexible industrial use (Class B2 and B8) and erection of a building for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use).	Approved 14/04/2023

Proposed Amendments

The Applicant has received interest from a prospective occupier who seek to operate from both 'Units 3 and 4' labelled on plan 194.02.04 (approved under S96A NMA dated 27 February 2023) as a single unit, and to utilise designated external storage areas within the units' demise, per the approach shown in submitted drawing 194.02.04 Rev D.

To enable Units 3 and 4 to be delivered as a single unit along with designated external storage areas, a S73 application would be appropriate as the proposed amendments seek only minor changes to the permitted scheme. This application seeks to amend the relevant conditions attached to planning permission F/21/91183 that refer to approved reports and plans, and to replace such plans with the relevant revised reports and plans.

Furthermore, in light of the various aforementioned condition submissions, as a matter of procedure we suggest amendments to the wording of such conditions to compliance only, to reflect those details that have been discharged.

For the avoidance of doubt, we seek to amend the conditions and approved plans and documents as per the table at **Appendix 1** of this letter.

Justification

Relevant Planning Policy

The Eastleigh Borough Local Plan 2016-2036 ("Local Plan") was adopted by the Council on 25 April 2022. Relevant Local Plan policies have been referred to in the below sections.

The National Planning Policy Framework (July 2021) is a material consideration in the determination of this application.

Principle of development

In terms of the principle of development of this site, it has been established through the grant of planning permission F/21/91183 in that the proposed uses of the buildings to provide flexible industrial uses (Use Classes B2 and B8) and a builders' merchant (Sui Generis Use) is acceptable. The Council assessed that the quantum of floorspace (i.e., 5,111 sq m flexible B2 and B8; and 1,518 sq m Sui Generis builders' merchant) was acceptable in planning policy terms, further concluding within the Officer's report that:

"the development would also have benefits in terms of job creation and the provision of higher quality buildings, with the scheme serving the [regeneration and modernising] an existing employment site in this regard. The development is therefore considered to be economically sustainable and the mix of uses proposed acceptable in principle...."

As can be seen from the submitted revised plan (drawing no. 194.02.04 Rev D), the proposal would not result in a change to the approved quantum of flexible floorspace uses of the units, nor the footprint, siting, and scale of the building these units are housed within.

Employment

Policy S4 of the Local Plan states that provision for additional B2 B8, and E(g) uses and other employment-generating uses in the Borough will be through, inter alia, retaining existing employment sites which have the potential to contribute towards future employment needs and intensifying their use. Policy DM15 sets out that in existing employment sites the Council would permit redevelopment and intensification of use of these sites for B2, B8 and E(g)(ii/iii).

As set out in the original planning permission, the proposed development is an intensification of the previous use on the site. The proposed amendments to the original permission retain the floorspace proposed and continue to represent an intensification of the previous configuration of the site. As such, the proposal continues to accord with Policies S4 and DM15 of the Local Plan.

Furthermore, Condition 23 on the original permission allows for subdivision of the units (with written consent of the Council) without the need for a new planning permission, therefore setting the principle that the number of units could be amended under the existing consent. The combining of the two units would, in our view, be of a similar effect in terms of amending the overall number of units at the site, and therefore should be capable of approval under a S73 application.

Therefore, against the relevant policy of the Local Plan, the proposal would continue to be economically sustainable.

Design, Landscaping, and Trees

The proposed amendments would only require a very minor change to the internal layout of the respective units, and minor updates to the elevations that allow for revised entry points, together with reconfiguration of the external parking to create a suitable loading bay arrangement. In other respects of design relating to scale, massing, orientation, siting, and layout, these components would stay the same as the original permission.

The proposal would retain areas of landscaping around the edges of the site to deliver enhancements to biodiversity when compared with the previous use and character of the site, and would not affect the tree protection measures secured on the original permission.

The external storage areas for the units will ensure that business operations are not hindered with any onerous restrictions. The locations of these external storage areas are close to the building façade and away from the public highway. These external storage areas would not be out of character with the immediate locale of the industrial park, and the proposed limit of 3m height would ensure that visual impacts can remain in control whilst enabling sufficient 'stacking' height for the end occupier.

Therefore, it is considered that the development would comply with Policies DM1, DM2, and DM11 of the Local Plan.

Highways and Parking

The access would remain the same as approved under the original planning permission (as amended by the approved S96A NMA dated 27 February 2023) and the layout plan dwg. 194.02.04 Rev D shows that the site can still accommodate a suitable turning area for any delivery vehicles that operate on the site. The overall amount of parking would increase in slight terms by 3no. spaces over the approved scheme, with the amount of disabled spaces remaining the same which was considered acceptable under the original permission. Accordingly, the proposed parking provision would be sufficient to serve the development. Overall, it is considered that the proposal would comply with Policies DM13 and DM14.

Noise

Policy DM1(a)(i) states that all new development should not have an unacceptable impact on residential amenities of both new and existing residents. Policy DM8 – Pollution states that development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through, inter alia, noise. The policy's supporting text at paragraph 5.49 states that *"the Council will expect the developer to take into account existing noise levels and foreseeable changes to these. In doing so, developers must avoid significant adverse noise impacts to residential amenities."*

The building housing the units known as Units 1-4 on the original permission are located on the southern part of the site, and any outside movement associated with these units would be to the north, with the proposed building providing an acoustic buffer to the south. This building is also further away from the residential properties than the Builders' Merchant and, as per the noise assessment submitted in support of the original application, were demonstrated to not have any unacceptable significant adverse noise impacts on the residential properties nearby. The first Environmental Health consultee response confirms

they agree with this position (as appended to this covering letter). It is therefore considered that, as a result of the proposed amendment, there would be no material difference to the noise conditions and assessment of the site and would comply with Local Plan policies DM1 and DM8.

Sustainability and Drainage

The principles of the development in relation to surface water drainage and flood risk remain the same as the approved scheme, and the mitigation measures proposed in the approved Flood Risk Assessment and Sustainable Drainage Statement remain unchanged. Accordingly, the development would continue to comply with Local Plan policies DM3, DM5 and DM6.

Summary

Overall, it is considered that the proposed amendments would not result in a material change to the considerations of the original permission in relation to highway safety, neighbouring amenity, visual amenity, noise, tree protection, landscaping opportunities nor other matters considered in the original permission. The amendments sought to the configuration of the units within the flexible building for B2 and B8 uses would be minor in nature when considered against the original permission. The amendments would retain the employment floorspace and overarching wider streetscene character approved under the original permission, and importantly would meet the demands of occupiers who are seeking to occupy this site.

The proposed amendments would therefore still facilitate the redevelopment of the site to bring about positive impacts on the local economy, including job creation, and the delivery of modern high-quality buildings as sought by policies contained in the Eastleigh Borough Local Plan.

Next steps

A separate S96A application to change the description of development to planning permission F/21/91183 has recently been approved (dated 14 April 2023). The resultant permission under S73 would conform with the amended description of the development and could therefore, procedurally, be granted.

We have employed this approach on numerous occasions since the Finney judgment was handed down, and this has been accepted by various other local authorities including, for example, the London Boroughs of Wandsworth, Hounslow, and Hillingdon, and Maidstone Borough Council, to 'twin track' Section 96A and S73 applications in order to make changes to a permitted scheme without the need for a 'fresh' planning application for planning permission.

The revised documents and plans identified in red above are submitted alongside this covering letter together with the fee to be paid of £234 (excluding service charge), which shall come under separate cover.

I trust that the enclosed information is sufficient, but please do not hesitate to contact me should you require any additional information at this stage.

Yours sincerely

SARAH CROSS
Planning Associate

STANTEC UK LIMITED

Appendix 1

No.	Original Condition Attached to F/21/91183 (as amended by S96A NMA dated 27 February 2023)	Proposed Variation	Notes:
1	The development hereby permitted shall be implemented in accordance with the following plans numbered: 21018-4, 4467-A001 P4, 4467-A002 P2, 4467-A003 P2, 4467-A004 P2, 4467-A100 P4, 194.02.04, 4467-A200 P2, 4467-A202 P2, 4467-203 P2, 4467-204 P3, 4467-A205 P3, 4467-A206 P3, 4467-A301 P2, 4467-A303 P1, 4467-A201-P2, 4467-A302-P3, NK020579-RPS-SI-XX-DR-C-SK1305 P02, G01 C2, D01 C2, NK020579-RPS-SI-XX-DR-D-SK1310, NK020579-RPS-SI-XX-DR-D-SK1311 P01, NK020579-RPS-SI-XX-DR-D-SK1312 P01, NK020579-RPS-SI-XX-DR-D-SK1313, NK020579-RPS-SI-XX-DR-D-SK1314 P01, NK020579-RPS-SI-XX-DR-D-SK1315 P01, 210368-CPW-ZZ-XX-DR-E-EXT01-D2-T02. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	The development hereby permitted shall be implemented in accordance with the following plans numbered: 21018-4W, 4467-A001 P4, 4467-A002 P2, 4467-A003 P2, 4467-A004 P2, 4467-A100 P4, 194.02.04 Rev D, 4467-A200 P2, 194.02.11 Rev D, 194.02.13 Rev C, 4467-204 P3, 4467-A205 P3, 4467-A206 P3, 194.02.20 Rev A, 4467-A303 P1, 4467-A201-P2, 4467-A302-P3, G01 C4, D01 C8, D11 C1, 210368-CPW-ZZ-XX-DR-E-EXT01 S2 P05.	Amend to replace drawings 1904.02.04, 4467-A202 P2, 4467-203 P2, 4467-A301 P2, NK020579-RPS-SI-XX-DR-C-SK1305 P02, G01 C2, D01 C2, NK020579-RPS-SI-XX-DR-D-SK1310, NK020579-RPS-SI-XX-DR-D-SK1311 P01, NK020579-RPS-SI-XX-DR-D-SK1312 P01, NK020579-RPS-SI-XX-DR-D-SK1313, NK020579-RPS-SI-XX-DR-D-SK1314 P01, NK020579-RPS-SI-XX-DR-D-SK1315 P01 and 210368-CPW-ZZ-XX-DR-E-EXT01-D2-T02 with drawings 194.02.04 Rev D, 194.02.11 Rev D, 194.02.13 Rev C, 194.02.20 Rev A, G01 C4, D01 C8, D11 C1 and 210368-CPW-ZZ-XX-DR-E-EXT01 S2 P05.
2	The development hereby permitted shall start no later than three years from the date of this decision.	The development hereby permitted shall start no later than three years from the date of the original planning permission (ref. F/21/91183).	Amend to reflect the date of the original permission.
3	No construction, demolition or other development works shall commence until a Construction Environment Management Plan (CEMP), has been submitted to, and approved in writing by, the Local Planning Authority. Demolition, construction and other development works shall only take place in accordance with the approved details which shall include: a) a programme and phasing of the demolition, construction and development works; b) the location and height of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction, including details of any cranes or other tall construction equipment (including the details of any obstacle lighting) in compliance with Advice Note 4 'Cranes and Other Construction Issues (available at: <a);<="" a="" href="https://www.aoa.org.uk/policy-campaigns/operations-safety"> c) safeguards to be used within the construction process to ensure surface water contains no pollutants on leaving the site; d) safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site; e) the arrangements for the routing / turning of lorries and details for construction traffic access to the site;	The development shall be carried out in accordance with the approved Construction Environment Management Plan (produced by Marbank Construction Ltd, Ref: C521 Rev F).	Amend to refer to details approved under condition discharge ref. DC/22/92905.

	f) the arrangements for deliveries associated with all construction works, loading / unloading of plant & materials and restoration of any damage to the highway [including any vehicle crossovers where applicable]; g) the parking of vehicles of site operatives and visitors; h) the protection of pedestrian routes during construction; i) management measures to control the emission of dust, dirt and smoke (where applicable) generated by demolition and construction works; j) a scheme, following assessment, for controlling noise and vibration impacts on noise sensitive properties from demolition, site preparation and construction activities (to include details of any piling if proposed); k) provision for storage, collection, and disposal of waste from the development during the construction period; l) measures to prevent mud and dust on the highway during demolition and construction; m) the erection and maintenance of any security hoardings including any decorative displays and facilities for public viewing, where appropriate; and, n) temporary lighting to be used during construction which shall be designed to protect bats and to comply with the provisions of Advice Note 2 'Lighting near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp); and o) measures for the protection of any public water apparatus (public sewers and any water mains) on or in the proximity of the site that could be affected by the development.		
4	Prior to the removal of the fuel tanks on the site, a method statement setting out how the tanks will be removed from the site and how the land beneath the tanks will be investigated for contaminants shall be submitted to and approved in writing by the Local Planning Authority. The removal of the fuel tanks and site investigation works in this area shall be then undertaken in accordance with the approved details and a report documenting the ground conditions and results of the site investigation shall then be submitted to and approved in writing by the Local Planning Authority prior to any further development works (excluding demolition works) being undertaken on site.	The removal of the fuel tanks and site investigation works shall be undertaken in accordance with the approved Remediation Strategy (produced by Paragon, dated 25/05/2022).	Amend to refer to details approved under condition discharge ref. DC/22/93188 (assuming details are approved prior to approval of this S73).
5	No work shall commence on site (other than demolition, excluding the removal of the fuel tanks unless otherwise approved by Condition 4) until 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, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.	The remedial works shall be undertaken in accordance with the approved Remediation Strategy (produced by Paragon, dated 25/05/2022).	Amend to refer to details approved under condition discharge ref. DC/22/93188 (assuming details are approved prior to approval of this S73).
6	The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority (LPA) verification by the competent person approved under the provisions of condition 5 that any remediation scheme required and approved under the provisions of condition 5 has been implemented fully in accordance with the approved details (unless varied with the written permission of the LPA in advance of implementation). Unless agreed in writing with the LPA such verification shall comply with UK Land Contamination Risk Management (LCRM) and the guidance contained in 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., and d. Certificates demonstrating that imported and / or material left in situ is free from contamination, gas / vapour membranes have been installed correctly.	N/A – No proposed variation.	N/A

	Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5.		
7	In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of the measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.	N/A – No proposed variation.	N/A
8	Before use of the development is commenced the redundant areas of existing access(es) from the site to Woodside Road shall be permanently stopped up and effectively closed with the footway provided or verge reinstated, in accordance with details which have first been submitted to and approved by the Planning Authority.	N/A – No proposed variation.	N/A
9	No development shall start on site until the access, including the footway and/or verge crossing, has been constructed and lines of sight of 2.4 metres by 43.0 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.	N/A – No proposed variation.	N/A
10	The development must accord with the arboricultural report reference 21018-AA3-JB. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the tree protection plan reference 21018-04. Once installed, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the protected area. Tree protection measures shall be retained in their approved form for the duration of the work and may only be modified subject to written agreement from the Local Planning Authority.	N/A – No proposed variation.	N/A
11	No development above slab level shall be carried out until a detailed final landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping including trees, planting, boundary treatments, and hard surfacing and provide details of timings for all landscaping. The works shall thereafter be carried out in accordance with the approved details and to the appropriate British Standard.	The development shall be carried out in accordance with the landscaping scheme identified in the approved Landscape and Ecological Management Plan (produced by Warton, Ref: 220616 1208 LEMP V1, dated 16/06/2022). The works shall be carried out to the appropriate British Standard.	Amend to refer to details approved under condition discharge ref. DC/22/93706 (assuming details are approved prior to approval of this S73).
12	No development above slab level shall take place on site until a Tree Planting Plan and Planting Method Statement, as per British Standard 8545:2014, have been submitted to and approved by the Local Planning Authority. The approved documents must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority. Tree planting must take place as soon as possible after completion of the proposed development and no later than the start of the following planting season. For a period of no less than 5 years after planting, trees which are removed, die or become seriously damaged shall be replaced as soon as reasonably practicable with others of the same species, size and number as originally approved.	The development shall be carried out in accordance with the approved Risk Assessment and Method Statement (produced by Kingdoms Corporate Horticulture Ltd, dated 25/08/2022). The approved documents must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority. Tree planting must take place as soon as possible after completion of the proposed development and no later than the start of the following planting season. For a period of no less than 5 years after planting, trees which are removed, die or become seriously damaged shall be replaced as soon as reasonably practicable with others of the same species, size and number as originally approved.	Amend to refer to details approved under condition discharge ref. DC/22/93706 (assuming details are approved prior to approval of this S73).
13	No development above slab level shall be carried out until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following: (i) The detail and extent of new planting; (ii) Details of maintenance regimes; (iii) Details of proposed species enhancements; (iv) Details of any habitat created / retained on site;	The development shall be carried out in accordance with the approved Landscape and Ecological Management Plan (produced by Wharton, Ref: 220616 1208 LEMP V1, dated 16/06/2022).	Amend to refer to details approved under condition discharge ref. DC/22/93706 (assuming details are approved prior to approval of this S73).

	(v) Timings for the implementation of proposed ecological mitigation, compensation and enhancement measures; and, (vi) Details of ongoing management responsibilities. The development shall thereafter be carried out in accordance with the approved details.		
14	All hard & soft landscaping, tree planting and boundary treatments shall be carried out in accordance with the approved details and to the appropriate British Standard. 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.	N/A – No proposed variation.	N/A
15	The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (produced by Flood Smart Plus, ref: 74324RS and dated 17/12/2021) and document ref: D01 C2, and the following mitigation measures detailed therein: • Finished floor levels shall be set no lower than 16.10 metres above Ordnance Datum (mAOD). • Compensatory storage shall be provided as set out in section 5.0 of the FRA and document ref: D01 C2. 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. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (produced by Flood Smart Plus, ref: 74324RS and dated 17/12/2021) and document ref: D01 C8, and the following mitigation measures detailed therein: • Finished floor levels shall be set no lower than 16.10 metres above Ordnance Datum (mAOD). • Compensatory storage shall be provided as set out in section 5.0 of the FRA and document ref: D01 C8. 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.	Amend to replace drawing D01 C2 with D01 C8
16	The drainage system for the development shall be constructed in accordance with the following approved plans and documentation: Drawing Numbers: D01 C2, G01 C2, NK020579-RPS-SI-XX-DR-D-SK1310, NK020579-RPS-SI-XX-DR-D-SK1311 P01, NK020579-RPS-SI-XX-DR-D-SK1312 P01, NK020579-RPS-SI-XX-DR-D-SK1313, NK020579-RPS-SI-XX-DR-D-SK1314 P01, NK020579-RPS-SI-XX-DR-D-SK1315 P01, Drainage Design Philosophy (RPS, Ref: NK020579-RPS-XX-XX-RP-D-0300 P04, dated 01 November 2021), and Sustainable Drainage Assessment GeoSmart, Ref: 74324.01R6, dated 12 December 2021). Any changes to the approved plans and documentation must be submitted to and approved in writing by Local Planning Authority in conjunction with the Lead Local Flood Authority and Southern Water. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	The drainage system for the development shall be constructed in accordance with the following approved plans and documentation: Drawing Numbers: D01 C8, G01 C4, D11 C1, Drainage Design Philosophy (RPS, Ref: NK020579-RPS-XX-XX-RP-D-0300 P04, dated 01 November 2021), and Sustainable Drainage Assessment GeoSmart, Ref: 74324.01R6, dated 12 December 2021). Any changes to the approved plans and documentation must be submitted to and approved in writing by Local Planning Authority in conjunction with the Lead Local Flood Authority and Southern Water. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.	Amend to replace drawings D01 C2, G01 C2, NK020579-RPS-SI-XX-DR-D-SK1310, NK020579-RPS-SI-XX-DR-D-SK1311 P01, NK020579-RPS-SI-XX-DR-D-SK1312 P01, NK020579-RPS-SI-XX-DR-D-SK1313, NK020579-RPS-SI-XX-DR-D-SK1314 P01, NK020579-RPS-SI-XX-DR-D-SK1315 P01 with D01 C8, G01 C4 and D11 C1.
17	No unit hereby permitted shall be brought into use until the areas shown on the approved plan (Drawing No: 194.02.04) for the parking of vehicles associated with that unit have been made available, surfaced and marked out. The relevant parking areas shall then be permanently retained and reserved for that purpose at all times. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	No unit hereby permitted shall be brought into use until the areas shown on the approved plan (Drawing No: 194.02.04 Rev D) for the parking of vehicles associated with that unit have been made available, surfaced and marked out. The relevant parking areas shall then be permanently retained and reserved for that purpose at all times.	Amend to replace drawing 194.02.04 with 194.02.04 Rev D
18	The materials to be used in the construction of the external surfaces of the buildings hereby approved shall accord with those as denoted on approved drawing numbers 4467-A301 Revision P2 and 4467-A302 Revision P3.	The materials to be used in the construction of the external surfaces of the buildings hereby approved shall accord with those as denoted on approved drawing numbers 194.02.20 Rev A and 4467-A302 Revision P3.	Amend to replace drawing 4467-A301 Revision P2

			with drawing 194.02.20 Rev A
19	The external lighting to be installed shall accord with the details set out within the submitted External Lighting Strategy (Couch Perry Wilkes, Ref: 210368, Revision P4, 28/10/21) and Proposed External Lighting Layout (Drawing Number 210368-CPW-ZZ-XX-DR-E-EXT01-D2-T02). No additional or altered lighting shall be installed without the prior written consent of the local planning authority.	The external lighting to be installed shall accord with the details set out within the submitted External Lighting Strategy (Couch Perry Wilkes, Ref: 210368, Revision P7, 21/12/22) and Proposed External Lighting Layout (Drawing Number 210368-CPW-ZZ-XX-DR-E-EXT01-S2-P05). No additional or altered lighting shall be installed without the prior written consent of the local planning authority.	Amend to replace External Lighting Strategy (Couch Perry Wilkes, Ref: 210368, Revision P4, 28/10/21) and drawing 210368-CPW-ZZ-XX-DR-E-EXT01-S2-T02 with External Lighting Strategy (Couch Perry Wilkes, Ref: 210368, Revision P7, 21/12/22) and drawing 210368-CPW-ZZ-XX-DR-E-EXT01-S2-P05)
20	No 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 and 0900 to 1300 on Saturdays and not at all on Sundays or Public Holidays.	N/A – No proposed variation.	N/A
21	For Unit 05 (as denoted on drawing number: 194.02.04), no display, placing or storage of goods, materials, racking, plant or equipment shall take place outside of the external storage areas as shown on approved drawing number 194.02.04. Within these external storage areas, any such storage shall not exceed a height of 5 metres (as measured from ground level). <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	For Unit 04 (as denoted on drawing number: 194.02.04 Rev D), no display, placing or storage of goods, materials, racking, plant or equipment shall take place outside of the external storage areas as shown on approved drawing number 194.02.04 Rev D. Within these external storage areas, any such storage shall not exceed a height of 5 metres (as measured from ground level).	Amend to replace drawing 194.02.04 with drawing 194.02.04 Rev D
22	For Units 01 to 04 (as denoted on approved drawing number: 194.02.04), no display, placing or storage of goods, materials, racking, plant or equipment shall take place outside of the buildings hereby approved. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	For Units 01 to 03 (as denoted on approved drawing number: 194.02.04 Rev D), no display, placing or storage of goods, materials, racking, plant or equipment shall take place outside of the external storage areas as shown on approved drawing number 194.02.04 Rev D. Within these external storage areas, any such storage shall not exceed a height of 3 metres (as measured from ground level).	Amend to replace drawing 194.02.04 with drawing 194.02.04 Rev D
23	No additional or altered mezzanines shall be inserted into the units hereby approved and the units shall not be subdivided without the prior written approval of the local planning authority.	N/A – No proposed variation.	N/A
24	No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.	N/A – No proposed variation.	N/A
25	No vegetation clearance shall occur on site during the bird nesting season (between 1st March & 31st August) unless supervised by an appropriately qualified ecologist.	N/A – No proposed variation.	N/A
26	Within 3 months of the completion of the development, a BREEAM final stage certificate and report demonstrating the achievement of a BREEAM 'Very Good' rating for the development shall be submitted to and approved in writing by the Local Planning Authority.	N/A – No proposed variation.	N/A
27	The development hereby approved shall not operate or be open to customers and no deliveries shall be received to or dispatched from the site except between the hours of 0600 to 1900 Monday to Saturday and 0800 and 1600 on Sundays or Bank Holidays.	The building and external areas hereby approve as a Builders Merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use) shall only operate or be open to customers between the following hours:	As per wording proposed under S73 ref. X/23/94833.

		0600 to 1900 Monday to Saturday; and 0800 and 1600 on Sundays or Bank Holidays. Deliveries shall be taken at or despatched from the building and external areas hereby approved as a Builders Merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use) only between these hours.	
28	The buildings hereby approved which are denoted as Units 01 to 04 on the approved site layout plan (Drawing No: 194.02.04) shall be used only for purposes within Classes B2 or B8 of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to those Classes in any statutory instrument revoking and/or re-enacting that Order with or without modification], and for no other purposes whatsoever. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	The buildings hereby approved which are denoted as Units 01 to 03 on the approved site layout plan (Drawing No: 194.02.04 Rev D) shall be used only for purposes within Classes B2 or B8 of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to those Classes in any statutory instrument revoking and/or re-enacting that Order with or without modification], and for no other purposes whatsoever.	Amend to replace drawing 194.02.04 with drawing 194.02.04 Rev D
29	The building denoted as Unit 05 on the approved site layout plan (Drawing No: 194.02.04) and its associated yard/external storage area shall be used only as a Builders Merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use), and for no other purposes whatsoever. <i>[Note plans in blue were approved under NMA dated 27 February 2023]</i>	The building denoted as Unit 04 on the approved site layout plan (Drawing No: 194.02.04 Rev D) and its associated yard/external storage area shall be used only as a Builders Merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use), and for no other purposes whatsoever.	Amend to replace drawing 194.02.04 with drawing 194.02.04 Rev D
30	No fixed plant or machinery shall be installed or operated outside of any building unless first approved in writing by the local planning authority. Details of any proposed plant or equipment submitted so as to obtain approval shall include evidence that the impact of noise from such plant or machinery will be satisfactory and the development shall accord with the approved details.	N/A – No proposed variation.	
31	No plant or equipment which gives rise to, or is likely to give rise to, emissions to air of either ash, dust, fumes, gases, grit, odours or soot, shall be installed or operated unless first approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.	N/A – No proposed variation.	

Design with community in mind

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