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NEAME SUTTON LIMITED
WEST SUITE COLES YARD BARN
NORTH LANE
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Application	X/23/96250
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Tuesday 16 January 2024

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

Application No. X/23/96250

In pursuance of their powers under the above Act and in accordance with your application received on Tuesday 17 October 2023 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Application for variation of Conditions 36 and 37 of planning permission ref. F/20/87841, to agree an extended timeframe of 18 months for completion of the approved highway and pedestrian improvement works at the Campbell Road bridge, and to allow for the occupation of Units 200 and 205 by new tenants (with Parkway House and Unit 6 in Area 1 remaining vacant until the highway and pedestrian improvements are complete).

Original application description: Demolition of existing buildings and erection of up to 2,444 sq. m of floorspace (GIA) for use within: Class B1(c); Class B2 and / or Class B8; provision for 'open storage' (Class B8) from up to circa 2.5 hectares (part permanent and part temporary); alterations to access including road widening, new footpath and creation of new vehicular access via Campbell Road; installation of acoustic barrier; and associated works including parking, services, landscaping, infrastructure and groundworks.

Site: EASTLEIGH RAIL WORKS, CAMPBELL ROAD, EASTLEIGH, SO50 5AD

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: 18-082 001 Rev P02, 18-082 002 Rev P02, 18-082 003 Rev P05, 18-082 004 Rev P14, 18-082 619 Revision C01 and 18-082 620 Revision 01, 18-082 010 Rev P03, 18-082 011 Rev P03, 18-082 020 Rev P10, 18-082 021 Rev P11, 18-082 022 Rev P08, 18-082 023 Rev P11, 18-082 024 Rev P07, 18-082 030 Rev P15, 18-082 031 Rev P02, 18-082 032 Rev P06, 18-082 040 Rev P01, DD473L01, DD473L02, DD473L03, DD473L04.

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 the grant of planning permission F/20/87841.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 The open storage uses hereby permitted on plot 305 (as denoted on approved drawing number 18 082 004 Revision P14) shall be for a limited period of 10 years from the date of planning permission ref. X/23/94970. The open storage use approved on plot 320 shall be for a limited period of 10 years from the date of planning permission ref. F/20/87841. On or before these respective dates the permitted open storage uses shall cease and any associated materials, equipment or other stored items shall be removed from the site and the land left in a condition that is first to be agreed in writing with the local planning authority.

Reason: To enable the local planning authority to be able to assess the long terms impacts of the proposed development in the context of the wider employment needs of the Borough.

- 4 Plots 300, 303, 305, 307 and 320 (as denoted on approved drawing number: 18-082 004 Revision P14) shall only be used for the purposes of open storage within Class B8 of the schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification], and for no other purposes whatsoever.

Reason: In the interests of highway safety and local amenity.

- 5 The buildings hereby approved within Area 2 (Units 200, 205 and 210 as denoted on approved drawing number: 18-082 022 Revision P08) shall be used only for purposes within Classes B1(c), 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 re-enacting that Order with or without modification], and for no other purposes whatsoever.

Reason: In the interests of highway safety and local amenity.

- 6 No Heavy Goods Vehicles (HGVs) shall be taken at or dispatched from the site except between the hours of 0700 and 2000 Monday to Saturday and at no time on Sundays or Public Holidays.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 7 With the exception of the industrial units (200, 205 and 210) and the uses within Area 1, the development hereby approved as denoted on the approved layout plan (drawing number 18-082 004 Revision P14) 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 0700 to 2000 Monday to Saturday and not at all on Sundays or Public Holidays.

Reason: To protect the amenity of the occupiers of neighbouring residential properties.

- 8 The open storage uses (as denoted on the approved layout plan (drawing number 18-082 004 Revision P14)) hereby approved shall operate subject to the following controls:
- (i.) No materials, goods, racking or equipment shall be stacked, deposited or stored on the site above the following height limits (as measured from ground level):
 - 3.5m in height on plot 303;
 - 5m in height on plots 305 and 307;
 - 3.5m in height within 12m of the south-western boundary of the site on plot 320; and,
 - 8m in height in all other areas (plot 300 and the remainder of plot 320).
 - (ii.) Any ancillary or temporary accommodation and / or storage cabins should not exceed 2.75 metres in total height as measured from ground level; and
 - (iii.) With the exception of the acoustic fence hereby approved, any security or perimeter fencing required shall not exceed 2.4 metres in height.

Reason: To control the visual impacts of the development on its surroundings and in the interests of protecting the amenity of neighbouring residents.

- 9 In respect of Area 1, the materials to be used in the construction of the external surfaces of the development hereby approved shall match as closely as possible in type, colour and texture to those used on the existing buildings and structures, including the pedestrian steps providing access to the site from Campbell Road.

In respect of Area 2, 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 number 18-082 023 Revision P11.

Reason: To ensure a satisfactory visual appearance and in the interests of protecting the heritage value of the buildings on the application site that are identified as being of local importance.

- 10 No construction, demolition or other development works within each phase of the development shall commence until a Construction Environment Management Plan (CEMP) for that phase, 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:

<https://www.aoa.org.uk/policycampaigns/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;

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, including measures for the control and disposal of any putrescible waste to prevent attraction of birds;
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;
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) details of protection measures to avoid harm to reptiles during the demolition and construction phases of the development.

Reason: To limit the impact the development has on the amenity of the locality, neighbouring residents, and biodiversity and hydrology during the construction process, and to ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Southampton Airport and endanger aircraft movements and the safe operation of the aerodrome.

- 11 The maximum permissible height of any construction on site shall not exceed 9.82m above ground level.

Reason: To avoid endangering the safe operation of aircraft.

- 12 Any external lighting shall be installed in accordance with the details approved under application ref. DC/21/91051, unless alternative details are first submitted to an approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, biodiversity and to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

- 13 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.

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

- 14 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.

- 15 No part of the development hereby permitted shall be brought into use until the areas shown on the approved plan for the parking of vehicles associated with the individual phases of the development shall 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.

Reason: To make provision for adequate on-site parking in the interests of highway safety.

- 16 All landscaping shall be carried out in accordance with the details approved under planning application ref. DC/21/91051, and to the appropriate British Standard, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality.

- 17 The development shall be carried out in accordance with the Landscape and Ecological Management Plan approved under application ref. DC/21/91051, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of wildlife and supporting habitat found on the site and to secure opportunities for the improvement of wildlife corridors and wider enhancement of the nature conservation value of the site.

- 18 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.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

- 19 No vegetation clearance shall occur on site during the bird nesting season (between 1st March & 31st August) unless supervised by an appropriately qualified ecologist.

Reason: To prevent harm to breeding birds.

- 20 The drainage system for the development shall be constructed in accordance with the approved documentation (Eastleigh Works Addendum to Drainage Strategy for Planning Rev B, 9 October 2020, Evolve). Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in conjunction with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To secure the provision of satisfactory drainage to serve the development.

- 21 Prior to the occupation of the industrial units hereby approved, details for the long-term maintenance arrangements and management of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. Maintenance schedules for each drainage feature type and ownership and responsibilities; and,
 - b. Details of protection measures.

Reason: To secure the ongoing provision of satisfactory surface water drainage.

- 22 The development shall be carried out in accordance with the public sewer protection details agreed under application ref. DC/21/91051.

Reason: To ensure the adequate protection of the public water/sewerage system.

- 23 The acoustic fence as shown on approved drawing numbers 18-082 619 Revision C01 and 18-082 620 Revision 01 shall be retained and maintained in accordance with the specification set out within the Technical Note prepared by RSK, ref. 297519-RSK-TN-001 Revision 0, dated 7 March 2023.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 24 Prior to each phase of the development within Area 2 being brought into use, a noise mitigation and management plan covering that phase shall be submitted to and approved in writing by the local planning authority. The plan shall include details of the ongoing noise management and monitoring of the site, including proposed mitigation measures to minimise the impacts on the amenity of neighbouring residents. The development shall then accord with the approved plan.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 25 During the night-time period (2000 to 0700), the maximum break out noise level (at 1 metre from the building façade, dB LAr) for the industrial units hereby approved, expressed as an uncorrected BS4142 Rating Level, shall not exceed 58 dB in respect of Unit 200, 61 dB in respect of Unit 205, and 64dB in respect of Unit 210. Where the breakout noise has acoustically distinguishing features, as described in BS4142, the rating level permitted for any individual unit shall be reduced in line with the sum of all penalties applicable under BS4142 in respect of the particular characteristics of the noise emitted by that unit.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 26 Should any operational activity be undertaken during the hours of 2000 to 0700 within the new units hereby approved (units 200, 205 and 210), the shutter doors of that unit as shown on approved drawing number 18-082 023 Revision P11 shall remain closed during the period of that activity.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 27 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.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 28 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.

Reason: In the interests of protecting the amenity of the occupiers of neighbouring residential properties.

- 29 Within 3 months of the completion of the development, a BREEAM final stage certificate and report demonstrating the achievement of a BREEAM 'Excellent' rating for the development shall be submitted to and approved in writing by the

Local Planning Authority.

Reason: In the interests of environmental sustainability.

- 30 The development shall be carried out in accordance with the Remediation and Verification Strategy (prepared by Delta-Simons, ref. 17-1080.08), approved under application ref. DC/21/91051, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not contribute to or is not put at unacceptable risk from/adversely affected by, contamination in line with paragraph 170 of the National Planning Policy Framework.

- 31 Prior to each phase of the development hereby permitted being occupied or brought into use, verification by the competent person approved under the provisions of condition 30(c) that any remediation scheme required and approved under the provisions of condition 30(c) has been implemented fully in accordance with the approved details (unless varied with the written permission of the LPA in advance of implementation), shall be submitted to and approved in writing by the local planning authority.
Unless first 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 - 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 and gas/vapour membranes have been installed correctly.
- Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 30(c).

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

- 32 The development shall be carried out in accordance with the borehole management details set out in the Construction Environmental Management Plan (ref. 512121 Revision C), and the Remediation and Verification Strategy

(Delta Simons, ref. 17-1080.08), as approved under application ref. DC/21/91051, unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework or 'The Environment Agency's approach to groundwater protection' available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwaterprotection.Pdf

- 33 If, during development, contamination (liquid or solid) not previously identified is found to be present on the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall then be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution from previously unidentified contamination sources.

- 34 Any scrub removal works on the southern side of the site shall be carried out in accordance with The Reptile Mitigation Strategy approved under application ref. DC/21/91051 (Delta Simons, ref. 17-1080.22, August 2021), unless alternative details are first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and to ensure that any clearance works are carried out in an appropriate manner.

- 35 The recommendations as set out within Section 6.2 of the submitted Ecological Appraisal (Delta Simons, September 2020, Project Number: 17-1080.04) for construction and operational phase ecological protection/enhancement measures shall be implemented in full.

Reason: To limit the impacts of the development on biodiversity and enhance the nature conservation value of the site.

- 36 The proposed pedestrian improvement works on the eastern side of Campbell Road (as shown in principle on drawing number 2019-6096-003 Revision C in the Transport Technical Note (Bright Plan, September 2020, Ref: 6096)), shall

be completed pursuant to a Section 278 agreement, under the Highways Act 1980. A material start on the improvement works must be made within 30 months from the first implementation of planning permission ref. F/20/87841 and Parkway House and Unit 6 shall not be occupied until such time as the improvement works are completed. In any event the works shall be completed no

later than 12 months after a material start has been made, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure improvements to pedestrian infrastructure and enhanced access to nearby amenities and facilities.

- 37 The proposed access works to Area 1 and Area 2 (as shown in principle on drawing number 2019-6096-001 Revision C in the Transport Technical Note (Bright Plan, September 2020, Ref: 6096) and drawing number 2019-6092-201 Revision B in the Transport Technical Note (Bright Plan, February 2021, Ref: 6096) shall be completed pursuant to a Section 278 agreement, under the Highways Act 1980. A material start on the access works must be made within 30 months from the first implementation of planning permission ref. F/20/87841 and Parkway House and Unit 6 shall not be occupied until such time as the improvement works are completed. In any event the works shall be completed no later than 12 months after a material start has been made, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide a satisfactory means of access to the development in the interests of highway safety.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (February 2019), 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: Southern Water have advised that it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant/developer. A formal application for connection to the public sewerage system is required in order to service this development. Further details on this matter can be found within Southern Water's New Connections Services Charging Arrangements document which is available on their website at: www.southernwater.co.uk/developingbuilding/

connection-charging-arrangements

Note to Applicant: The Environment Agency have advised that the storage of oils, fuels or chemicals can pose a risk to controlled waters if a spillage occurs. They have therefore recommended that the following guidance should be adhered to if any such storage is to occur on site:
<https://www.gov.uk/guidance/storing-oil-at-a-home-or-business>.

Note to Applicant: The conditions have been updated where relevant to reflect details approved through condition discharge. Please also note the following:

- Condition 1 - The plan numbers in Condition 1 have been updated to include the latest fence alignment plans approved as a non-material amendment (ref. 18-082 619 Revision C01 and 18-082 620 Revision 01).
- Condition 3 – This condition has been updated to reflect the variation approved under application ref. X/23/94970.
- Condition 10 – This condition has been part discharged in respect of the acoustic fence (app ref. DC/21/91051, 29/10/2021), and Area 2 (app ref. DC/22/93308, 06/09/2022).
- Condition 23 – This condition has been updated to reflect the variation approved under application ref. X/23/95285.
- Condition 24 – This condition has been part discharged in respect of Units 210 and open storage plots 307 and 320 (app ref. DC/22/93573, 01/11/2022).
- Condition 31 – This condition has been part discharged in respect of open storage plots 307 and 320 (app ref. DC/22/93573, 01/11/2022).

Note to applicant: This decision is subject to a S106 Deed of Variation dated 20 November 2023.

Yours faithfully

A handwritten signature in black ink that reads "N Parker".

Nicholas Parker
Planning Manager

N.B. See Attached Notes