

Mr Jack Bell
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Application	X/26/101816
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30 September 2026

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

Application No. X/26/101816

In pursuance of their powers under the above Act and in accordance with your application received on Monday 3 August 2026 the Council, as Local Planning Authority hereby **PERMIT** the following:

- Description:** Application under Section 73 of the Town and Country Planning Act 1990 (As Amended) for variation of the following planning conditions to allow for the increase in the overall footprint of the approved restaurant from 290m² to 366.5m²: Condition 1 (Approved Plans), Condition 4 (Tree Protection Plan), Condition 5 (Construction Management), Condition 6 (Materials), Condition 7 (Landscape), Condition 10 (Car Park Arrangement) and Condition 11 (Flood Risk and Drainage) of planning permission F/25/100291 for erection of single storey restaurant (use class E(b)) and associated works.
- Site:** HAMBLE POINT MARINA, SCHOOL LANE, HAMBLE-LE-RICE, SOUTHAMPTON, SO31 4JD

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: MP001 Rev. E, MP002 Rev. B, RL001, RL01 Rev B, RL02 Rev B, A102 Rev V8, A103 Rev V8, ITS210340-GA-003 Rev. G.

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

- 2 The development hereby permitted shall start no later than 2 April 2029 (three years from the date of the grant of planning permission F/25/100291).

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

- 3 No development shall start until details of the measures for foul and surface water disposal from the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the implementation and a management/ maintenance plan for the lifetime of the development [including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the drainage system throughout its lifetime]. The system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory foul and surface water drainage for the development.

- 4 The development must accord with the tree protection plan reference 25106-TPP07. No excavation, demolition or development related works shall commence until the tree protection measures have been installed as per the plan. 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 LPA.

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

- 5 Construction of the development hereby approved shall be undertaken in accordance with the provisions of the Construction Environmental Management Plan (Ref. SR/CEMP1/HPM/0101, Rev 2.0, 07/01/2026), and the measures set out within Paragraph 4.3 of the Preliminary Ecological Appraisal (EXO Environmental, Report 1.0, 14/07/2026) and Section 5 of the Shadow Habitats Regulations Assessment (EXO Environmental, Report 1.0, 22/07/2026).

Reason: To appropriately manage, control and mitigate the construction related impacts of the development in the interests of highway safety, amenity and biodiversity.

- 6 The development shall be carried out in accordance with the approved materials schedule (Hamble Point Marina Material Specification_ LA201 Revision B) which details the materials to be used in the construction of the external surfaces of the development.

Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

- 7 No development above slab level shall start until a final detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the principles set out within the submitted Hardworks and Softworks Plan (drawing no. LA200 Revision A) and

shall cover all hard & soft landscaping, including trees and boundary treatments, and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.

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

- 8 For a period of no less than 10 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.

- 9 Prior to the building hereby approved being first brought into use, a lighting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the principles set out within the submitted Lighting Report (Alan Tulla Lighting, Rev A, 15 October 2025) and shall identify the location and specification of all external and internal lighting proposed to be installed as well as any additional mitigation measures that may be required (for example but not limited to, window coverings, window tinting, internal decoration to minimise reflection from walls, etc.), and include lighting specification contour plans. All lighting shall then be installed and thereafter maintained in accordance with the approved scheme.

Reason: In the interests of amenity, biodiversity and navigational safety.

- 10 The development hereby permitted shall not be brought into use until the car parking spaces as shown on approved drawing ref. ITS210340-GA-003 Rev G (Car Park Arrangement) have been provided and made available for use. These shall thereafter be maintained and kept available.

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

- 11 The development shall be carried out in accordance with the submitted Flood Risk Assessment (Hamble Point Marina – Flood Risk Assessment and Drainage Strategy Report Project No. 24-409-60c Rev. 03 issued on 31/07/2026) and the following mitigation measures it details:
- As seen in Section 6.1.5 - Finished floor levels shall be set no lower than 3.58 metres Above Ordnance Datum (AOD) across the site.
 - As seen in Section 6.1.6 - All flood resistance and resilience measures proposed must be installed prior to first occupation.
 - As seen in Section 6.1 Flood Emergency Plan - a Flood Evacuation Plan must be developed, submitted and agreed in writing by the LPA prior to the development hereby approved being first brought into use. The occupants must also sign up to the Environment Agency's Flood Warning System.

These mitigation measures shall be fully implemented prior to first occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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

- 12 No construction, demolition or deliveries to the site shall take place during the demolition and 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 Bank Holidays.

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

- 13 The development hereby approved shall be used only for purposes within Class E(b) 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: The proposals are allowed on the particular circumstances of the case in accordance with the provisions of Policy DM20 of the Eastleigh Borough Local Plan 2016-2036.

- 14 The development hereby permitted shall not be open to customers except between the hours of 0700 to 0000 (Monday to Thursday), 0700 to 0100 (Friday and Saturday) and 0700 to 2300 (Sunday).

Reason: In the interests of amenity.

Conditions to comply with the Environment Act 2021

- 15 Development may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy DM11 of the Eastleigh Borough Local Plan.

- 16 The development shall not commence until a final Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the

local planning authority and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology of the created or enhanced habitat to be submitted to the local planning authority. Monitoring reports to be submitted annually for the first five years, then every five years up to 30 years (unless otherwise agreed) after the initial work to establish the habitats, with a total of ten monitoring years per site.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy DM11 of the Eastleigh Borough Local Plan.

- 17 Notice in writing shall be given to the Local Planning Authority when the habitat creation and enhancement works within the HMMP have started and when it has been completed. The created and enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy DM11 of the Eastleigh Borough Local Plan.

Informatives

Note to Applicant: In accordance with Policy DM3 of the National Planning Policy Framework (August 2026) 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: The Environment Agency have advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in a floodplain more than 8 metres from the riverbank, culvert or flood

defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the EA's National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

Note to Applicant: Southern Water have advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises and that it should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents." Trade Effluent Consent may also be required. For further advice, please contact: Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119, Website: www.southernwater.co.uk, Email: SouthernWaterPlanning@southernwater.co.uk).

Yours faithfully

A handwritten signature in black ink that reads "N Parker". The signature is written in a cursive style with a horizontal line underneath the name.

Nicholas Parker
Planning Manager

N.B. See Attached Notes