

# FAREHAM

## BOROUGH COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY (DEVELOPMENT MANAGEMENT**  
**PROCEDURE) ORDER 2015**

### **Planning Decision Notice**

**Planning Application Reference: P/18/1390/RM**

**Decision Date: 19 June 2019**

Fareham Borough Council, as the local planning authority, hereby **PERMIT** the **Reserved Matters in relation to Outline Application P/11/0436/OA (Appearance, Layout & Scale) for Erection of Four Industrial Units Containing 5164 sqm Floorspace (Use Class B2 & B8) on Plot F at Land at Daedalus/Faraday Business Park, Spitfire Way, Fareham, PO13 9FL as proposed by application P/18/1390/RM** subject to the following conditions:

1. The development shall be carried out in accordance with the following approved documents:
  - i) Locality Plan – drwg No G4473/P\_001 Rev A
  - ii) Site Location Plan – drwg No G4473/P\_002 Rev A
  - iii) Existing Site Plan – drwg No G4473/P\_003 Rev A
  - iv) Proposed Overall Site Plan – drwg No G4473/P\_004 Rev B
  - v) Proposed Site Plan & Roof Plan – drwg No G4473/P\_201 Rev B
  - vi) Proposed Floor Plans Unit F1 – drwg No G4473/P\_202 Rev A
  - vii) Proposed Elevations Unit F1 – drwg No G4473/P\_203 Rev B
  - viii) Proposed Site Sections – drwg No. G4473/P\_204 Rev B
  - ix) Proposed Floor Plans Unit F2 – drwg No G4473/P\_208 Rev A
  - x) Proposed Elevations Unit F2 – drwg No G4473/P\_209 Rev B
  - xi) Proposed Floor Plans Unit F3 – drwg No G4473/P\_210 Rev A
  - xii) Proposed Elevations Unit F3 – drwg No G4473/P\_211\_Rev C
  - xiii) Proposed Site Section & Elevations – drwg No. G4473/P\_204 Rev B
  - xiv) Proposed Perspective Views – drwg No G4473/P\_205 Rev B
  - xv) Design & Access Statement (Lewis & Hickey G4473/DAS)
  - xvi) Ecological Appraisal (Aspect Ecology 5 February 2019)

REASON: To avoid any doubt over what has been permitted.

2. None of the development hereby approved shall be occupied until details of the proposed bin/cycle stores have been submitted to and approved by the Local Planning Authority and the approved areas fully implemented. The details shall include the siting, design and the materials to be used in construction. The areas shall be subsequently retained for cycle/bin storage or collection at all times.  
REASON: To ensure that the character and appearance of the development and the locality are not harmed.
3. No development hereby permitted shall proceed beyond damp proof course level until a detailed scheme of biodiversity enhancements to be incorporated into the development, along with a plan showing the location of these features, has been submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.  
REASON: to enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.
4. The development hereby permitted shall proceed in accordance with the measures set out in Sections 4.6 to 4.8 of the Ecological Appraisal by Aspect Ecology (February 2019).  
REASON: to ensure the protection of reptiles, badgers and nesting birds in accordance with Policy DSP13: Nature Conservation of the Fareham Local Plan.
5. The buildings hereby permitted shall be used only for purposes within Use Class B2 and B8 and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to Class B2/B8 or any statutory instrument revoking and re-enacting that Order with or without modification unless otherwise first agreed in writing with the Local Planning Authority following the submission of a planning application for that purpose.  
REASON: To protect the creation of local manufacturing employment opportunities in accordance with Policy CS12 of the Adopted Fareham Borough Core Strategy.

## **Informative**

This decision notice should be read in conjunction with the outline planning permission granted under reference P/11/0436/OA.

# **Notes to Accompany Planning Decision Notice**

**Planning Application Ref: P/18/1390/RM**

**Decision Date: 19 June 2019**

## **General Notes for Your Information:**

- The approved documents can be obtained by viewing the submitted application online at [www.fareham.gov.uk/planning](http://www.fareham.gov.uk/planning)
- The Council worked positively and proactively with the applicant and their agent to address any issues which came up during the course of the application being considered. A report has been published on the Council's website to explain how a decision was made on this proposal.
- Please contact the officer who handled this application Susannah Emery on 01329 824526 or at [semery@fareham.gov.uk](mailto:semery@fareham.gov.uk) if:
  - You would like clarification about this notice
  - You would like to make changes to your permission
  - You are unhappy with this decision or the way it has been reached

## **Right of appeal:**

- The person who made this application has the right to appeal to the Secretary of State against the imposition of any of the conditions this permission is subject to.
- The Secretary of State may decide he will not consider an appeal if it seems to him that, due to statutory requirements, the local planning authority could not have granted permission without the conditions being imposed.
- Appeals must be made within 6 months of the date of this decision notice (so by 19 December 2019).
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- Appeals are handled by the Planning Inspectorate on behalf of the Secretary of State. Appeals must be made using a form which you can get from:
  - Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN;
  - Or submit online at The Planning Inspectorate website at
  - [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)
- There is no third party right of appeal for neighbours or objectors.

## Purchase Notices:

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land.

## What to do next:

- Please take note of the conditions this permission is subject to. If these conditions are not met, for example if works are not carried out in accordance with the approved documents, the Council has the ability to take enforcement action where necessary.
- This permission relates to town planning. It does not grant other forms of consent which you may need, for example:

### Building Regulations consent

- Building Regulations legislation sets out technical standards required for the design and construction of buildings.
- For advice please contact The Building Control Partnership:
  - Telephone 01329 824 823
  - Email [bcpartnership@fareham.gov.uk](mailto:bcpartnership@fareham.gov.uk)
  - Website [www.buildingcontrolpartnershipants.gov.uk](http://www.buildingcontrolpartnershipants.gov.uk)

### Consent for works in the vicinity of a public sewer

- A minimum distance of three metres (for apparatus up to three metres deep) must be maintained between any building and the public sewer. In some cases however, Southern Water will allow buildings to encroach on the public system.
- For further information please contact Southern Water:
  - Telephone 0845 278 0845
  - Website [www.southernwater.co.uk](http://www.southernwater.co.uk)

### Works affecting neighbours

- Where proposals involve work on party walls or excavations near neighbouring properties, there may be measures required under the Party Wall Act 1996. Fareham Borough Council is not responsible for enforcing the Party Wall Act.

- For further information please see the following guidance:
  - Website [www.gov.uk/party-wall-etc-act-1996-guidance](http://www.gov.uk/party-wall-etc-act-1996-guidance).