

# FAREHAM

## BOROUGH COUNCIL

For Fareham Borough Council

Perkins Ogden Architects  
Construct House  
Winchester Road  
Alresford  
Hampshire  
SO24 9EZ

Ref No : [P/14/0081/FP](#)

### TOWN & COUNTRY PLANNING ACT 1990 TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

#### DAEDALUS - INNOVATION CENTRE - HANGARS EAST LEE ON THE SOLENT CONSTRUCTION OF NEW PURPOSE BUILT INNOVATION CENTRE COMPRISING TWO STOREY OFFICE BLOCK, SINGLE STOREY WORKSHOP BLOCKS AND ASSOCIATED EXTERNAL WORKS

**Application Received :** 3rd February 2014

In pursuance of their powers under the above mentioned Act the Council, as the Local Planning Authority, hereby PERMIT the development described above, in accordance with your application.

#### **Subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.  
REASON: To comply with the procedures set out in the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.
2. The development is to be carried out in accordance with the finally amended and approved plans as follows:
  - 5258/PL/1.001 Revision A
  - 5258/PL/1.002 Revision A
  - 5258/PL/1.003 Revision B
  - 5258/PL/1.004 Revision A
  - 5258/PL/1.005 Revision A
  - 5258/PL/1.006 Revision A
  - 5258/PL/1.007 Revision A
  - 5258/PL/1.008 Revision A
  - 5258/PL/1.009 Revision A
  - 5258/PL/1.010 Revision A
  - 5258/PL/1.011 Revision A
  - W00685-401 Revision P02Reason: In the interests of an appropriate and comprehensive development in accordance



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

with Policy CS12 of the Adopted Fareham Borough Core Strategy.

3. Details of all external materials to be used in the construction of the building hereby permitted shall be submitted to and approved by the local planning authority in writing prior to their installation on the building. The development shall be carried out in accordance with the approved details.  
Reason: To secure the satisfactory appearance of the development in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.
4. The building hereby permitted shall be used only for purposes within Use Class B1 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 B1 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 employment opportunities including the key objectives of the Solent Enterprise Zone in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.
5. The development shall be carried out in accordance with the approved details within the Sustainability Report such that the building achieves a BREEAM 'very good' rating.  
Reason: To ensure the development is constructed and operates in a sustainable manner in accordance with Policy CS15 of the Adopted Fareham Borough Core Strategy.
6. Within 12 months of first occupation of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out the measures to be undertaken to reduce the reliance on the private motorcar along with details of how alternative modes of travel will be encouraged. The Plan shall include details of implementation, targets, monitoring and will form part of an annual review process. The development hereby permitted shall be operated in accordance with the approved travel plan.  
Reason: In the interests of sustainable development and to reduce car borne traffic to the site in accordance with Policies CS5, CS12 and CS17 of the Adopted Fareham Borough Core Strategy.
7. Details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details.  
Reason: To ensure the development is constructed and operates in a sustainable manner in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.
8. Within eight weeks of the date of this decision an Employment and Skills Plan for the Construction period has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include a programme for implementation. The development shall be undertaken in accordance with the approved details.  
Reason: To ensure the strategic objectives for the Daedalus site are achieved in accordance with Fareham Borough Core Strategy policy CS12.
9. The measures set out in Table 1 "Summary of Recommendations" of the EPR Letter dated 10th January 2014, reference P13/71-1A shall be implemented in full. Thereafter, the



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

mitigation measures shall be retained at all times.

Reason: To ensure the preservation of important bird habitat and to ensure protection to nesting birds in accordance with Fareham Borough Core Strategy policy CS12 and Fareham Borough Local Plan Review Policy C18.

10. Prior to the first occupation of the building hereby permitted an Ecological Enhancement Plan, as detailed in the final paragraph of page 5 of the EPR Letter dated 10th January 2014, (reference P13/71-1A) shall be submitted to and approved in writing by the Local Planning Authority. The measures proposed in the Plan shall be installed prior to first occupation of the building and retained at all times.

Reason: To ensure the enhancement of the biodiversity of the area in accordance with paragraphs 109 and 118 of the National Planning Policy Framework and Fareham Borough Core Strategy policy CS12.

11. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:

- parking for site vehicles and contractors;
- the management and coordination of deliveries of plant and materials and the disposing of waste resulting from demolition and or construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- areas for loading and unloading;
- areas for the storage of plant and materials;
- security hoarding position and any public viewing platforms (if necessary);
- site office location;
- construction lighting details;
- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste; and
- vegetation clearance details

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Policies CS5, CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

12. The building hereby permitted shall not be first occupied until details of the on-site cycle parking have been submitted and approved in writing by the Local Planning Authority. Within 12 months of first occupation the cycle parking shall be provided in accordance with the approved details. The approved cycle parking area shall be retained thereafter for their intended purpose.

Reason: To encourage sustainable travel and in accordance with Policy CS5 of the Adopted Fareham Borough Core Strategy.

13. The building shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with the approved plan. The parking and manoeuvring areas shall thereafter be retained for such purposes at all times.

Reason: In the interests of highway safety in accordance with Policy CS5 of the Adopted Fareham Borough Core Strategy.



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

14. No development take place until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a written specification that has been submitted to and approved by the planning authority. This mitigation shall be in accordance with the Written Scheme of Investigation that accompanies the application and establishes the assessment and evaluation of the below ground archaeology.  
Reason: The site has some archaeological potential in accordance with Policy CS17 of the Adopted Fareham Borough Core Strategy.
15. a) A report of an investigation of soil, and where required groundwater, for relevant inorganic and organic chemicals in the following areas;
- beneath the former hangar building including all associated concrete slabs and/or former fuel tanks bases adjacent to the building structure;
  - proposed soft landscaping areas where they coincide with the former burning area in south west of site.
- Shall be submitted to and approved in writing by the Local Planning Authority prior to the formation of the building foundations in the affected areas. This report shall include an assessment of risks to human health, building and associated infrastructure, ecological receptors and water receptors where appropriate.
- b) Written confirmation shall be submitted to the Local Planning Authority and agreed in writing prior to occupation of the building that the following has been undertaken by NATO trained personnel;
- an investigation of all linear features identified in the UXO survey 12th December 2013; and
  - a UXO over watch during works across site but in particular where gross contamination was identified in the UXO survey 12th December 2013.
- Any UXO abnormalities discovered on site shall be reported to the Local Planning Authority immediately and remedial method statements prepared as required under part d of this condition.
- c) Radiological monitoring shall be undertaken during ground works using a suitable scintillation detector, whilst this should be site wide it should ensure that monitoring is carried out beneath the former hangar building including all associated concrete slabs and/or former fuel tanks bases adjacent to the hangar structure; any areas covered by concrete during the radiological survey undertaken on 7th January 2014; and proposed soft landscaping areas where they coincide with the former burning area in south west of site. Soil samples shall be taken from all identified hotspots and shall be analysed at a suitable laboratory, an assessment of the risks to human health from the results shall be undertaken. The results of this monitoring, soil analysis and risk assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the formation of the building foundations in the affected areas.
- d) Where remedial measures are required at any stage under parts a), b) or c) of this condition to address risks to receptors, a remediation method statement detailing the required remedial actions and proposals for verification of remediation shall be submitted to and approved in wiring by the Local Planning Authority prior to those remedial works taking place.



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

e) All agreed remedial actions shall be fully implemented in accordance with the approved details. Any changes shall be agreed in writing with the Local Planning Authority. A report verifying that the remedial actions have been implemented in accordance with the agreed remedial method statements and including soil analysis results, groundwater analysis results, photographic evidence and drawings/ plans where appropriate shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the building.

f) PAH contaminated soil from around sampling location SA1 shall not be re-used on site unless it can be demonstrated that it will not be a risk to future users or to groundwater. The site scrape should be organised to take account of this area of contamination so soil is not added to a general stockpile. The area of elevated PAH shall be covered by an impermeable surface and maintained following development. Confirmation of these actions shall be included in the report required under e).

g) Should contamination be encountered during works that has not been investigated or considered in the agreed scheme of remedial measures, all work should cease and an investigation, risk assessment and a detailed remedial method statement shall be submitted to and agreed in writing by the Local Planning Authority before works recommence. The remediation shall be fully implemented in accordance with the approved details. A report verifying that the remedial actions have been implemented in accordance with the agreed remedial method statement(s) and including soil analysis results, groundwater analysis results, photographic evidence and drawings/ plans where appropriate shall be submitted to the Local Planning Authority prior to the first occupation of the building.

Reason: To ensure the development is constructed and operates in a safe manner in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

16. Prior to first occupation of the development hereby permitted full details of hard and soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes, proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure to boundaries and hard surfacing materials. The landscape works shall be carried out in accordance with the approved details and the implementation programme. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

Reason: To ensure the provision, establishment and maintenance of a standard of landscaping; in accordance with the approved designs in accordance with Policy DG4 of the Fareham Borough Local Plan Review and Policies CS12 and CS17 of the Adopted Fareham Borough Core Strategy.

17. Details of any external lighting, including location, design and luminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation.



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

The installation of any lighting shall take place in accordance with these approved details.  
Reason: In the interest of the local amenities in accordance with Policies CS12, CS14 and CS17 of the Adopted Fareham Borough Core Strategy.

### Further Information:

1. A formal application for connection to the public sewerage system and connection to the water supply is required in order to service this development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
2. As part of any surface water drainage scheme developed for the site (particularly where it is proposed to discharge to existing open watercourses) the applicant will need to demonstrate that it will not result in an increased risk of flooding to any residential properties or their associated curtilages.
3. The preliminary risk assessment and site investigations should be in accordance with relevant good practice guidance for example BS 10175: 2011+ A1:2013 Investigation of Potentially Contaminated Sites - Code of Practice; Environment Agency CLR 11 Model procedures for the management of Land Contamination and should be carried out by or under the supervision of a suitably qualified competent person. This person should be a chartered member of an appropriate professional body and have experience in investigating contaminated sites.
4. Your attention is drawn to the enclosed Warning Notice relating to development not in accordance with approved plans. The protocol for 'Dealing with variations to Planning Permission' is available from the Civic Offices or in the Council's web site [www.fareham.gov.uk](http://www.fareham.gov.uk)

In reaching this decision Fareham Borough Council has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. Fareham Borough Council work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.

The Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on 1 May 2013. If the development to which this permission relates attracts the payment of CIL, the parties liable for the payment will receive a CIL Liability Notice shortly or, in the case of an outline permission, shortly after the approval of the last reserved matter associated with the permission. The Council's CIL Charging Schedule and a CIL Guide for Developers and Landowners can be found on the Council's web site.



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**FAREHAM**  
BOROUGH COUNCIL

**NOTIFICATION** to Applicants of:

- 1 Your right of Appeal**
- 2 Your right to serve a Purchase Notice**
- 3 Other ways to complain**
- 4 Other Consents you may need**

## 1. Your right of appeal

You may be entitled to appeal against this decision to the Secretary of State for the Department of Communities and Local Government (DCLG).

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see **[www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)**. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you may request paper copies from the following addresses:

Write to and obtain forms from:

**The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square,  
Temple Quay. Bristol, BS1 6PN. Telephone 0303 444 5000.**

*Please note that in each case the forms must be completed and returned to the above address with a copy to **Planning and Environment (Development Management and Trees), Fareham Borough Council, The Civic Offices, Civic Way, Fareham, PO16 7AZ.***

You can also appeal if a decision has not been issued within the period shown below:

## for these Applications Types

### Time from receipt

Planning Permission, Listed Building or Conservation Area Consent	8 weeks
Certificates of Lawful Use or Development	8 weeks
Advertisement Consent	8 weeks
Fell or lop trees subject of a Tree Preservation Order	8 weeks
Non-material minor amendment to a planning permission	28 days

**IMPORTANT** - If the development is the subject of planning enforcement action this may reduce the time period for submission of an appeal - Please contact the Planning Office for further advice.

Please ensure that the correct form is used for each of the application types listed above.

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# FAREHAM

## BOROUGH COUNCIL

### Your Entitlement to Appeal:

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or consent or at the imposition of conditions then, subject to the following provisions, you may appeal to the DCLG. The ways you can do so are set out above.

Please note that only the applicant possesses the right to appeal. There is no third party right of appeal for neighbours and other objectors.

### Restrictions on Your Right to Appeal:

There is a time limit for lodging your appeal, although the Secretary of State may override this. The applicant has the following time in which to lodge an appeal for these classes:

- \* Planning applications (but see below for Householder Applications)(appeal under Section 78 of the Town and Country Planning Act 1990 (TCPA)),
- \* Listed building consent applications (appeal under Sections 20 or 21 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA)) and
- \* Applications for Certificates of lawful use or development (appeals under Section 195 of the TCPA).

**Should be lodged within 6 months of the date of the decision notice, or within 6 months of the expiry of the period of 8 weeks from the date the application was received or such extended period as agreed between the appellant and the Planning Inspectorate.**

**\* Householder Applications - If you want to appeal against a decision to refuse planning permission for a householder application then notice of appeal should be lodged within 12 weeks of the date of the decision notice.**

\* Advertisement applications (appeal under Regulation 15 of the Town and Country Planning (Control of Advertisement) Regulations 1989) should be lodged within 8 weeks of the date of the decision notice.

\* Application for consent to carry out works to a tree(s) the subject of a Tree Preservation Order (appeals under Sections (78)I of the TCPA) should be lodged within 28 days of the date on the decision notice, and

\* Applications for a Certificate of Appropriate Alternative Development (appeals under Section 17 of the Land Compensation Act 1961) should be lodged within 1 month of the date of the certificate or notice of refusal to issue a certificate.

The Secretary of State may decide he will not consider an appeal. This might happen if the proposed development has been subject of an appeal which has been dismissed within the last two years, or where the Local Planning Authority could not have granted permission (or not without the conditions imposed) having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under the Order.



**Lee Smith**



# FAREHAM

## BOROUGH COUNCIL

### 2. Your Right to Serve a Purchase Notice

If the Local Planning Authority or the DCLG refuses planning permission to develop land or grant listed building consent for works, or grants permission or consent subject to conditions, the owner may serve a notice on the Council in whose area the land is situated, requiring the Council to purchase his interest in the land. The owner will need to establish that he can neither put the land to a beneficial use by the carrying out of any works or development which would have been or would be permitted (see Part VI, Chapter 1 of the TCPA for the former class of applications and Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990 for the latter class of applications.

### 3. Other ways to complain

If you are aggrieved at the way the Council has dealt with your application the Planning Officer who has been dealing with it will be pleased to explain the reasons for the Council's decision and endeavour to resolve the matter for you. If you are not satisfied, you may wish to put your complaint in writing or e-mail **customerservices@fareham.gov.uk**. Details of the complaints procedure can be obtained from the Customer Services Manager at the Civic Offices (telephone 01329.236100) or from our website **www.fareham.gov.uk**.

### 4. Other Consents You May Need

This decision relates solely to the town planning requirements under the Acts and Orders mentioned at the head of the decision notice. It does not grant any other consent or permission. In particular, the following may require consent:

**i. Works requiring Building Regulations consent** - If you have not already done so, you should contact the Council's Building Control Partnership at the Civic Offices, Telephone: 01329 236100 Ext 2441.

**ii. Works or structures in the vicinity of a public sewer** - If in doubt you should contact The Development Control Manager, Southern Water Services Ltd, Southern House, Sparrowgrove, Otterbourne, Winchester, Hampshire SO21 2SW Tel 0845 278 0845. You may inspect the Public Sewer Map held in the Council's Building Control Business Unit to find out if a public sewer crosses the site of the proposed development. (Buildings are not normally allowed within 3.0metres of a public sewer, although this may vary, depending upon the size, depth, strategic importance, available access and ground conditions appertaining to the sewer in question).

**iii. Works affecting neighbours** - (e.g.: work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near neighbouring buildings). The Party Wall Act 1996 requires certain measures to be taken and leaflets explaining the specific requirements are available at the Council Offices.



**Lee Smith**

# FAREHAM

## BOROUGH COUNCIL

### **IMPORTANT WARNING**

**Please read the content of this warning notice on receipt of your planning permission decision notice.**

The Council is pleased to enclose your conditional planning permission decision notice.

### **FEES FOR DISCHARGING PLANNING CONDITIONS**

There is a fee payable to the Council when you submit details pursuant to planning conditions. The fee is £97 per request to discharge conditions (or £28 if the discharge of condition relates to a planning permission for extending or altering a dwellinghouse or other development in the curtilage of a dwelling). By way of clarification if details are submitted to discharge a number of conditions at the same time then just one fee of either £97 or £28 would be payable. If details to discharge conditions are submitted on a number of separate occasions then a fee of either £97 or £28 would be payable on each occasion. The fee must be paid when the request is made.

All requests for discharging planning conditions should be made in writing and ideally on the national application form designed for this purpose (which can be downloaded from the following site [www.fareham.gov.uk/pdf/developmentc/appformlist.pdf](http://www.fareham.gov.uk/pdf/developmentc/appformlist.pdf) (No. 27 on the list of forms), or otherwise please contact our Customer Service Centre, Planning Reception on 01329 236100 for a paper copy.

If you choose to send a covering letter rather than fill in the national application form you must ensure that all the relevant information requested in the application form is contained within your covering letter.

### **PRE-DEVELOPMENT CONDITIONS**

Please note that there may be conditions attached to this planning permission which are required to be discharged **before** development commences.

There have been several occurrences recently where developments have commenced before planning conditions have been discharged.

I must advise you that should you commence the development prior to all of the pre-development conditions being discharged the development will be treated as unauthorised development.

Should development commence before the pre-development conditions are discharged planning enforcement and or injunctive action to secure the cessation of the development will be considered.



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# FAREHAM

## BOROUGH COUNCIL

### **DEVELOPMENT NOT IN ACCORDANCE WITH APPROVED PLANS**

There have been many instances recently where development has not been undertaken strictly in accordance with the approved plans.

If there is any variation from the approved plans for whatever reason, unless it is so insignificant that it can be considered de minimis (of no consequence), it is likely that it will require the submission of a new planning application. This will involve significant work and additional cost to both the developer and the Local Planning Authority.

A protocol for dealing with variations to planning permissions was agreed by the Planning Development Control Committee 16 March 2005 and copies are available from the Civic Offices or on the Council's web site [www.fareham.gov.uk](http://www.fareham.gov.uk)

Please ensure that the development you undertake is the development for which you have been granted planning permission. If your working drawings do not match the stamped approved planning drawings a new planning application will be required unless the variation is **very** small.

The ultimate decision on whether or not any change will require planning permission rests with the Local Planning Authority.

Development which is not in accordance with the approved plans is unauthorised development and likely to attract Planning Enforcement Action.

**THIS WARNING IS DESIGNED TO ASSIST AND PREVENT LATER DIFFICULTIES  
PLEASE HEED THE ADVICE IN THE PROTOCOL.**



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