

Mr Le Voi
L.M.D. Designs Ltd
4 Foxcombe Close
Swanmore
Southampton SO32 2UJ

For: Mr & Mrs Wood & Meves

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Grant of Planning Permission**

Application Number: APP/20/00851

Site Address: 40 Horndean Road, Emsworth, PO10 7PT

Proposal: Demolition of existing attached garage and construction on new garage on the same footprint. Amendment to existing vehicle access to include the installation of 1.8m wall with 2.1m brick piers, 1.9m timber gate for pedestrian access and a 2.1m timber gate to create new vehicle access to create improved sight lines and security.

Further to your application received on 16 September 2020, which was valid from 05 October 2020, Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 16 September 2020

Location Plan - Drawing No. 100 - Received 16 September 2020

Existing and Proposed Block plans - Drawing No. 101 - Received 16 September 2020

Existing Floor Plans - Drawing No. 102 - Received 16 September 2020

Existing Elevations - - Drawing No. 103 - Received 16 September 2020

Proposed Floor Plans - Drawing No. 104 - Received 16 September 2020

Proposed Elevations - - Drawing No. 105 - Received 16 September 2020

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Existing Access Plan & Elevations - Drawing No. 106 - Received 16 September 2020
Proposed Access Plan & Elevations - Drawing No. 107A - Received 16 September 2020

Arboricultural Impact Assessment - Received 11 November 2020

Tree Protection Plan - Received 11 November 2020

Tree Data - Received 11 November 2020

Tree Location Plan - Received 11 November 2020

Email confirming the staining and material to be used on the garage and gates - Received 18 November 2020

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms / details and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The development shall be carried out strictly in accordance with the submitted Arboricultural Impact Assessment and the Tree Protection Plan - Received 11 November 2020. All the measures forming part of the approved specification shall be undertaken and fully adhered to at all times..

Reason: To safeguard the continued health and presence of the trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your

application and where possible suggesting solutions, and,

In this instance:

- You sought and were provided with pre-application advice,

Your application was acceptable following receipt of an Arboricultural Impact Assessment and a Tree Protection Plan received 11 November 2020.

- (5) The applicant is advised of the consultation response received from Southern Water (below) which can be viewed along with the related plan on the Councils Website via the following web address:
https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_249081

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer within the development site. The exact position of the public foul sewer asset must be determined on site by the applicant in consultation with Southern Water.

Please note:

- *The public foul sewers require a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.*
- *No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.*
- *No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.*
- *All existing infrastructure should be protected during the course of construction works.*

Please refer to: southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf.

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: Developer.Services@southernwater.co.uk

Furthermore, 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 any further works commence on site.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- *Reuse*
- *Infiltration*
- *Watercourse*
- *Strom sewer*
- *Combined Sewer*

Guidance on Building Regulations is here:

gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing,

West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

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Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

03 December 2020

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571