

Mr Keefe
Rak Architecture
Lower Lewell Farmhouse
Lewell
Dorchester
DT2 8AP

For: Mr Nunn

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

Application Number: APP/20/00998

Site Address: Northshore, 40 Sinah Lane, Hayling Island, PO11 0HH

Proposal: Demolition of existing dwelling and outbuildings and construction of replacement dwelling and outbuildings.

Further to your application received on 20 October 2020, which was valid from 06 November 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
Design & Access Statement
Arboricultural Impact Assessment dated 16/10/20
Energy Assessment dated 11/9/20
Ecological Appraisal Report dated September 2020
Email dated 16/12/21 confirming use of annexe as ancillary to the main

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Proposed Site Plan – Drawing No. 1032A-00-001-REVB

Proposed Site Plan – Drawing No. 1032A-00-002-REVB

Additional Site Plan- Drawing No. 1032A-00-002-REVA

Landscape Plan- Drawing No. 1032A-00-003-REVB

Proposed Fire Engine Plan - Drawing No. 1032A-999-001-REVB

Main House – Proposed Ground Floor Plan - Drawing No. 1032A-01-001-REVA

Main House – Proposed First Floor Plan - Drawing No. 1032A-01-002-REVA

Main House – Proposed Second Floor Plan - Drawing No. 1032A-01-003-REVA

Main House – Proposed Roof Plan - Drawing No. 1032A-01-004-REVA

Main House – Proposed South Elevation - Drawing No. 1032A-01-005-REVA

Main House – Proposed East Elevation - Drawing No. 1032A-01-006-REVA

Main House – Proposed North Elevation - Drawing No. 1032A-01-007-REVA

Main House – Proposed West Elevation - Drawing No. 1032A-01-008-REVA

Main House – Proposed Section Plan A-A, B-B- Drawing No. 1032A-01-009-REVA

Annexe – Proposed Ground Floor Plan - Drawing No. 1032A-02-001-REVA

Annexe – Proposed Roof Plan - Drawing No. 1032A-02-002-REVA

Annexe – Proposed Elevations - Drawing No. 1032A-02-003-REVA

Annexe – Proposed Section Plan A-A, B-B - Drawing No. 1032A-02-004-REVA

Pavilion – Proposed Ground Floor Plan - Drawing No. 1032A-03-001-REVB

Pavilion – Proposed Roof Plan - Drawing No. 1032A-03-002-REVB

Pavilion – Proposed Elevations - Drawing No. 1032A-03-003-REVB

Pavilion – Proposed Section Plan A-A, B-B- Drawing No. 1032A-03-004-REVB

Proposed - Amended Pavilion Plan - Drawing No. 1032A-SK-100

Site Location Plan - Drawing No. 1032A-100-001-REVA

Site Survey - Drawing No. 1032A-100-003-REVA

Proposed House & Annexe Height Analysis - Drawing No. 1032A-SK097-REVA

Privacy and Overlooking Study - Drawing No. 1032/SK096

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, prior to first occupation of the building hereby permitted the windows in the first floor on the east elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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

- 5 The car parking and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment dated December 2020, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 The development hereby granted shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment and Method Statement and Tree Protection Plan submitted by Alderwood Consulting dated 16 October 2020, unless otherwise agreed in writing with the Local Planning Authority.

Prior to any work commencing a meeting shall take place, with the Council's Arboricultural Officer and the applicant's Arboricultural Consultant.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Ecological Appraisal (HES, September 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological enhancement measures shall be undertaken in accordance with the instructions in the Ecological Appraisal and retained in a location and condition suited to their intended function, prior to the occupation of the dwelling.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 The development hereby permitted shall be carried out strictly in accordance to the approved Construction Environmental Management Plan, produced by Cirrus Projects Limited, dated February 2021, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 Prior to the occupation of the dwelling hereby permitted and notwithstanding the approved landscape plan (1032-00-003-REVA), details of the proposed tree planting, in terms of sizes and species shall be submitted in writing to the Local Planning Authority for approval. The approved landscaping works shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding the approved landscape plan, details of native trees to be planted to the west of the garden courtyard along the western boundary, shall be submitted in writing for approval prior to the occupation of the development hereby permitted. The approved tree planting shall be undertaken in the next planting season, following the approval of the scheme. Any trees planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In the interest of residential amenity and to ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The annexes hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation, or rented or let separately.

Reason: The unit of accommodation is not a satisfactory position and no nature conservation mitigation measures have been provided in respect of the Solent Recreation Mitigation Strategy and nutrient neutral development to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 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 were updated about issues after the initial site visit.
- (5) You are advised of Southern Water's consultation response on the application as follows (full consultation response available for inspection on the Council's website):

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

*To make an application visit: developerservices.southernwater.co.uk and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements*

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

09 April 2021

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