

Mr M Wilkes
M2 Architecture
4 Queensgate
Queens Road
Fareham
PO160NW

For: Knightsgate UK Limited

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

Application Number: APP/20/00289

Site Address: Southmere Farm, The Mallards, Havant

Proposal: Variation of Conditions 2 and 3 of Planning Permission APP/18/01262 relating to planting.

Further to your application received on 06 April 2020, which was valid from 16 April 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 hereby permitted shall be carried out in accordance with the following approved plans:

Wildlife Protection and Habitat Enhancement Scheme D.V. Leach February 2019
Aquamaintain Method Statement received 6th April 2020
Aquamaintain Ltd Risk Assessment Forms dated 28th November 2019
River Bank Works Rev 01 dated 5th December 2019
Site Plan Drawing No. 200 Rev G
Plot 1 Plans and Elevations Drawing No. 201 Rev B
Plot 2 Plans and Elevations Drawing No. 202 Rev A
Plot 3 Plans and Elevations Drawing No. 203 Rev D
Garage Floor Plan and Elevations Drawing No. 204 Rev A
Bat Survey - Emergence and Re-Entry

Reason: - To ensure provision of a satisfactory development.

- 2 Development shall proceed in strict accordance with the submitted Method Statement (Aquamaintain, April 2020) unless otherwise agreed in writing by the Local Planning Authority. A written report detailing the implementation of the habitat enhancement measures for the Langstone Brook shall be submitted to the Local Planning Authority within 3 months of the date of this permission, unless otherwise agreed in writing by the Local Planning Authority. The report shall include evidence that the required sensitive landscaping actions have been carried out as described within landscape drawing 200 revision G (M2 Architecture, 2 April 2020) and the Method Statement (Aquamaintain, April 2020). The report shall include details (timescales, actions and responsibilities) of ongoing monitoring and maintenance of repaired habitats. In addition, all works not related to riverbank restoration shall proceed in accordance with the submitted Wildlife Protection and Habitat Enhancement Scheme (David Leach, February 2019).

Reason: to protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework and Policy CS11 of the Havant Borough Core Strategy March 2011.

- 3 The works to the bankside shall be carried out by competent contractors under the supervision of a suitably qualified ecologist and in full accordance with the details described within landscape drawing 200 revision G (M2 Architecture, 2 April 2020) the Method Statement (Aquamaintain, April 2020). In addition, all works not related to riverbank shall be carried out by competent contractors under the supervision of a suitably qualified ecologist in full accordance with the Wildlife Protection and Habitat Enhancement Scheme (David Leach, February 2019).

Reason: To ensure that the works are carried out to an appropriate standard to protect the sites ecological interests in accordance with the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015 as amended, prior to first occupation of the dwellings hereby permitted all the bathroom and en-suite windows for all the plots shall be fitted with, to a height of no less than 1.7m above finished floor level 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.

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 Development Control 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:

- Your application was acceptable as submitted and no further assistance was required.
- (5) The applicant is advised that compliance conditions in relation to the outline planning permission remain in place for example condition 11 restricts noisy works during the bird over wintering period 1st October to 31st March inclusive.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

04 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](#).

Our Ref: APP/20/00289

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