

Chris Flint
Chris Flint Ass Ltd
2 Emerald Close
Waterlooville
P07 8NZ

For: Mr Blackburn

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

Application Number: APP/20/00314

Site Address: Fernwood House, 45-47 London Road, Cowplain, Waterlooville

Proposal: Second floor extension to form 2 x 2 bedroom and 6 x 1 bedroom flats with associated refuse and cycle stores, landscaping and parking. (Resubmission).

Further to your application received on 20 April 2020, which was valid from 01 June 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:

1:1250 Location Plan Drawing Number R3
Proposed Elevations & Site Plan Drawing Number R1 Rev 02
Ground Floor Plan Drawing Number R5
First Floor Plan Drawing Number R4
Proposed Floor Plan Drawing Number R2 Rev 02
Proposed Landscaping Drawing Number R6 Rev 02
Refuse & Cycle Stores Drawing Number R7

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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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development hereby permitted shall be commenced until a more detailed soft and hard landscaping scheme for the frontage of the site, that accords with hereby approved "Proposed Landscaping" Drawing No R6 Rev 02, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include:
- a) details of SUDS to capture surface water in the planting beds;
 - b) provide details of and take into account any underground services, in conjunction with Southern Water
 - c) provide samples and or a full specification of all materials to be used in the hard landscaping for the surface materials (including construction/base details), formation of the planting beds, raised planters and seating
 - d) provide elevations and cross sections at a suitable scale showing full details of the raised planters and seating
 - e) specify the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted,
 - f) details of the re-positioned notice board and method of fixing
 - g) a programme for the timing provisions for completion of the implementation of all such landscaping works and future maintenance arrangements.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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

- 5 No development shall commence on the site until precise details of the noise protection measures to be installed in each flat has been submitted to and approved in writing by the Local Planning Authority. The scheme must show compliance with BS8223:2014.
- Once the approved scheme has been installed on site, and prior to first occupation, post validation testing must be carried out by a qualified noise consultant and results submitted to the Local Planning Authority for verification. Should the measures not achieve adequate noise protection levels, then further remedial works must be agreed in writing and subsequently adjusted on site to the satisfaction of the Local Planning Authority.
- No occupation shall occur until all agreed noise protection measures and validation testing has been agreed in writing by the Local Planning Authority, installed and

maintained thereafter on site.

Reason: To adequately protect future occupiers from noise nuisance having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM18 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

- 6 The existing extractor duct to be retained at the rear shall, as shown as T1 on the hereby approved plans, shall be enclosed with acoustic casing in accordance with details in Airtight Noisecheck Ltd Noise Impact Assessment dated 18th September 2020 and Drawing number R2 Rev 02, prior to the first occupation of any hereby approved flat. The existing extractor no longer required shall be dismantled and removed from site prior to the first occupation of any hereby approved flat.

Reason: To safeguard against undue noise and vibration and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM18 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

- 7 The hereby approved window in the west elevation serving the hallway shall be non-opening, and shall be maintained in that condition at all times.

Reason: To protect future residents from odour pollution, in the interests of amenity and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM18 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

- 8 The car parking spaces shown on the hereby approved plans shall be provided and marked out with contrasting paint or other suitable marking, prior to the first occupation of any flat and shall be retained thereafter for their intended purpose.

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

- 9 The refuse store shown on the approved plans to serve the development hereby permitted shall be provided and be made fully available for use prior to the first occupation of any flat and shall be retained thereafter for its intended purpose.

Reason: To provide a satisfactory standard of development, in the interests of the amenity of future residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission with changes Havant Borough Local Plan.

- 11 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission with changes Havant Borough Local Plan.

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.

Any failure to adhere to the details of the approved plans, and other documents or to

- (3) 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, amended plans and details requested and forthcoming, making your proposal acceptable.
- (5) The applicant is advised of the following comments received from Southern Water:

*A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements*

The disposal of surface water from this development shall follow the hierarchy within Part H3 of Building Regulations:

- a) An adequate soakaway or some other adequate infiltration system.*
- b) A water course.*
- c) Where neither of the above is practicable: a sewer.*

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:

developerservices@southernwater.co.uk

- (6) You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08:00 - 13.00. This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
- (7) You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action. This is in order to protect the occupants of nearby residential properties from smoke

pollution.

- (8) You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties.
This is in order to protect the occupants of nearby residential dwellings from light pollution.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

17 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