

Mr Potter
James Potter Associates
117 Highland Road
Southsea
Portsmouth
PO4 9DD

For: Mr Brown

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

Application Number: APP/20/00122

Site Address: Point View, 10 Western Parade, Emsworth, PO10 7HS

Proposal: Demolition of existing dwelling and construction of a replacement 1 No. 3 bed detached dwelling to incorporate an existing outbuilding with modifications, with balcony to the front elevation (Revision to APP/19/00421).

Further to your application received on 13 February 2020, which was valid from 17 February 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:
Block & Location Plan - Drawing No. 18065-PL-301
Proposed Indicative Street Scene - Drawing No. 18065-PL-315 Rev. A
Proposed Elevations 1 - Drawing No. 18065-PL-309 Rev. A
Proposed Elevations 2 - Drawing No. 18065-PL-310 Rev. D
Proposed Ground Floor - Drawing No. 18065-PL-306 Rev. A
Proposed First Floor - Drawing No. 18065-PL-307 Rev.B
Reason: - To ensure provision of a satisfactory development.

Our Ref: APP/20/00122

- 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, no extensions, building alterations or side windows shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.
Reason: In the interests of neighbouring residential amenity and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.
- 5 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 west and 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.
- 6 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.
- 7 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of drainage measures to prevent any flooding on surrounding properties, and any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to the commencement of development, including any works or demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- (i) Arrangements for the storage of construction materials/chemicals and equipment;
 - (ii) Measures to minimise creation and impact of dust;
 - (iii) Arrangements for the routing/ turning of lorries and details for construction traffic access to the site;
 - (iv) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). This shall include details of noise monitoring of the construction and demolition work at sensitive locations;
 - (v) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) shall not be undertaken during the bird overwintering period (i.e. October to March inclusive);
 - (vi) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site;
 - (vii) Measures for waste disposal;
 - (viii) Measures for the protection of pedestrian routes during construction;
 - (ix) No burning on-site; and
 - (x) Scheme of work detailing the extent and type of piling proposed.
- Reason:** To provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NERC Act 2006, Policies DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.
- 9 Prior to the commencement of development, details of the measures to be undertaken to protect the public sewer to the rear of the site during the course of demolition and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full accordance with the approved measures and retained thereafter during the construction work for the development, unless otherwise agreed in writing by the Local Planning Authority.
- Reason:** To safeguard the public sewer having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 10 Prior to occupation of the replacement dwelling hereby approved, details of a bat box to be installed on the building shall be submitted to, and approved in writing by the Local Planning Authority. The approved bat box shall be installed in full accordance with the approved details before the occupation of the dwelling and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- Reason:** In the interests of nature conservation and biodiversity net gain, and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 The development hereby approved, shall be built with a minimum separation distances of 3.115 metres to the north and 3.25 metres to the south between number 10 Western Parade and number 11 Western Parade in accordance with the dimensions shown on the approved Block Plan and Location Plan numbered 18065-PL-301.
Reason: In the interests of residential amenity of number 11 Western Parade having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 12 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment produced by Judwaa Consulting, dated 04/05/2020 and the following mitigation measures it details:
Finished floor levels shall be set no lower than 4.96 m above Ordnance Datum, for any newly constructed development on the land.
This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policies CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

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.

- (1) 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,
 - You were updated about issues after the initial site visit,
 - Your application was acceptable as submitted and no further assistance was required.
- (2) Your attention is drawn to the provisions of the Conservation (Natural Habitats, &c.) Regulations 1994 which makes it an offence to deliberately capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It may be possible to obtain a licence from the Department for Environment Food and Rural Affairs (DEFRA) if the loss of a protected species cannot be avoided. For further advice about licences you can contact DEFRA European Wildlife Division on 08459 33 55 77.
- (3) 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/infrastructure-charges.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

09 June 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/20/00122

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