

Mr Jonathan Spivey
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For: Mr Caldwell

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

Application Number: APP/19/00330

Site Address: 46 New Brighton Road, Emsworth, PO10 7QR

Proposal: Variation of Condition 12 of Planning Permission APP/13/00765 to be based upon the 2019 access and parking assessment and variation of Condition 13 of Planning Permission APP/13/00765 to be based upon drawing 4963/2000 showing the continued opening of both existing vehicular access points; Variation of Condition 2 of Planning Permission APP/18/01124 to be based upon drawing 4963/2000 showing the continued opening of both existing vehicular access points and variation of Condition 3 of Planning Permission APP/18/01124 to be based upon the 2019 access and parking assessment.

Further to your application received on 21 March 2019, which was valid from 22 March 2019, 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:

Site Plan for parking Drg No. 200Rev A
Technical Note, access and Parking Statement prepared by rgp dated March 2019.

Reason: - To ensure provision of a satisfactory development.

- 2 Within 2 months of the date of this planning permission a detailed soft landscaping scheme for the front of the site to provide screening to the parking area shall be submitted and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The

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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 CS11 and CS16, of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 3 The Travel Plan Statement dated July 2013 shall be implemented in accordance with the details approved under Planning Permission APP/13/00765 as amended by the Technical Note, access and Parking Statement prepared by RGP dated March 2019, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The windows identified as obscure glazing on the plans approved under Planning Permission APP/13/00765 shall be permanently retained as such.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Noise resulting from the use of any/all plant, machinery or equipment on the site shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area and to avoid "creeping" background noise levels in the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework .

- 6 Notwithstanding any information contained in the current application, no floodlighting or other form of external lighting scheme shall be installed on the site unless it has been approved by the Local Planning Authority. Details shall include, intensity and contours of illumination at various locations but including illumination levels at the nearest residential properties. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework .

- 7 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies 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.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

16 May 2019