

Mrs A Petley
Monlas Cottage
Northwood Lane
Hayling Island
PO11 0LR

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

Prior Approval is Required and Hereby Given

Application Number: APP/19/00206

Site Address: The Loose Boxes, Adj Monlas, Northwood Lane, Hayling Island

Proposal: Prior Approval for proposed change of use from agricultural building to 2No. one bed dwelling houses.

Further to your application received on 15 February 2019, which was valid from 29 March 2019 Havant Borough Council, as Local Planning Authority **Grants Prior Approval** 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:
OS location/site plan
Dwg1 Existing plans dated February 2019
Dwg2 Proposed plans dated February 2019
Reason: - To ensure provision of a satisfactory development.
- 2 The development shall not be occupied until the applicant has confirmed in writing that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.
Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

- 3 Prior to the commencement of development hereby approved (other than site clearance, partial demolition and consequential works for the purpose of ensuring structural stability of retained buildings), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Site investigation appropriate to both the previous & approved use of the site; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes; • appropriately considered remedial objectives,

- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, to include consideration of contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], and para 178 of the NPPF 2019; Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future residential occupants.

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 3 shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met &/or that the integrity of risk mitigation measures is adequate.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], and para 178 of the NPPF 2019; Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future residential occupants.

- 5 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

- 6 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 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.
- 7 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality, future residents 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.
- 8 No part of the development shall be first occupied until details of the provision for car and cycle parking have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality, future residents 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.

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) There is likely to be a significant effect from the proposed development on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA. In accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 it would be unlawful for the applicant to proceed with the development until the requirements of the Regulations have been addressed. The grant of prior approval does not override this requirement.
- (5) 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
- (6) 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.
- (7) 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.
- (8) 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.

- (9) The investigation referred to in condition 3 need (for these purposes) only be of such scope as to address risks to future residential occupants of the consented new dwellings. It is anticipated that the depth of investigations may be limited to 1.0m below existing ground levels, or the maximum extent of made soils encountered (if deeper). The focus should be the characterisation of topsoils and made soils at the site, including those within the footprint of the existing building. Contaminants of concern are considered to be PAH congeners, Metals & Arsenic, Asbestos containing materials (ACM), and hydrocarbon species. For the latter, a screen may be acceptable initially, with speciated TPH CWG necessary only on receipt of adverse screening results. PID screening of soils for total VOC may be beneficial for assessment of vapour pathways. Sampling of soils for VOC may be necessary if initial investigations identify the probable presence of coal-tar or creosote, or if PID results are significantly elevated. Spatial coverage should ideally address soft-landscaped soils in the immediate vicinity of the building, whether or not deemed to comprise land changing use under class Q. It should be noted that the hydrogeological setting of this site is potentially sensitive, and the presence of contaminants may affect the degree of risk posed by use of infiltration drainage features.
- (10) You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

10 May 2019