



Havant
BOROUGH COUNCIL

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For: Mr Martins
National Regional Property Group

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

Application Number: APP/18/01107

Site Address: Land rear of 97A Lovedean Lane, Waterlooville, PO8 9RN

Proposal: Erection of 3No. 4 bed dwellings including parking and landscaping.

Further to your application received on 30 October 2018, which was valid from 14 November 2018 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:

Location Plan Drawing Nos: 18.065.100A
Design & Access Statement by HGP Dated Aug 2018 Rev 01
Arboricultural Development Statement by CBA Trees dated February 2019 and on Councils website dated 04 March 2019 and the Tree Protection Plan at Appendix CB3 dated 01/03/2019
Transport Note by Ridge and partners LLP
Phase I & II Geo-Environmental Site Assessment by Omnia dated July 2018
Preliminary Ecological Appraisal by PJC Consultancy dated June 2018
Demolition Plan Drawing Nos: 18.065.102A
Soft Landscape Proposals Plan Drawing Nos: DD264L01 Rev D

Our Ref: APP/18/01107

Proposed Site Layout Roof Drawing Nos: 18.065.200G
Proposed Site Layout Ground Drawing Nos: 18.065.201C
Proposed Site Layout First Drawing Nos: 18.065.202C
Proposed Site Section (North, South) Drawing Nos: 18.065.212
Proposed Site Section (East, West) Drawing Nos: 18.065.208B
House Type 1 - Elevations Drawing Nos: 18.065.204A
House Type 1 - Plans Drawing Nos: 18.065.203A
House Type 2 - Elevations Drawing Nos: 18.065.206A
House Type 2 - Plans Drawing Nos: 18.065.205A

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 buildings and all the hard surfaced areas including edging detail, 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 The proposed works shall be carried out in full accordance with the Arboricultural Development Statement by CBA Trees dated February 2019 and on Councils website dated 04 March 2019 and the Tree Protection Plan at Appendix CB3 dated 01/03/2019.

Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March .

- 5 The hereby approved soft landscaping plan Drawing Number DD264L01 Rev D shall be carried out in full accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development shall take place (other than demolition and site clearance) until an assessment of the nature and extent of contamination on the site (whether or not it originates on the site) has been submitted to and approved by the Local Planning Authority. The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include:

1) An intrusive site investigation based on the proposals outlined within the Geo-Environmental Site Assessment Ref: A10965; 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 all identified receptors.

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, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and verification plan approved in writing by the Local Planning Authority before any of the buildings hereby approved are first occupied.

Reason: Having due regard to policies DM10 of the Havant Borough Core Strategy , 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 in light of the fact that contamination may be present within made ground at the site and in the vicinity, that could pose a risk to future occupiers of the site, to the principle aquifer and the quality & security of the local potable water supply.

- 7 Prior to the first occupation of any dwelling hereby permitted, any verification report required in accordance with condition 6 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. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”).

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Core Strategy 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 as contamination may be present within made ground at the site and in the vicinity, that could pose a risk to future occupiers of the site, to the principle aquifer and the quality & security of the local potable water supply.

- 8 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no outbuildings or hard surfaces permitted by Part 1, Classes E and F; and no fences or walls permitted by Part 2, Class A of the 2015 Order, as amended, shall be erected within the rear garden areas of the hereby approved dwellings, without the prior written approval of the Local Planning Authority.

Reason: To protect the biodiversity and ecology of the raised embankment area, having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extensions permitted by Part 1, Class A of the 2015 Order, as amended, shall be erected within the curtilage of any of the dwellinghouses

hereby permitted, without the prior written approval of the Local Planning Authority.

Reason: The flat garden areas are limited and not considered suitable for further coverage by development whilst providing sufficient useable amenity space for future occupiers, having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 10 The development hereby permitted shall not be occupied unless or until, a minimum of three bat roosting units and three bird nesting units and dead wood habitat piles as recommended by paras 4.5.2; 4.5.3 and 4.5.6 of the Preliminary Ecological Appraisal by PJC Consultancy dated 8th June 2018, are erected within the site. The boxes/units and piles shall be retained as such thereafter.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework.

- 11 The car parking, servicing 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.

- 12 The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.

Reason: To ensure the retention of adequate on-site car parking in accordance with the adopted Parking SPD 2016 and policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and to discourage parking on the adjoining highway in the interests of highway safety and local amenity.

- 13 There shall be no external lighting, security or otherwise, erected within the embanked woodland rear garden areas, nor any lighting directed towards the woodland area, without prior approval in writing by the Local Planning Authority.

Reason: To protect wildlife from lighting having due regard to the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework.

- 14 No part of the development shall be first occupied until details of the retaining walls and steps to the south and west of plots 2 and 3 have been submitted to and approved in writing by the Local Planning Authority. Such details shall include cross sections, elevations, levels and proposed materials of the retaining walls and steps. The approved walls and steps shall thereafter be erected in accordance with the approved details and retained as such.

Reason: To safeguard the trees and woodland area and ensure adequate amenity for future occupiers, having due regard to policies DM8 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

(iii) Details of all pollution mitigation measures to be adopted during the construction phase. This should include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and safeguard trees on the site having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water and Portsmouth Water. Such details shall include

- a) the methods / materials to be used for construction;
- b) details of the connections to foul sewers;
- c) details of any discharges to surface water courses; and
- d) any proposals for the use of SUDS (Sustainable Drainage Systems)

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.

- 17 No piling shall take place on site unless and until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling has the potential to impact on the Havant & Bedhampton Springs Public Water Supply and therefore the applicant is advised to contact Portsmouth

Water to discuss the details of the piling method statement, having regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 No development shall commence on site until details of the proposed foundation design has been submitted to, and approved in writing, in consultation with Portsmouth Water, by the Local Planning Authority. The submitted details shall include as a minimum:
- a) the methods to be used;
 - b) the design depths of the various structures involved and rationale;
 - c) the density of piling, if any; and
 - d) details of materials to be removed or imported to site.

Reason: To protect the sensitive groundwater catchment and risks associated with groundworks in this area, having regard to policies CS16 and DM10 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) 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.
- (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 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.
- (7) 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.
- (8) You must consider the timing and type of tree work operations to avoid causing disturbance to any nesting or breeding birds or bat roosts that may be present within trees in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Before any felling of trees, tree surgery, or ground clearance commences, a thorough external inspection of the tree should be undertaken. If any protected species are identified during the inspection, you should refer to Natural England's Protected Species Standing and seek the advice of a qualified ecologist in how to proceed. Details are available via the main enquiry line 0300 060 3900 or at:

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/advice.aspx>

Disturbance to nesting birds during the months between April and September should be avoided.

The following factors increase the probability of trees being used by roosting bats:

- Located in ancient woodland or parkland
- Large trees with complex growth form
- Species that typically form cavities, such as beech, willow or ash
- Visible damage caused by rot, wind, woodpeckers, lightning strike etc.
- Loose bark providing cavities

If nesting birds or bat roosts have been disturbed (and therefore a breach of the above-mentioned legislation has taken place), you should report the matter to the Police immediately, as a wildlife crime may have been committed.

- (9) Your attention is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended by Countryside and Rights of Way Act 2000) which relates to the protection of nesting birds. Any felling or lopping of trees, tree surgery, or ground clearance affecting nesting birds during the months between April and September may be in contravention of that Act. You are advised to contact Natural England on 0300 060 3900 for further information.
- (10) 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.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

22 March 2019