

Mr Helyer Davies Architects  
Helyer Davies Architects Ltd  
1 The Old Flour Mill  
Queen Street  
Emsworth  
PO10 7BT

For: Mr & Mrs Nicholls

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

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**Application Number:** APP/18/01312

**Site Address:** 24 Beacon Square, Emsworth, PO10 7HU

**Proposal:** Demolition of existing house and construction of 1No. 4bed dwelling, garage and boatstore. (Revised application).

Further to your application received on 19 December 2018, which was valid from 04 January 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 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 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 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, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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- 3 No development shall take place until finished floor levels for the proposed building(s) relative to agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 4 Development activities shall proceed in strict accordance with the submitted Construction Environmental Management Plan (CEMP) dated May 2019 and the Shadow Appropriate Assessment and Biodiversity Mitigation and Enhancement Plan dated May 2019.

**Reason:** To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 Prior to the commencement of development measures to protect existing public sewers shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved measures.

**Reason:** To safeguard the amenities and utilities of the locality 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 2018.

- 6 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) shall be undertaken on site within the bird overwintering period, 1st October to 31st March inclusive.

**Reason:** To protect the habitats of the adjacent SPA, Ramsar and SAC in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 7 Development activities shall proceed in strict accordance with the submitted Drainage Strategy Report dated June 2019.

**Reason:** To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 The works hereby permitted shall not be occupied unless or until the development has erected a minimum of one bat roosting unit and one bird nesting unit within the site in regards to securing ecological mitigation and enhancement measures in accordance with Conservation Regulations. The boxes 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 Local Plan (Core Strategy) 2011 and National Planning Policy Framework.

- 9 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.

- 10 The development hereby permitted shall be carried out in accordance with the following approved plans:

|                                                                                               |                                                              |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| Drg no. 17193-01<br>received 2 August 2019                                                    | Location and block plan; existing elevations plan            |
| Drg no. 17193-02<br>received 2 August 2019                                                    | Proposed block plan, floor plans and section plan            |
| Drg no. 17193-03<br>August 2019                                                               | Proposed elevations and location plan received 2 August 2019 |
| Drg no. ENC/051218/U7A2<br>Design and access statement dated December 2018                    | Drainage survey plan                                         |
| Ecological Appraisal dated 11 September 2018                                                  |                                                              |
| Construction Environmental Management Plan (CEMP) dated May 2019                              |                                                              |
| Shadow Appropriate Assessment and Biodiversity Mitigation and Enhancement Plan dated May 2019 |                                                              |

**Reason:** - To ensure provision of a satisfactory development.

#### **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](http://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) 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.

- (5) A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read their New Connections Services Charging Arrangements document which has now been published and is available to read on their website via the following link  
<https://beta.southernwater.co.uk/infrastructure-charges>.

(6) Flood Warning Service

All occupants of the building should sign up to the Environment Agency's Flood Warning Service. Further details about this service can be found on the gov.uk website:  
<https://www.gov.uk/sign-up-for-flood-warnings>.

Finished Floor Levels

The proposed development is located within tidal Flood Zone 1, an area where the chance of flooding has been assessed as less than 0.1 % in any year (1 chance in 1,000 in any year). However, it is located immediately adjacent to an area within Flood Zone 3 (assessed as more than 0.5% in any year (1 chance in 200 in any year)).

The nearest current 0.5% tide level for this area is 4.6mAOD, taking the effects of climate change into account.

The building itself will be located just outside Flood Zone 3, and is therefore not considered to be at risk of inundation.

We do recommend that the Applicant raises the finished floor levels of the new dwelling to a minimum of 4.45mAOD as submitted in the information accompanying the application (as set out in Section 2.3.1 Conclusion of the submitted document entitled 'DESIGN\_\_ACCESS\_STATEMENT-1150780'), as the development will be located immediately adjacent to Flood Zone 3.

However, please note that the tidal flood level for 2115, including climate change, is 4.6mAOD, and the Applicant may want to consider this when making a final decision on finished floor levels in order to account for future sea level rise and climate change.

**Simon Jenkins**

Simon Jenkins  
Interim Director of Regeneration and Place

02 August 2019