Havant BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Mr S Posen
77 Fiarholt Road
London
N16 5EW

For: Mr J Springer

The Town and Country Planning (Development Management Procedure) (England) Order 2015
Prior Approval is Required and Hereby Given

Application Number: APP/18/01245
Site Address: 260-262 London Road, Waterlooville
Proposal: Prior notification for change of use from retail use (Class A1/ A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues, contamination and impact on adequate provision of services falling within A1/ A2 and sustainability of the shopping area, where applicable; additionally any operational development necessary for conversion is subject to prior approval of design and external appearance.

Further to your application received on 29 November 2018 Havant Borough Council, as Local Planning Authority **Grants Prior Approval is Required and Approved** 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:

Planning Statement: Received 28.11.2018
Block Plan: 01a Received 28.11.2018
Proposed First Floor Plan: Drawing No LR.260-262.PR.03
Proposed Ground Floor Plan: Drawing No LR.260-262.PR.02
Existing and Proposed Front Elevation Plan: Drawing No LR.260.EX&PR.01

Reason: - To ensure provision of a satisfactory development.

2 The development hereby permitted shall not be occupied unless and until further details of the proposed bin and cycle storage areas have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle store shall be provided prior to occupation and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure that the dwellings are appropriately provided for in the interests of amenity and to provide for sustainable transport provision having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.

3 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details include Location, Height, Type and direction of light sources and intensity of illumination. 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.

Reason: To protect the occupants of nearby properties, on and off site, from light disturbance/pollution and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework 2018.

4 The development hereby permitted shall not be occupied unless and until details to confirm 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 have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to occupation and maintained in accordance with the approved details.

Reason: To ensure the residential amenity of the property is not unacceptably impacted upon by any internal or external noise levels, including from commercial premises below having due 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.

Any failure to adhere to the details of the approved plans, and other documents or to

(3) 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:

- Your application was acceptable as submitted and no further assistance was required.

(5) 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.

(6) 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.

(7) This decision relates to the consideration of this application for prior approval under the relevant provisions of class M, of part 3 of schedule 1 of the Town and Country Planning (General Permitted Development) Order 2015.

You are advised that under the Habitats Regulations 2018 that the creation of these new residential flats are subject to mitigation against the additional recreational pressure on the SPA. To be fully compliant with the Solent Recreation Mitigation Strategy, a financial contribution of £1081.55 via a Unilateral Undertaking is required prior to implementation

You are advised that the change of use without the provision of the above contribution would be unlawful under the Habitat Regulations 2018.

(8) The applicants are advised to protect the dwellings hereby approved from odour from approved ground floor A3/A5 use classes approved on the ground floor.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

Our Ref: APP/18/01245

04 January 2019