



Havant
BOROUGH COUNCIL

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To:
Mr Spiller
Chapman Lily Planning Ltd
25 St Martins Lane
Wareham
BH20 4HF

For: .
Fortitudo Ltd

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

Application Number: APP/17/00369

Site Address: The Curlew, Petersfield Road, Havant, PO9 2HU

Proposal: Outline planning application for the demolition of existing building and erection of a three-storey block of thirty-one flats, together with associated car and cycle parking.

Further to your application received on 06 April 2017, which was valid from 11 April 2017 Havant Borough Council, as Local Planning Authority, **Grants Outline 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 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - landscaping.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

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- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site, Block & Location Plans FB 5728/100 M
Floor Plans 1 of 2 FB 5728/101 F
Floor Plans 2 of 2 FB 5728/102 F
Elevations FB 5728/103 F
SUDS Plan SUDS Plan FB 5728/104 C (For Information layout changed)
Street Scene + Bin & Bike Stores Drawing No. FB 5728/106 E
Planning, Design and Access Statement CL Planning Version 1 dated March 2017
Marketing Report Savills (UK) Ltd dated December 2015
Marketing report Savills (UK) Ltd dated April 2017
Viability Assessment Savills (UK) Ltd dated April 2017
Viability Study Savills (UK) Ltd dated April 2017
Affordable Housing Statement CL Planning Version 01 dated March 2017
Drainage Strategy Report Scott White and Hookins issued June 2017
Proposed Surface Water Drainage Strategy W01651-200 REV PO1
Reason: - To ensure provision of a satisfactory development.
- 4 No development shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 No development shall be commenced on site until the existing buildings/structures shall have been demolished and all resultant materials removed from the site unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of amenity and having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 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 The development hereby permitted shall not commence until details of the measures which will be undertaken to protect the public sewer crossing the site have been submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water). The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.

- 8 No development shall take place until details of existing and finished floor and site levels relative to previously 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: In the interests of the character and appearance of the area and neighbours residential amenities having due regard to Havant Borough Local Plan (Core Strategy) policy CS16 and the National Planning Policy Framework.
- 9 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) The provision of wheel washing facilities during site clearance and construction of the development.
Thereafter, throughout such site clearance and implementation of the development, the approved parking provision, storage compound and wheel washing facilities shall be kept available and used only as such.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 10 No above ground development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 11 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the building, bin store and cycle store 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.
- 12 The occupation of the building hereby permitted shall not commence until the existing vehicular access to the site from Petersfield Road has been removed by the installation of full faced kerbs to Petersfield Road and the provision of footway edging to construct a footway and verge to the same level as that on either side of the existing crossing.
Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 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.

- 14 The proposed development shall not be occupied unless and until the cycle store and visitor cycle parking shown on the approved plans has been constructed and made available for use.

Reason: In the interests of encouraging sustainable modes of transport and having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy DM13 and the National Planning Policy Framework.

- 15 The building hereby permitted shall not be occupied unless and until privacy screens to balconies shown to balconies facing properties in Havant Farm Close and Leigh Road are glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 have been installed. The balcony screening shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 The building hereby permitted shall not be occupied unless and until a gated and secure pedestrian access for residents has been provided to Petersfield Road in accordance with the approved plans. The access and secure gate shall thereafter be retained and maintained.

Reason: To ensure that the site is permeable and provides good access to facilities and public transport options having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS16 and the National Planning Policy Framework.

- 17 The building hereby permitted shall not be occupied unless and until the ecological enhancements set out in the Ecological Appraisal and Phase 1 Bat Survey (Phil Smith) have been provided. The enhancements shall thereafter be retained and maintained in accordance with these recommendations. The timing of works in relation to nesting birds or appropriate ecological supervision as set out in the Ecological Appraisal shall also be in accordance with the recommendations in the Appraisal.

Reason: In the interests of biodiversity and wildlife having due regard to policy CS11 of the Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 18 The building hereby permitted shall not be occupied unless the bin storage has been provided in accordance with the approved details. The bin store shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of the flats hereby approved and nearby residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 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, including construction details within root protection areas 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 and occupiers of neighbouring

- 20 The building hereby permitted shall not be occupied unless and until details of noise insulation including window glazing details have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the proposed flats provide an acceptable internal living environment having regard to the location of the development adjacent to Petersfield Road and having due regard to Havant Borough Local Plan (Core Strategy) policies CS16 and DM10 Havant Borough Local Plan Allocations 2014 policy DM18 and the National Planning Policy Framework.
- 21 Notwithstanding the submitted plans the development hereby permitted shall not be occupied unless and until the altered access to Leigh Road has been constructed in accordance with detailed plans submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the access to the development is constructed to the appropriate standard in the interests of highway safety and having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS20 and the National Planning Policy Framework.
- 22 The development hereby permitted shall not be occupied until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. 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 2012.
- 23 The ground, first and second floor lift and stairwell windows shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and be fixed shut.
Reason: In the interests of the amenities of the occupiers of nearby properties, in the interests of the character and appearance of the building and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 24 The flat 15 bedroom 1 window at 1st floor level in the south east facing elevation of the building shall at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4 and be fixed shut.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 25 The flat roof areas adjacent to flats 25 and 26 shall not be used as external balconies and the adjacent windows shall be fitted and retained with restricted openers with maximum opening of 100mm.
Reason: In the interests of avoiding overlooking to adjoining residential properties having due regard to policy CS16 of Havant Borough Local Plan 2011 and the National Planning policy Framework.
- 26 Notwithstanding the provisions of the General Permitted Development Order no plant,

equipment or other additions shall be installed/erected on the roof of the building hereby permitted without the written consent of the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and the design of the building having due regard to Havant Borough Local Plan (Core Strategy) 2011 policy CS16 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 6573.
- (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 Civic Offices or by telephoning 023 9244 6015.
- (4) Your attention is drawn to the provisions of Section 12 of the Hampshire Act 1983, relating to access for the Fire Brigade. A copy of the Act may be inspected at the Planning and Development Reception at the Civic Offices.
- (5) Before undertaking any work which affects a public highway (including a footpath) you must obtain specific written approval from the Head of Technical Services, Havant Borough Council, Civic Offices, Civic Centre Road, Havant PO9 2AX (tel. no (023)9244 6428/9). This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or the construction of new boundary walls and foundations immediately alongside the public highway.
- (6) You are advised that consent may be required from Southern Water Services Ltd to build in the vicinity of public sewer. You can inspect a copy of the Southern Water Services Maps of public sewers, which are held by Technical Services at the Civic Offices to determine the proximity of any public sewer to the proposed development. If you are in any doubt or need information regarding the procedure for obtaining consent from Southern Water Services Ltd, you should seek further advice from the Development Control Manager, Southern Water Services Ltd (01962 714585).
- (7) In accordance with paragraphs 186 and 187 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
- (8) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 7th November 2017 which requires a Solent Recreation Mitigation Project Contribution of £5,631; Management and Maintenance of Common Parts; provision of a Management Plan; SUDS Management and Maintenance, and a SUDS Bond.
- (9) The applicant is advised of the following comments from the Environment Agency: *"The site is located in the groundwater Source Protection Zone 1c (SPZ1c) for the Havant and Bedhampton Springs. Whilst we would not object to the use of SuDs at this site we expect the developer to incorporate suitable level of pollution prevention measures into the drainage design to ensure that groundwater and drinking water supplies are protected."*
- (10) The applicant is advised that the highway works required in relation to Condition 12 would require a S278 Agreement with Hampshire County Council as the Highway Authority.
- (11) The applicant is advised in relation to the Reserved Matters application that particular attention should be given to the provision of suitable boundary planting to soften the impact of the development on adjacent residential properties in Havant Farm Close and Leigh Road and along the Petersfield Road frontage.
- (12) The applicant is advised that a formal application for connection to the public sewerage system is required in order to service this development. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

08 November 2017