



Havant
BOROUGH COUNCIL

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Mr Wood
Crayfern Homes Limited
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**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Grant of Planning Permission**

Application Number: APP/17/01047

Site Address: Land rear of 38-40 Long Copse Lane, Emsworth, PO10 7UR

Proposal: Variation of Condition 21 of Planning Permission APP/14/00064 (Development of existing paddock with 4No. five bedroom houses and access drive) to vary approved plans relating to position and shape of site road and minor changes to design of dwellings.

Further to your application received on 22 September 2017, 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 hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development hereby permitted nor any related site clearance shall commence until a Construction Management Statement and plan specifying the provision to be made within the site and/or on other land nearby for:-
 - the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site
 - materials storehave been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.
Reason: To safeguard the amenities of the locality and in the interests of safety and

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having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 3 Works to trees identified in Section 2.0 of the Ecological Scoping Appraisal: Addendum Relating to Bats (Environmental Project Consulting Group, November 2012) submitted in respect to APP/14/00064 shall be carried out in accordance with the recommendations specified with respect to the trees identified in the report. Upon completion of the tree works, a brief sign off report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that development does not adversely harm the wildlife on the site and having regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 4 The development shall be carried out fully in accordance with the Ecological Scoping Appraisal and Recommendations for Minimising Ecological Impact produced by the Environmental Consulting Group in respect of APP/14/00064.
Reason: To ensure that development does not adversely harm the wildlife on the site and having regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 5 The layout, depth and capacity of all foul and surface water drains and sewerage disposal including proposed to serve the same, the treatment of existing water courses and ditches and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) shall be in accordance with the details approved by the Local Planning Authority under APP/14/00064 unless other wise agreed in writing by the Local Planning Authority. No dwelling or building shall be occupied until completion of the implementation of its 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, March 2012.
- 6 The layout of all foul and surface water drainage and other underground services proposed to serve that development shall be in accordance with the details approved by the Local Planning Authority under APP/14/00064 unless other wise agreed in writing by the Local Planning Authority.
Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site and having due regard to policies D1 and L6 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 No above ground development hereby permitted shall be commenced until a detailed soft landscaping scheme, including a new tree planting schedule, for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having

- 8 Materials for the construction of the buildings hereby permitted shall be in accordance with the samples and details approved by the Local Planning Authority under APP/14/00064 unless other wise agreed in writing by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 9 Materials for the construction of the hardsurfaced areas shall be in accordance with the samples and details approved by the Local Planning Authority under APP/14/00064 unless other wise agreed in writing by the Local Planning Authority.
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, March 2012.
- 10 The alignment, type, height and, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure shall be in accordance with the samples and details approved by the Local Planning Authority under APP/14/00064 unless other wise agreed in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
Reason: To safeguard 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, March 2012.
- 11 The dwellings hereby permitted shall not be occupied until the access and highway improvements to Redlands Lane have been carried out in accordance with details shown on Drawing No.111036/PO6A approved under APP/14/00064 and prior to the occupation of the last dwelling to be occupied, surfacing with fine gravel shall be carried out in accordance with the Design and Access Statement 'Track Surfacing', submitted with the current application. A specification for the fine gravel shall first be submitted to and agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the protection of trees and having due regard to policies DM11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 12 The development shall not be brought into use until a minimum of 3 parking spaces have been provided within the curtilage of each dwelling and thereafter all of those spaces kept available for such purposes.
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, March 2012.
- 13 Notwithstanding the details shown on the plans hereby approved, the bathroom window at 1st floor level in the north side elevation of the dwelling at plot 1 shall:-
- (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times;
 - ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscurity no less obscure than that which

is provided by Pilkington's Texture Glass Obscuration Level 4.

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, March 2012.

- 14 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any order revoking or re-enacting that Order, shall be erected within the curtilage of any dwelling.

Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework, March 2012.

- 15 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, there shall be no alteration to the roof of the dwellings hereby approved nor the addition of windows permitted by Part 1, Classes B or C of the Town and Country Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting that Order, without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.

- 16 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, or any order revoking or re-enacting that Order, no additional windows shall be formed at 1st floor level in the north side elevation of the dwelling at plot 1.

Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework, March 2012.

- 17 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 and to discourage parking on the adjoining highway in the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

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

Layout plan SK 02c

Plot 1 (Drawing No.SK03

Plot 2 (Drawing SK04

Plot 3 (Drawing SK05

Plot 4 (Drawing SK06

Vehicle tracking plan Itb13408-GA-001

Arboricultural Impact Appraisal and Method Statement Ref: 16348-AA-DC

Tree protection plan ref 163483-BT1

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

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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 Development Control Service at the Plaza or by telephoning 023 9244 6015.
- (4) 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 sought and were provided with pre-application advice,

You were updated about issues after the initial site visit

- (5) The development would be accessed through Redlands Lane, through which **Havant Footpath 67** runs. Hampshire County Council's Countryside Service have advised as follows:

*1. **There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority.** For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and we would therefore encourage the applicant to contact us as soon as possible to discuss any works of this nature.*

2. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

3. No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

4. If there is likely to be an effect on the right of way in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users of the right of way, the applicant should contact the County Council directly to discuss the Temporary Closure of the route for the duration of the works. Temporary Closure

Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at

<http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

5. Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a right of way to a standard commensurate with its expected normal public use.

6. All vehicles, including those of contractors and deliveries, which would be accessing the site via a public right of way, should give way to public users at all times.

7. Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Rights of Way Officer, to not less than its minimum width, on the completion of the build.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

07 December 2017