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BOROUGH COUNCIL

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For: Mr and Mrs Walters

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

Application Number: APP/17/00247

Site Address: Yacht Haven, Copse Lane, Hayling Island, PO11 0RH

Proposal: Demolition of existing dwelling and erection of 1No. 4 bed dwelling, double garage, boat house and swimming pool, works to trees with Tree Preservation Orders - removal of 1No. Oak tree and reduction to the southern limb of 1No.Oak.

Further to your application received on 09 March 2017 which was valid from 13 March 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 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 No. P16-082 02-02-001A
 - Block Plan Drawing No. P16-082 02-02-001A
 - Proposed Site Layout Drawing No. P16-082 01-02-003A
 - Proposed Site Plan Drawing No. P16-082 02-03-003
 - Proposed West Elevation Drawing No. P16-082 02-05-001
 - Proposed South Elevation Drawing No. P16-082 02-05-002
 - Proposed East Elevation Drawing No. P16-082 02-05-003
 - Proposed North Elevation Drawing No. P16-082 02-05-004
 - Proposed West Site Section Drawing No. P16-082 02-04-001

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- Proposed South Section Drawing No. P16-082 02-04-002
- Proposed East Site Section Drawing No. P16-082 02-04-003
- Proposed North Section Drawing No. P16-082 02-04-004
- Proposed House Floor Plans Drawing No. P16-082 02-03-001
- Pool House Plan and Elevations Drawing No. P16-082 02-03-002A
- Proposed Boat House Plan and Elevations Drawing No. P16-082 02-03-003
- Proposed Garage Plan and Elevations Drawing No. P16-082 02-03-004
- Design and Access Statement Ref: PL16-082 February 2017
- Basic Tree Survey for Yacht Haven, Hayling Island 14/11/2017 (as amended by
- Arboricultural Assessment BS5387 19/2/2017 (as amended by
- Arboricultural Assessment and Method Statement 21/05/2017
- Tree Protection Plan Drawing No. P16-082 01-02-005
- Phase 1 Bat Report February 2017
- Flood Risk Assessment and Drainage Statement Report No. ICS-2441.07.001
Rev A

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will avoid or mitigate impacts on the designated sites. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interest of preventing impacts and disturbance to the national and international designations of Chichester Harbour SPA, SAC, SSSI and Ramsar sites having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Further advice on mitigation

The Construction Environmental Management Plan (CEMP) shall identify the steps and procedures that will avoid or mitigate impacts on the designated sites. It shall also include details on how certain activities will be limited in time, location and noise level to minimise the risk of disturbance to SPA birds. The following issues should be addressed:

- Noise disturbance
- Visual disturbance
- Increased light disturbance (including after daylight hours)
- Vibrations by works
- Dust, silt and other works-related pollutants that may run-off into the protected site.

- 4 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 during the bird overwintering period (i.e. 01 October to 31 March inclusive).

Reason: In the interest of preventing impacts and disturbance to the national and international designations of Chichester Harbour SPA, SAC, SSSI and Ramsar sites and having due regard to policies CS11 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Prior to the commencement of the development hereby permitted an ecological mitigation, compensation and enhancement strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall be informed by the recommendations detailed within the Phase 1 Bat Report (David Leach Ecology, February 2017) unless otherwise agreed in writing by the Local Planning Authority. Development shall then proceed in strict accordance with any agreed strategy, with all mitigation, compensation and enhancement features permanently retained and

maintained.

Reason: To provide ecological protection and enhancement in accordance with policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, the Conservation Regulations 2010, Wildlife & Countryside Act 1981, Natural Environment & Rural Communities Act 2006 and the National Planning Policy Framework.

- 6 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.

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 ecology of the area, the amenities of the locality and in the interests of traffic safety and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Prior to the commencement of groundworks associated with the construction of the pool house, or otherwise coincident with the boundary of the former waste management feature ref: 13/15; an appropriate assessment of the degree of soil contamination in this region of the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1. A physical site investigation, to provide sufficient data and information to adequately identify & characterise any contamination on or affecting the site, and to inform an appropriate assessment of the risks to the development or it's future occupants.
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, to include consideration of contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having regard to policy DM10 of the Havant Borough Local Plan (Core

Strategy) 2011, contamination may be present at the site in association with a deposit as landfill of stable non-reactive waste, present at the site coincident with - & extending south of - the footprint of the approved pool house. Soils associated with the landfill feature could pose a risk to structures, services, and future residential occupants.

- 8 Prior to the first use of any relevant part of the permitted development, any verification report required in accordance with condition 7 (3) 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.

Reason: Having regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, contamination may be present at the site in association with a deposit as landfill of stable non-reactive waste, present at the site coincident with- & extending south of- the footprint of the approved pool house. Soils associated with the landfill feature could pose a risk to structures, services, and future residential occupants.

- 9 The tree works approved shall be undertaken in accordance with BS 3998 (2010).

Reason: In the interests of good industry practice and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 The development hereby permitted shall be carried out in accordance with the approved Arboricultural Assessment and Method Statement dated 21/05/2017 and Tree Protection Site Plan.

Reason: To ensure that trees are protected during the course of the development in the interests of the character and appearance of the area having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The Local Planning Authority shall be informed in writing immediately of any items known or suspected to be of archaeological interest unearthed during the building operation and given a reasonable opportunity for an examination of the artefact and the site where it was found. Should the Local Planning Authority so decide, the developer shall make appropriate and satisfactory provision for the excavation and recording of remains, and subsequent publication of the results.

Reason: To enable items of archaeological interest to be recorded in accordance with policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The 'green roofs' to the pool house and garage building shall be installed and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable building, ecology and surface water drainage, and having due regard to policies CS11, CS14, CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy

- 14 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the dwelling house hereby permitted the windows in the first floor on the east and west facing elevations shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
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.
- 15 The boat house hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the proposed main dwelling and shall not be used as a separate unit of accommodation.
Reason: The provision of an additional unit of accommodation would be an unsustainable development and is not a satisfactory position and has insufficient amenity space to be occupied separately from the main dwelling, and having due regard to policies CS16 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Local Plan (Allocations) 2014 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) 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:

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- You sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

- (5) All contractors working on site should be made aware of the informative (below) and should be provided with a map that clearly shows the boundaries of the designated sites in relation to the development site:

The applicant is advised that should storage, access or encroachment within the Chichester Harbour SSSI be found to occur as a result of the proposals during or after the works, this could be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended).

- (6) You are advised that consent may be required from Southern Water to build in the vicinity of a public sewer. If you are in any doubt or need further information about obtaining this consent, you should contact Southern Water on 0845 2780845.
- (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 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.
- (9) 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
- (10) The applicants are advised that flood resilience methods should be incorporated into the design of the building, the occupants of the property should prepare a Flood Warning and Evacuation Plan and sign up to the Environment Agency's Floodline Warnings Direct service.
- (11) The applicant is advised that several adjacent properties support significant populations of two notable orchid species, green-winged orchid and autumn lady's-tresses. These species are of considerable ecological interest for the local area and wider county. Impacts to these species should be avoided.
- (12) The applicant is advised in relation to conditions 7 and 8 that further advice can be obtained from the Councils Environmental Control Officer via the following email address jonathan.driver@havant.gov.uk

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

12 June 2017