



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

Lee Hackett
Sussex Building Plans
33 Highland Avenue
Bognor Regis
PO21 2BJ

For: Mr Crawford

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

Application Number: APP/16/01030

Site Address: 61B Brook Gardens, Emsworth, PO10 7JY

Proposal: Change of use of amenity landscape land to residential garden with a Deed of Release of the obligations in the S106 Agreement.

Further to your application received on 10 October 2016, which was valid from 18 October 2016, 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 the provisions of any Town and Country Planning General Permitted Development Order, no extensions, outbuildings or structures of any kind shall be erected within the area hatched black on the approved block plan Rev 2 licence number: 100019980 received 10.10.2016 without the prior approval of the Local Planning Authority.
Reason: In the interests of the character and appearance of the area and biodiversity and having due regard to policy CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The change of use for the land of hereby permitted shall not commence until a landscaping plan has been submitted to and approved in writing by the Local Planning Authority. Such plan shall include details and specifications of the trees/shrubs present on the land including species, location and size specifying those which are intended to be retained or removed. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in the interests of the visual amenities of the area and biodiversity and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site/Block Plan Rev 02 Licence Number: 100019980 Received 10.10.16
Location Plan Rev 01 Licence Number: 100019980 Received 10.10.16
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.
- (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.
- (1) 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:

Our Ref: APP/16/01030

- You were updated about issues after the initial site visit.
- (2) This permission was granted subject to a previous planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 14.05.2002 being released as the one obligation contained was in reference to the amenity land to the west of the site only. Therefore through a deed of release the original S106 has been removed.
- (4) 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, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel: 03303030119) or www.southernwater.co.uk.
- No development or new tree planting should be located within 3.5m either side of the public surface water sewer and all existing infrastructure should be protected during the course of construction works.
 - No development or new tree planting should be located within 3m either side of the centreline of the public foul sewer and all existing infrastructure should be protected during the course of construction works.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

17 January 2017