



Borough of Havant

Department of Environmental Services

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TOWN AND COUNTRY PLANNING ACT 1990

To:

Garsington Estates Ltd
Paul Wilkins Partnership
61 South Street
HAVANT, Hants
PO9 1BZ

Ref No: 94/54410/4

27-35 (COOS) School Lane
1-10 (ALL) PROBISHER GARDENS
Emsworth

GRANT PLANNING PERMISSION

Site Address : Land fronting School Lane, Nile Street and St Peter's Square, Emsworth

Proposed Development : Partial demolition of existing "Reeves" building and reconstruction to form cafe or shop unit with residential flat over, construction of 13 residential units with associated parking and landscaping, all with vehicular access from School Lane.

In pursuance of its powers under the above mentioned Act the Council, as the Local Planning Authority, hereby **GRANT PLANNING PERMISSION** for the above development, in accordance with your application received on 22nd April, 1994 (and as amended by plans and supplementary information received on 1st, 4th, 8th and 12th July 1994) and the plans and particulars submitted in connection therewith and subject also to due compliance with the following conditions:-

- (1) The development hereby permitted must be begun within a period of five years beginning with the date on which this permission is granted.
Reason: To comply with Section 91 of the Town and Country Planning Act.
- (2) Plans and particulars showing the detailed proposals for all the following aspects of the development shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:
 - (a) The arrangements to be made for the future maintenance of landscaped and other open areas.
 - (b) The alignment, height and materials of all walls and fences and other means of enclosure, including posts, gates, railings, bollards and balcony balustrades.

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- (c) The provision to be made for street and external lighting.
- (d) The provision to be made for the storage and disposal of refuse.
- (e) The finished levels, above ordnance datum, of both the ground floor of the proposed building(s) and the surrounding ground levels.
- (f) Detailed construction of proposed windows (including those to High Street); doors, garage doors and porch details.
- (g) Phasing of the development including the demolition.
- (h) Alignment, height and details of security fencing during construction.
- (i) Material storage and vehicle parking during construction, as required by condition (19) below.
- (j) Extract/ventilation to shop/cafe as required by condition (4) below.

Reason: To secure properly planned development and since no such details have been submitted.

- (3) The development hereby permitted shall be constructed strictly in accordance with and utilising materials specified in the schedule of external materials received 8/7/94 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development given its prominent location within the heart of the Emsworth Conservation Area.

- (4) Notwithstanding the provisions of any Town & Country Planning Use Classes Order, the cafe use hereby permitted shall be for the consumption of food and beverages on the premises only and not for the provision of a hot food takeaway. Cooking on the premises shall be restricted to the preparation of hot beverages and the heating of food in a microwave oven unless agreed otherwise in writing with the Council or Local Planning Authority. If at any time other cooking processes are undertaken on the premises an adequate extraction/ventilation system shall be installed, including grease filters and odour neutralising plant, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: To protect the amenities of the occupiers of adjacent residential properties.

- (5) The cafe/shop hereby permitted shall only be open to customers between the hours of 09.00 to 18.00 Monday-Sunday. No cooking of any description shall take place outside these hours without the prior written approval of the Local Planning Authority.

Reason: To protect the residential amenity of the occupiers of the adjacent properties.

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- (6) No sound amplifying equipment, which is audible outside the cafe/shop shall be installed in the cafe/shop without the consent, in writing, of the Local Planning Authority.
Reason: In the interests of the amenities of occupiers of nearby properties.
- (7) Prior to development commencing details of a scheme for protecting the proposed dwellings from noise from machinery operating at the adjacent builders premises shall be submitted to and approved by the Local Planning Authority. Such scheme shall include details of the existing background noise levels, the ambient noise levels produced by the machinery and measures to ameliorate the effect on the internal environment of the affected dwelling units. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any affected dwelling unit is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.
Reason: To ensure acceptable noise levels within the proposed dwelling units.
- (8) A 2-metre high brick wall of materials to match those used in the construction of unit A shall be erected between the points XX on approved drawing no. 2890/01C prior to the occupation of unit A. The wall shall be subsequently retained and maintained.
Reason: To protect the amenities of the occupiers of unit A in view of its close proximity to commercial properties.
- (9) The works to the clock tower, together with the restoration of the clock works, shall be completed prior to the occupation of unit B.
Reason: In the interests of a well planned development.
- (10) The alterations to the south-west elevation of no. 7 High Street shall be carried out concurrently with the demolition of the adjacent garages/stores, and shall be completed prior to the erection of unit K4.
Reason: To ensure that the works to the adjacent listed building are satisfactorily completed.
- (11) All windows to the north-east elevation of unit K4, the velux on the south elevation to unit C, and the windows to units G & H marked with an * on drawings no. 2890/05B & 06B, 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 than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
Reason: To preserve the amenity of the adjoining property.
- (12) Notwithstanding the provisions of any Town & Country Planning General Development Order no extension, alteration, building or structure permitted by any of the Classes in Part 1 or Part 2 of the 1988 Order as amended shall be constructed/erected on the entire site without the prior written approval of the Local Planning Authority.
Reason: To protect the amenities of the residents of the development and the character of the Conservation Area.

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- (13) The garages hereby permitted shall be provided and retained permanently for the parking of vehicles and shall not be converted into habitable accommodation without the prior written approval of the Local Planning Authority.

Reason: To ensure that adequate parking is provided and retained for the development as a whole.

- (14) Notwithstanding the provisions of any Town & Country Planning General Development Order, no overhead electricity or other service lines shall be erected or placed above ground on the site without the prior written agreement of the Local Planning Authority.

Reason: To protect the character of the Conservation Area.

- (15) Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 on Mondays to Fridays and 0900 and 1300 on Saturdays and not at all on Sundays, Bank and recognised Public Holidays.

Reason: To protect the amenity of adjoining residents.

- (16) The Local Planning Authority shall be given 5 clear days' notice in advance of the commencement of any pile driving. Such work shall take place only between the hours of 0800 and 1800 on Mondays to Fridays and 0900 and 1300 on Saturdays and not at all on Sundays, Bank and recognised Public Holidays.

Reason: To protect the amenity of adjoining residents.

- (17) No burning of materials obtained from site clearance or from any other source shall take place anywhere on the site during the demolition and construction period.

Reason: To protect the amenities of nearby residential properties.

- (18) Vehicular access during the demolition and construction period shall be from School Lane only, and the existing access to Nile Street shall be closed prior to development commencing.

Reason: The access to Nile Street is inadequate.

- (19) Adequate provision shall be made during the demolition and construction period for the parking of delivery and other construction vehicles and the storage of materials on the site.

Reason: To ensure that School Lane is not obstructed during the construction period.

- (20) Any damage to the building/adjoining buildings/walls caused by the works hereby permitted shall be made good to the satisfaction of the Local Planning Authority.

Reason: To protect the architectural interest of the building.

- (21) The landscaping scheme shall be completed within 9 months from the completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason: In the interests of amenity.

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(22) No development hereby permitted shall be commenced until the Local Planning Authority shall have approved:-

(a) a specification of the type of construction proposed for the roads and/or footways including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels together with details of street lighting and the method of disposing of surface water;

(b) a programme for the making up of the roads and/or footways.

Reason: To ensure that the roads are constructed to a satisfactory standard.

(23) The roads and footways shall be laid out and made up in accordance with the specification, programme and details approved under condition (22) above submitted with the application and in any event shall be so constructed that, by not later than the time any building erected on the land is occupied, there shall be a direct connection from it (completed to the approved specification less the carriageway and footway surfacing) to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which erection is commenced of the penultimate dwelling for which permission is hereby granted.

Reason: To ensure that the roads are constructed to a satisfactory standard.

(24) The development hereby permitted shall not be brought into use until the areas shown on the approved plan for the parking, loading and unloading of vehicles shall have been made available, surfaced and marked out, and the area shall be retained in a condition to the satisfaction of the Local Planning Authority and reserved for that purpose at all times.

Reason: In the interests of highway safety.

(25) The development hereby permitted shall not be brought into use until the turning space shown on the plan shall have been constructed within the curtilage to enable vehicles to enter and leave in a forward gear and this shall be maintained and be kept available for that purpose at all times.

Reason: In the interests of highway safety.

(26) The existing access from Nile Street to the site shall be stopped up and abandoned and footway and verge crossings shall be reinstated to the satisfaction of the Local Planning Authority, prior to development commencing.

Reason: In the interests of highway safety.

(27) Notwithstanding the provisions of any Town & Country Planning General Development Order, no means of vehicular access to the development hereby permitted shall be allowed to be formed onto Nile Street without the prior written approval of the Local Planning Authority.

Reason: Given the inadequate sight lines onto Nile Street.

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- (28) The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To ensure that the development is completed satisfactorily in all respects.

NOTES:

- (1) This permission is granted in the light of the papers submitted to the Council as part of or in connection with the application for it only and does not include permission for any other matter which may have been the subject of application for, or approval given by the Council under any other legislation.
- (2) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 on 21st March 1995 which refers to:-
- (i) £28,000 contribution in accordance with affordable housing policy;
 - (ii) provision of a pedestrian margin in School Lane;
 - (iii) £1,000 towards Traffic Regulation Order in School Lane;
 - (iv) retention of eastern and southern facade of Reeves building; and
 - (iv) retention of Clock Tower and maintenance of Clock.
- (3) This approval does not include any consent which may be needed from Southern Water Services Ltd to build in the vicinity of a public sewer. You can inspect the Map of Public Sewers held in the Technical Services Department of the Civic Offices to determine the proximity of any public sewer to the proposed development.

It is unlikely that you will obtain approval under the Building Regulations if your proposal conflicts with the need to safeguard a public sewer. If in doubt please seek advice from the Development Control Manager, Southern Water Services Ltd, Hampshire Division, Southern House, Sparrowgrove, Otterbourne, Winchester, SO21 2SW (telephone number 0962-714585).

R. Campbell

Head of Development Control

Date: 21st March 1995