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Church Lane
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PO11 0SB

For: Mr & Mrs Whitehead

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

Application Number: APP/21/00913

Site Address: 48 Sinah Lane, Hayling Island, PO11 0HH

Proposal: Variation of conditions 2 (approved plans), 5 (landscaping), 9 (materials), 10 (hardsurfacing) and 15 (means of enclosure) of Planning Permission APP/20/01223 (Demolition of existing dwelling and erection of replacement dwelling including new summer house and garage together with new driveway access with associated landscaping) - to include provision of first floor accommodation over garage and revised summerhouse and terrace arrangements with minor works proposed to the existing sea wall.

Further to your application received on 06 August 2021 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 by 2/6/24.
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:

Design and Access Statement Drw. No. 2016 3.700 REV 04 - received 04 Oct 2021
Materials Palette Drw. No.3.710 - received 25 Aug 2021
Construction Environmental Management Plan (CEMP) REV 01 - received 25 Aug

Our Ref: APP/21/00913

2021

Extended Phase 1 Ecological Assessment and Bat Roost Assessment (APRIL 2021)

- received 08 Oct 2021

Landscape Proposals Drw. Nos. L01, L02, L03, PP01, PP02, PP03, PP04, PP05, PP06, PP07, PP08, PP09, PP10 - received 04 Oct 2021

Landscape Plan - Hardscape Drw. No. 206 4.009 REV 00 - received 8 Dec 2021

Planting Schedules - received 25 Aug 2021

Tree Report BS5837 (Sept 2020) - received 25 Aug 2021

Tree Canopies Drw. No. 3.016 - received 25 Aug 2021

Tree Protection Plan Drw. No. 3.010 REV 04 - received 25 Aug 2021

Arboricultural Impact Assessment / Statement and Tree Protection Plan (March 2021) - received 25 Aug 2021

Existing Ground and First Floor Plans Drw. No. 1.100 - received 25 Aug 2021

Existing South and West Elevations Drw. No. 1.200 - received 25 Aug 2021

Existing North and East Elevations Drw. No. 1.201 - received 25 Aug 2021

Location Plan Drw. No. 3.000 - received 25 Aug 2021

Window Distances Plan Drw. No. 3.014 - received 25 Aug 2021

Aerial Overlay Drw. No. 3.015 - received 25 Aug 2021

Proposed Ground Floor Plan Drw. No. 3.100 - received 25 Aug 2021

Proposed First Floor and Basement Plans REV 03 Drw. No. 3.101 - received 25 Aug 2021

Roof Plan Drw. No. 3.102 - received 25 Aug 2021

South and West Elevations Sheet 1 Drw. No. 3.200 REV 02 - received 25 Aug 2021

North and East Elevations Drw. No. 3.201 REV 01 - received 25 Aug 2021

Fence Details Drw. No. 3.240 - received 25 Aug 2021

Deck and Planter RPZ Drw. No. 3.302 - received 25 Aug 2021

Site and Block Plan Drw. No. 3.010 REV 07 - received 08 Oct 2021

Site Plan Part 1 Drw. No. 3.011 REV 04 - received 25 Aug 2021

Site Plan Part 2 Drw. No. 3.012 REV 03 - received 25 Aug 2021

Site Plan Part 3 Drw. No. 3.013 REV 05 - received 08 Oct 2021

Summerhouse Plan Drw. No. 3.120 REV 03 - received 08 Oct 2021

Summerhouse Elevations Drw. No. 3.220 REV 04 - received 08 Oct 2021

Garage and Ancillary Accommodation Plan Drw. No. 3.110 REV 05 - received 26 Oct 2021

Garage Elevations Drw. No. 3.210 REV 04 - received 26 Oct 2021

Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted shall commence unless and until a pre-commencement site visit has taken place between the Site Manager, the developers/applicants Arboricultural Consultant and a Havant Borough Council Arboricultural Representative to ensure that all tree protection is in place and installed to an appropriate standard. The tree protection shall remain in place during the demolition and construction phases.

All works within the Root Protection Areas of trees must be supervised by the Arboricultural Consultant to ensure that no harm to trees occurs. Furthermore, the approved Arboricultural Method Statement and Tree Protection Plan must be strictly adhered to.

Reason: To ensure that important trees are retained in the interests of the character and visual amenities of the area and ecology having due regard to policies CS11 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No underground services shall be provided with the Root Protection Zones of retained trees or hedges unless otherwise agreed in writing by the Local Planning

Authority.

Reason: To ensure that important trees and hedges are retained in the interests of the character and visual amenities of the area and ecology having due regard to policies CS11 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The landscaping/hardscaping works shown on the approved plans [Landscape Plan - Hardscape Drw. No. 206 4.009 REV 00, Landscape Proposals Drw. Nos. L01, L02, L03, PP01, PP02, PP03, PP04, PP05, PP06, PP07, PP08, PP09, PP10, Planting Schedules and Arboricultural Impact Assessment / Statement and Tree Protection Plan (March 2021)] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the development hereby permitted, whichever is the sooner. 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, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs 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.

- 6 The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment (Ref; 'Planning Statement (Including Design, Access and Flood Risk) 2016 3.700' Rev 04, compiled by Hebden Design Studio) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.05m above Ordnance Datum (ADD)
- Water resistant materials shall be selected where appropriate
- A non return valve shall be fitted in the sewer pipe
- All electrical sockets shall be raised

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Development shall proceed in accordance with the measures set out in Section 15 Mitigation Recommendations and 16 Enhancements, of the Extended Phase 1 Ecological Assessment and Bat Roost Assessment Phillips Ecology Final Report April 2021. Thereafter, the replacement bat roosts shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure the favourable conservation status of bats In accordance with DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development hereby permitted including demolition shall be carried out fully in accordance with the approved Construction Environmental Management Plan REV 1, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to control the demolition and construction phases to prevent harm to internationally and nationally protected sites and protected species together with the character and amenities of the area and neighbouring residents having due regard to policies CS11, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act, the Habitat Regulations and the National Planning Policy Framework.
- 9 The external materials used shall be as indicated on the submitted forms, hereby approved plans, and the Materials Palette 3.710, and are to be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority in advance.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 10 The finished floor and site levels shall be as approved on Site Plan Part 1 Drawing No. 3.011 Rev 04, Site Plan Part 2 Drawing No. 3.012 Rev 03 and Site Plan Part 3 Drawing No. 3.013 Rev 05
Reason: In the interests of reducing flood risk, the character and appearance of the area and residential amenities having due regard to policies CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 The occupation of the building hereby permitted shall not commence until the existing vehicular access to the site from Sinah Lane has been closed and the highway verge re-instated.
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.
- 12 The roof area on the southern side at first floor level and the terrace roof area on the northern side at first floor level shall at no time be used as balconies.
Reason: In the interests of the amenities of adjoining residents having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 The windows at first floor level in the west elevation of the dwelling serving the en-suite bathrooms to the Master Suite and bedroom 2, and the first floor window on the eastern elevation of the detached garage shall:

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 Obscurity 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.
- 14 The dwelling hereby permitted shall not be occupied unless and until details of a privacy screen with a minimum height of 1.7m above finished balcony floor level have been submitted to and approved in writing by the Local Planning Authority to be

positioned to the east and west sides of the balcony hereby approved. The approved screens shall be installed prior to occupation and thereafter retained and maintained in accordance with their approved design.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 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.

- 16 Percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbA max – measured at the sensitive receptor) shall be avoided during the bird overwintering period (i.e. October to March inclusive) unless otherwise agreed in writing with the Local Planning Authority in advance. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Reason: In order to control the demolition and construction phases to prevent harm to internationally and nationally protected sites and protected species together with the character and amenities of the area and neighbouring residents having due regard to policies CS11, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act, the Habitat Regulations and the National Planning Policy Framework.

- 17 The garage building hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 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 Development Control Service at the Plaza or by telephoning 023 9244 6015.

- (4) In accordance with paragraphs 38-50 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.

- (5) The applicants attention is drawn to the following advice provided by the Environment Agency:

Advice to Applicant

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to LPA / Applicant

Flood Resistance and Resilience

We strongly recommend the use of flood resistance and resilience measures.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods

Department for Communities and Local Government: Improving the flood performance of new buildings:
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

Signing up for Flood Warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

- (6) The applicant is advised that the proposed demolition will require the Granting of an European Protected Species (EPS) Licence from Natural England prior to any demolition taking place.

- (7) The applicant is advised of the following requirements provided by the County Highway Authority:

The applicant should note that a Section 184 licence will be required to construct the new access, further details of which are available via the following link:
<https://www.hants.gov.uk/en/transport/developers/section-184>.

- (8) 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.

- (9) 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.

- (10) 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

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

17 January 2022

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Our Ref: APP/21/00913

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571