



Havant
BOROUGH COUNCIL

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Mr S George
Invisible Studio
The Rocks
Ashwicke
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SN148AP

For: Mr & Mrs Paula Elsey

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

Application Number: APP/16/00368

Site Address: 19A Salterns Lane, Hayling Island, PO11 9PH

Proposal: Demolition of existing dwelling and construction of 1No. 3 bed detached house with rear balcony; re-roofing of existing garage.

Further to your application received on 11 April 2016, which was valid from 19 July 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 any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) 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. The glazing details shall incorporate non-reflexive glass to avoid bird strike. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development has a satisfactory appearance and in the interests of ecology having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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- 3 The finished floor levels of the hereby permitted dwelling shall be set no lower than 4.6m above Ordnance datum (AOD). The development shall be retained as such in perpetuity.
Reason: To ensure no increased flood risk having due regard to policy CS15 of the Havant Borough Core Strategy, 2011 and the National Planning Policy Framework.
- 4 Development shall proceed in strict accordance with the ecological mitigation and enhancement measures detailed within the Ecological Appraisal, Bat Survey Report and Mitigation Strategy (CC Ecology, Final Amended August 2016) unless otherwise agreed in writing by the Local Planning Authority. All such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, National Planning Policy Framework, NERC Act 2006 and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.
- 5 Before the existing dwelling is demolished the garage shall be re-roofed with all bat mitigation measures fully completed in accordance with the hereby approved plans and details, including the Ecological Appraisal, Bat Survey Report and Mitigation Strategy (CC Ecology, Final Amended August 2016).
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, National Planning Policy Framework, NERC Act 2006 and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.
- 6 No development shall take place until the oak tree on the northern boundary with the foreshore is enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality 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.
- 7 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 on site within the bird overwintering period, 1st October to 31st March inclusive.
Reason: To protect the habitats of the adjacent SPA, Ramsar and SAC in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.
- 8 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, in liaison with Natural England. The Construction Environmental Management Plan shall identify the steps and procedures that will avoid or mitigate impacts on the designated sites. Such measures shall include, amongst other things:
a) A screen fencing along the northern boundary to both avoid visual disturbance to birds and to prevent construction storage close to the waters edge;
b) All contractors working on site should be provided with a map that clearly shows the boundaries of the Chichester Harbours SSSI in relation to the development site. 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: To protect the habitats of the adjacent SPA, Ramsar and SAC in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 9 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality 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 2012.

- 10 No external lighting shall be installed either on the hereby approved buildings or anywhere within the site unless a detailed external lighting strategy is first submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall thereafter be maintained as approved.

Reason: To avoid light spillage and disturbance to bats and protected species having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

OS Map Drawing No P01 rev A

Existing Plans & Elevations

Proposed Site Plan Drawing No P01 rev A showing bin store

Proposed Block Plan Drawing No P02 rev B

Proposed Elevations Drawing No P15 rev H

Proposed Plans Drawing No P13 rev H

Existing + Proposed Garage Drawing No P08

Comparative Glass Elevations 20.1sqm : 29sqm

Flood Risk Assessment dated 5 October 2010

Ecological Appraisal, Bat Survey Report and Mitigation Strategy - Final (Amended)

August 2016 by CC Ecology

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.

- (4) The applicant is advised to sign up for the Environment Agency's Flood Warning Service and prepare a Flood Evacuation and Emergency Plan.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works within 16m of a tidal main river or the base of a sea defence. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

- (5) The applicant is advised that a licence from Natural England would be needed prior to any works of demolition or the disturbance of bats.
- (6) 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.
- (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 any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties. This is in order to protect the occupants of nearby residential dwellings from light 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) With respect to condition 8 and the requirement that all contractors working on site should be provided with a map that clearly shows the boundaries of the Chichester Harbours SSSI in relation to the development site: You are advised that this is because 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 will be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended) whereby the applicant may be liable on summary conviction to a

maximum fine of £20,000 or on conviction on indictment to an unlimited fine.

- (11) 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 were updated about issues after the initial site visit; additional details sought and forthcoming, making your application acceptable.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

30 September 2016