



Havant
BOROUGH COUNCIL

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D. J. Green & Associates
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For: Mrs Simmons

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

Application Number: APP/16/00364

Site Address: 3 Elm Grove, Hayling Island, PO11 9EA

Proposal: Demolition of timber building and garages and erection of new 2 storey building containing 5 No. 2 bed flats (revised scheme to that approved under Planning Permission APP/15/01265).

Further to your application received on 11 April 2016 (which was valid from 11 April 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 Compulsary Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Buildings Drawing No. 617r1
Proposed Plans Drawing No.2 dated 7th May 2016

Reason: - To ensure provision of a satisfactory development.
- 3 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials, including those to be used in the boundary treatment, shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

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Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 Prior to the commencement of development approved by this planning permission, a scheme to deal with the risks associated with potential ground contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A site investigation appropriate to the scale of the site and to its previous commercial use(s), to provide sufficient information for an appropriate assessment of the risks to all receptors that may be affected, including those off site.

2. The results of the site investigation and risk assessment (1) and if appropriate, a remediation strategy based on these results giving full details of the remediation measures required, and how they are to be undertaken.

3. A verification report shall be prepared on completion of the remediation measures set out in (2) (if any) confirming that measures have been undertaken in accordance with the method statement, and setting out measures for maintenance, further monitoring and reporting.

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

Reason: To prevent future occupiers being exposed to unacceptable contamination risk associated with previous commercial activities at the development site; to ensure that the site does not pose a risk to nearby residential properties, and having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 5 If, during development, contamination not previously identified on site is found to be present (for example solvent odour, stained or discoloured soils or sub-soils), no further development shall be undertaken until a report has been submitted to and approved by the Local Planning Authority detailing how that contamination is to be dealt with. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to.

Reason: To prevent future occupiers being exposed to unacceptable contamination risk associated with previous commercial activities at the development site; to ensure that the site does not pose a risk to nearby residential properties, and having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 6 The development shall not be brought into use until space for the storage of cycles and refuse bins has been provided within the site in accordance with details, including plans and elevations, to be agreed in writing with the Local Planning Authority. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of local amenity and highway safety and having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 7 The development shall not be brought into use until the proposed acoustic fence has

been provided in accordance with further details to first be agreed in writing with the Local Planning Authority. The fence shall thereafter be retained and maintained in the position and condition thus agreed.

Reason: In the interests of local amenity and the amenities of occupiers of the building, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

- 8 Unless otherwise agreed in writing with the Local Planning Authority, the windows at first floor level in the east elevation of the building shall have a sill height of a minimum of 1.7m above finished floor level, and shall be retained in that condition at all times.

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.

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/pes.
- (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:

- You were updated about issues after the initial site visit.

- (2) Regarding acoustic mitigation measures:
The applicant should ensure that the building envelope, including fenestration / ventilation and insulation, will meet BS8223:2014 standards as recommended for indoor

ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.
This is to ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

(3) Regarding Hours of Work:

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: 8.00 – 18.00 and Saturday: 8:00 – 13.00.
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance.

(4) Regarding Bonfires:

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.

(5) Regarding Dust Control:

You are hereby requested to ensure that dust mitigation measures are put in place, to prevent any potential dust nuisance from occurring during the demolition, excavation, clearance and construction phases of the development.
This is in order to protect the occupants of nearby residential properties from dust pollution.

(6) Regarding light pollution:

You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the proposed building, is so positioned so as not to cause nuisance.
This is in order to protect the occupants of nearby residential dwellings from light pollution.

(7) Havant Borough Council (HBC) owns the land adjoining the northern and western boundaries of the site. New development of the site should not encroach onto HBC land and any HBC land affected should be reinstated to HBC satisfaction. Any vehicles parked on HBC land for the purpose of using the site would be subject to the usual charges.

(8) This permission is subject to a contribution of £944 towards the Solent Recreation
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Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

06 June 2016