



Havant
BOROUGH COUNCIL

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Miss J Sanderson
Genesis Planning
26 Chapel Street
Chichester
PO19 1DL

For: Mr R Bailey

**The Town and Country Planning (Development Management Procedure) (England) Order
2010
Grant of Planning Permission**

Application Number: APP/14/00780

Site Address: 66 Bath Road, Emsworth, PO10 7ES

Proposal: Repair and raise sea boundary walls and new low wall/replacement gates.

Further to your application received on 22 July 2014, which was valid from 24 July 2014, 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 hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials to be used in the development hereby approved, shall be as stated in the current application and in particular,
 - i) the facing brick to the new wall and piers at the Bath Road frontage shall comprise Freshfield Lane, Michelmersh, First Quality Multi Facings and,
 - ii) the repaired and replacement sea wall shall be finished with natural render

Unless the Local Planning Authority gives prior written approval for any variation.

Reason: In the interests of the amenities of the area and having due regard to policies CS16, CS11 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The works hereby approved shall be carried out in full accordance with the Method Statement 'Swan House - Bath Road, Emsworth' and in addition:
- i) Prior to the commencement of development relating to the sea wall hereby approved, including the removal of any existing sections of the sea wall, an additional method statement shall be submitted to and approved in writing by the Local Planning Authority to explain measures which will be undertaken to minimise the risk of pollution arising from the works hereby approved, including the spillage or discharge of fuels or inorganic substances, from entering the water environment, (the Mill-Pond, sea or groundwater). These measures shall be fully adhered to during the undertaking of development works, and

ii) Prior to the commencement of development relating to the sea wall hereby approved, including the removal of any existing sections of the sea wall, tree protective fencing shall be erected in accordance with BS:5837 (2012) 'Trees in relation to design, demolition and construction' and a plan showing the position of the protective fencing which shall have first been submitted to and approved in writing by the Local Planning Authority. The agreed fencing shall be retained in situ during the undertaking of development works

Reason: In the interests of nature conservation and tree protection in the area, to minimise the risk of pollution of the surrounding area, whether direct or indirect, which includes Chichester Harbour, which is protected under European and UK Nature Conservation law, the Mill Pond and Warblington Meadows which are variously designated as Sites of Special Scientific Interest and Sites of Importance for Nature Conservation. To accord with policies CS11 and DM8, 9 & 10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 i) During the first planting season following the substantial completion of the front boundary wall, any boundary hedging removed shall be replaced with new hedge planting, details of which shall first be submitted to and approved in writing by the Local Planning Authority.

ii) During the first planting season following the substantial completion of the replacement and raising of the sea wall, new planting of shrubs and/ or ground cover plants sufficient to soften the appearance of the wall, shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

The planting details referred to in i) & ii) above shall specify the distribution and species of plants, their positions and planting sizes. Any plant which forms part of this planting which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:
14047 - 10: Site Location Plan.
14047 - 01: Elevations.
14047 - 02: Plans, Elevations & Sections
Method Statement: Swan House - Bath Road, Emsworth (received on 22nd July 2014)
Planning, Heritage, Design & Access Statement - Genesis Town Planning. July 2014

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) Under S. 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the West Brook designated a 'main river'. Please be aware that the Environment Agency has up to two months to determine applications for consent made under Section 109 of the Water Resources Act 1991 and you are therefore advised to contact the local Environment Agency office as soon as possible to discuss making an application. Consent will only be issued if the works do not pose a flood risk to people and property, and do not conflict with the Environment Agency's other duties. Contact details: The Environment Agency Romsey Depot Canal Walk, Romsey, Hampshire, SO51 8DU. Customer services line: 03708 506 506 www.gov.uk/environment-agency
- (5) The Council's Coastal Protection officer recommends that the applicant ensures that residual flood risk is managed on this site by compiling a flood warning and evacuation plan for the property. A management approach for the operation of the flood gates should be identified in this plan.
- (6) Your attention is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended by Countryside and Rights of Way Act 2000) which relates to the protection of nesting birds. Any felling or lopping of trees, tree surgery, or ground clearance affecting nesting birds during the months between April and September may be in contravention of that Act. Furthermore, although the submitted method statement confirms that heavy plant is not to be used, the applicant should ensure that percussive piling or works with heavy machinery if needed are not undertaken within the waterfowl over-wintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example, use of pneumatic drills, diggers, dumper trucks and lorries. You are advised to contact Natural England on 0300 060 3900 if you require any further guidance on this matter.

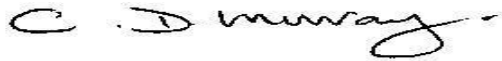
(7) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- 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 officer's site visit,

Your application was acceptable with use of planning conditions and no further assistance was required.

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)

18 September 2014