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For: Linden Ltd T/A Linden Homes Southern

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

Application Number: APP/14/00863

Site Address: Land north of Bartons Road, Havant

Proposal: Demolition of existing buildings and erection of 55 dwellings; comprising 6No. 2 bed flats; 9 No. 2 bed houses; 33No. 3 bed houses; 6No. 4 bed houses and 1No. 5 bed house; together with access, landscaping, car parking and open space. Felling of trees covered by TPO 1328. Joint application with Havant Borough Council and East Hampshire District Council, Havant Borough Council is the Lead Authority.

Further to your application received on 18 August 2014, which was valid from 28 August 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 development hereby permitted shall be carried out in accordance with the following approved plans:
Location and Existing Plan 01A
Proposed Site Plan 02BRev E
RPA Plan 05A
Existing Buildings Plan 06A
Existing Section AA to DD 11A
Existing Section EE and FF 12A
Apartment Ground and First Floor Plans 20B
Apartment Rood Plan 21A
Apartment Block Elevations 1 of 2 22B
Apartment Block Elevations 2 of 2 23B
HT1 – 2B – Affordable – Plans 25B
HT1 – 2B – Affordable – Elevations 26B

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HT2 – 2B – Affordable – Plans 27B
HT2 – 2B – Affordable – Elevations 28B
HT3 – 2B – Open Market – Plans 29BRev C
HT3 – 2B – Open Market – Elevations 30BRevC
HT4 – 3B – Open Market – Plans 31B
HT4 – 3B – Open Market – Elevations 32B
HT5 – 3B – Affordable – Plans 33B
HT5 – 3B – Affordable – Elevations 34B
HT6 – 3B – Open Market – Plans 35B
HT6 – 3B – Open Market – Elevations 36B
HT7 – 3B – Open Market – Plans 37Rev C
HT7 – 3B – Open Market – Elevations 38RevC
HT8 – 3B – Open Market – Plans 39RevC
HT8 – 3B – Open Market – Elevations 40Revc
HT9A – 4B – Open Market – Plans 41B
HT9A – 4B – Open Market – Elevations 42RevC
HT9B – 4B – Open Market – Plans 43B
HT9B – 4B – Open Market – Elevations 44B
HT9C – 4B – Open Market – Plans 45B
HT9C – 4B – Open Market – Elevations 46B
HT10 – 4B – Open Market – Plans 47B
HT10 – 4B – Open Market – Elevations 48B
HT11 – 4B – Open Market – Plans 49B
HT11 – 4B – Open Market – Elevations 50B
HT11A – 5B – Open Market – Plans 51B
HT11A – 5B – Open Market – Elevations 52B
HT12 – 4B – Open Market – Plans 53B
HT12 – 4B – Open Market – Elevations 54B
HT7 – 3B – Open Market – Elevations Flint 55ARev F
Proposed Street Elevations/Site Sections S1 56ArevB
Proposed Street Elevations/Site Sections S2 57B
Acoustic fence positions 58A
Proposed Street Elevation S3 59C
Ancillary Buildings 1 – Garage and Bin Store 61A
Ancillary Buildings 2 – Car Barn and Shed 62A
Ancillary Buildings 3 – Cycle Store 63A
View West 70
View East 71
View Spine Road 72
Street Elevation AA – coloured 80B
Site Plan – coloured 81C
Building Heights and Tenure Plan – coloured 82A
Boundary Treatment Plan 83
Schedule of accommodation 90RevE
Elevations Tiled 91A
Proposed and Existing Overlay 95
Reason: - To ensure provision of a satisfactory development.

- 3 No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street lighting and for surface water disposal and a programme for the implementation and making up of the same have been submitted to and approved in writing by the Local Planning Authority. The implementation and making up of the same shall be completed in full accordance with such plans, particulars and programme as are thus approved by the Authority.
Reason: To ensure that they are constructed to satisfactory standard and, where appropriate a standard which will enable them to be taken over as publicly maintained highways and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Construction of the development hereby permitted shall not commence on each phase until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels for that phase have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that site levels are adequately addressed in the interests of the character and amenity of the area and of neighbours having due regard to policies CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 5 No development shall commence until a revised Arboricultural Impact Assessment and Method Statement setting out works in respect to tree pruning on the eastern boundary has been submitted to and agreed in writing by the Local Planning Authority. The proposed works shall be carried in accordance with the approved details.
Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 6 No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. Thereafter all works shall be carried out in accordance with the approved Statement throughout the construction period.
The Statement shall provide for:
i) the parking of vehicles of site operatives and visitors
ii) loading and unloading of plant and materials
iii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
iv) site compound and storage of plant and materials used in constructing the development
Reason: To ensure that development should not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of local residents, or to existing natural features and having due regard to policies DM8, DM10, and CS20 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.

- 7 Construction of the building(s) hereby permitted shall not commence until a specification of the types and colours of all external roofing and external facing materials, including the provision of sample panels of the external facing materials and colour of mortar to be used for the construction of the same, has been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 9 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 10 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been first submitted to and approved in writing by the Local Planning Authority. No dwelling within that phase shall be occupied until completion of the installation of all its screening provision as is thus approved by the Local Planning Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.
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, March 2012.

- 11 Construction of the buildings hereby permitted shall not commence on each phase until a specification of the provision to be made for the storage and disposal of refuse for that phase has been submitted to and approved in writing by the Local Planning Authority. All service roads should be capable of taking a 26 tonne Refuse Collection Vehicle, and allow vehicle to reverse close to bin store. No bins to be pulled or waste carried more than 25m and no alleys to exceed 20m in length. The dwellings within that phase shall not be occupied until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.
Reason: To safeguard the amenity of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012
- 12 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 13 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant including works to address runoff from Bartons Road(e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 14 No development hereby permitted shall commence until the applicant has secured:-
- the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Hampshire County Council. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
 - the implementation of a programme of archaeological mitigation of impacts in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority in consultation with Hampshire County Council. The approved programme shall be fully adhered to unless otherwise agreed in writing by the Local Planning Authority.
 - Following completion of archaeological fieldwork the production of a report in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
- Reason:** To safeguard the potential archaeological interest of the site and having due regard to policies CS11, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

- 15 The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation without the prior written approval of the Local Planning Authority.
Reason: To ensure the retention of adequate on-site car parking and to discourage parking on the adjoining highway in the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 16 No dwelling shall be occupied until space for the loading, unloading and parking of vehicles and cycles and has been provided within the site, surfaced and marked out in accordance with the approved plans. Such areas shall thereafter be retained and used solely for those purposes.
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, March 2012
- 17 Prior to the occupation of the development a Post Construction Certificate shall be submitted to the Local Planning Authority. The Certificate shall state that the development has attained a minimum standard of Level 3 of the Code for Sustainable Homes, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with policy CS14 of the Havant Borough Local
- 18 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A/D/E and F of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) England) Order 2008, as amended, shall be erected within the curtilage of any dwelling without the prior written approval of the Local Planning Authority.
Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy 2011 which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 19 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of any dwelling hereby approved including the addition of windows permitted by Part 1, Classes B/C of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, shall be constructed without the prior written approval of the Local Planning Authority.
Reason: In the interests of the character and amenities of the development having due regard to policy CS16 of the Havant Borough Local Plan Core Strategy which forms part of the Local Development Framework, and the National Planning Policy Framework, March 2012.
- 20 The development hereby permitted shall not commence until a phasing plan for off site highway works including the provision of a footway/cycleway on the north side of Bartons Road and improvements to the pedestrian crossing has been submitted to and approved in writing by the Local Planning Authority., In order to construct these works the developer shall enter into a Section 278 agreement with the Highways Authority and prior to the occupation of any dwellings, all of these works shall be completed, in full accordance with such plans, particulars and programme as have been approved in writing by the Planning Authority and the Highway Authority
Reason: To ensure that the required highway improvements are provided and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) Also to ensure the safety of cyclists and pedestrians and having due regard to policy CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 21 No burning of materials shall take place anywhere on the development site, throughout the period of site clearance and development.
Reason: To protect the health of trees to be retained in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 22 Before first occupation post validation testing shall be undertaken by a competent person to determine compliance with the acoustic report AS7603.140807.NVIA This must be submitted and agreed in writing with the local planning authority before first occupation.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 23 Prior to the commencement of any development a fully-detailed scheme of site-wide ecological mitigation, compensation and enhancement measures (to include but not necessarily be restricted to: site plan showing all ecological features; detailed measures to protect and retain existing habitats and species; lighting plan; location, extent, composition and ongoing management of mitigation/compensation/enhancement habitat) shall be submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the outline mitigation, compensation and enhancement measures detailed within the Habitat Creation and Management Plan and Outline Mitigation Proposals report (The Ecology Co-op, March 2014). Any such measures shall thereafter be implemented in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority and all mitigation features shall be retained and maintained in perpetuity.
Reason: To provide ecological protection and enhancement in accordance with policy CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 201, the National Planning Policy Framework 2012, Conservation Regulations 2010, Wildlife & Countryside Act 1981, and NERC Act 2006.
- 24 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with the possible contamination 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 desk study &/or site walkover survey identifying:
 - All previous uses,
 - potential contaminants associated with those uses,
 - a conceptual model of the site indicating sources, pathways and receptors, and;
 - a summary of potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme based on (1), to provide sufficient information for an appropriate assessment of the risks to all receptors that may be affected, including those off site.
 3. The results of the site investigation and risk assessment (2) and if appropriate, an options appraisal and remediation strategy based on these results giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in

(3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); Contamination may be present at the site as a result of both previous & current landuses (&/or activities) at the site that could pose a risk to future site occupiers.

- 25 If, during development, contamination not previously identified on site is found to be present, no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be undertaken until a report has been submitted to and approved by the Local Planning Authority that details 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: Having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); Contamination may be present at the site as a result of both previous & current landuses (&/or activities) at the site that could pose a risk to future site occupiers.

- 26 No occupation of any part of the permitted development shall take place until a verification report has been submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. It shall also include any plan identified as being necessary for longer-term monitoring of pollutant linkages (a "long-term monitoring and maintenance plan"), including provision for maintenance and contingency action. The long-term monitoring and maintenance plan shall be implemented as approved."

Reason: Having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); Contamination may be present at the site as a result of both previous & current landuses (&/or activities) at the site that could pose a risk to future site occupiers.

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.

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- (4) 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 sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

- (5) You are advised that consent may be required from Southern Water to build in the vicinity of a public sewer. if you are in any doubt or need further information about obtaining this consent, you should contact Southern Water on 0845 2780845.

- (6) **1) The applicant is required to set up on site facilities for:-**

- i) wheel washing
- ii) measures to control the emission of dust and dirt during construction
- iii) measures to control noise and vibration during construction
- iv) a scheme for recycling/disposing of waste resulting from demolition and construction works.

- (7) **Lorry/HGV routing** should avoid North Street /railway bridge in Emsworth.

- (8) **Hours of work:** demolition, clearance, excavation, road or construction works should take place only between 0800hrs and 1800hrs on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

- (9) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 25 February 2015 which requires contributions to education, ecology, provision of affordable housing, travel plan, employment and skills plan and maintenance proposals.



Julia Potter
Executive Head - Economy and Planning

25 February 2015