



Havant
BOROUGH COUNCIL

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Mr Barker
C/O 32 City Business Centre
Hyde Street
Winchester
SO23 7TA

For: Mr Walker

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

Application Number: APP/14/01192

Site Address: 31 Elm Grove, Hayling Island, PO11 9EA

Proposal: Demolition of existing timber building and to redevelop the site with a shop and 3No. two bedroom flats over. (Revision to approved scheme APP/13/00090).

Further to your application received on 11 November 2014, which was valid from 28 November 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 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials 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.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 3 The ground floor unit of the building shall be used only for Class A1 (retail) and for no other purpose whatsoever including any residential use or any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
Reason: To protect the vitality and viability of the designated primary shopping frontage, also because other class A uses may require air extraction, filtration equipment and increased waste management and may have further implications for parking needs, having due regard to policies CS4, DM10, DM13 & DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and policy AL3 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.
- 4 The residential flats hereby permitted shall not be occupied until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.
Reason: To ensure that the development is carried out in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 Any proposal relating to install noise making equipment (i.e. refrigeration units, air conditioning, extract ventilation equipment) schemes shall be agreed and approved in writing by the District Planning Authority prior any development takes place.
Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.
Reason: in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing Site Plan Drawing No 05
Location, Site and Block Plan Drawing No 01A
Layout Plans Drawing No 02A
Elevations Drawing No 03A
Section and Views Drawing No 04
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.
- (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 sought and were provided with pre-application advice,
 - You were contacted regarding minor changes and contributions necessary - which were forthcoming, making your application acceptable.
- (2) Should you wish to pursue the possibility of utilising some of the adjacent public car parking spaces for the duration of the construction period then you are advised to contact Michelle Green, Parking & Traffic Management Team Leader on 02392446437.
- (3) You are advised that with respect to the temporary erection of protective fencing during construction, Part 4 of the GDPO allows for such structures as permitted development, but Article 3 (6) of the GDPO also precludes from permitted development any development that "creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons". Since the development site is located adjacent an access road serving a public car park, you are advised to take special care in the design and precise location of any protective barriers/fencing to avoid obstruction to visibility.



Julia Potter
Executive Head - Economy and Planning

23 January 2015