Havant BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mrs Jubb
Bell Cornwell LLP
Oakview House
Station Road
Hook RG27 9TP

For: MCP (Poole) Ltd

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

**Application Number:** APP/11/01272
**Site Address:** Cricketers Tavern, Riders Lane, Havant
**Proposal: Erection of 10No. 3 bed houses; consisting of 1 pair of semi detached houses and 2 terraces of 4 houses in each; with associated parking, bin and cycle stores and new vehicular accesses from Riders Lane.**

Further to your application received on 22 July 2011, which was valid from 11 August 2011, 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 buildings 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 policy DM9 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

3 No development hereby permitted shall commence until plans and particulars specifying the gradient and type of construction proposed for all footways, roads, parking areas and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for 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 having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all surface water drains and sewers or SUDs schemes proposed to serve the same 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 CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework 2012.

5 No development hereby permitted shall be commenced until a more 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 policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

6 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 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

7 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 submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the means of enclosure approved for the southern boundary and the 1.8m high fence hereby approved for the northern boundary shall be installed prior to the commencement of the development. All other means of enclosure approved by the Authority shall be installed prior to the completion of the development. 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

8 No development including site clearance shall commence on the site until all trees identified for retention have been protected in accordance with the Arboricultural Impact Statement hereby approved. Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

**Reason:** To ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity 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 2012.

9 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

**Reason:** To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

10 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

**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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

11 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent deposition on nearby roads of mud and spoil from vehicles leaving the site throughout the implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times when such implementation is in progress.

**Reason:** In the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 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. The approved lighting shall be installed before the development is occupied.

**Reason:** To safeguard the amenities of the locality and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

13 The development hereby permitted shall not commence until plans and particulars of the sheds and the provision for short stay cycle parking have been submitted and approved in writing by the Local Planning Authority. The approved sheds and short stay provision shall be installed before the development is occupied and shall be subsequently retained and be used for cycle parking purposes.
**Reason:** To ensure the provision of adequate cycle parking and having due regard to policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

14 The premises shall not be occupied until the access with visibility splays as shown on the approved plan have been provided.
**Reason:** In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

15 No dwelling shall be occupied before the proposed access serving that dwelling and the crossing of the footway is constructed and laid out in accordance with the approved details.
**Reason:** In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

16 The existing access to the site shall be stopped up and abandoned and any footway crossings shall be reinstated on completion of the new accesses.
**Reason:** In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

17 The development shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out and allocated in accordance with the approved details. Such spaces 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

18 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, 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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

19 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no part of any boundary wall or fence erected on the site frontage nor any hedge planted to mark the boundary or alongside such wall shall at any time be permitted to be more than one metre above the level of the carriageway of the adjoining highway.
**Reason:** In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework . and National Planning Policy Framework 2012.

20 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roofs of the dwellings on plots 1 to 6 hereby approved including the addition of windows permitted by Part 1, Classes B and C of the 1995 Order, and as subsequently amended, shall be constructed without the prior written approval of the Local Planning Authority.
**Reason:** In the interests of the amenities of the occupiers of the adjacent property 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 2012.

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

- Bell Cornwell Letters of 24.10.11 and 15 October 2012
- Design and Access Statement
- Arboricultural Impact Assessment & BS5837 Tree Survey
- 10041 01 P7 Site and Location Plan
- 10041 02 P5 Floor Plans Units 1 – 6
- 10041 03 P5 North and South Elevations Units 1-6
- 10041 04 P4 East and West Elevations Units 1-6
- 10041 05 P6 Floor Plans Units 7-10
- 10041 06 P4 East and West Elevations Units 7-10
- 10041 07 P6 North and south elevations Units 7-10
- 10041m 08 P1 Existing and Proposed Sections and Street Elevations
- 10041 10 P1 Existing Site Levels
- 10041 11 P1 Visibility Splays Highways
- Bell Cornwell email of 2.11.11
- Bell Cornwell email of 29.10.12

**Reason:** - To ensure provision of a satisfactory development.

**Other Important Information:**

In reaching its decision the Council has had regard to the relevant policies of the Havant Borough Local Plan And Other Planning Policy Documents including the National Planning Policy Framework 2012.

Havant Borough District Wide Local Plan 1996-2011

R17 (Playing Space Related to New Housing Development)

Havant Borough Core Strategy 2011

CS14 Efficient Use of Resources
CS16 High Quality Design
CS19 Effective Provision of Infrastructure
CS20 Transport and Access Strategy
CS21 Developer Requirements
CS9 Housing
DM1 Recreation and Open Space
DM10 Pollution
DM12 Mitigating the Impacts of Travel
DM13 Car and Cycle Parking on Residential Development
DM15 Safeguarding Transport Infrastructure
DM2 Protection of Existing Community Facilities and Shops
DM6 Coordination of Development
DM9 Development in the Coastal Zone

The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the nature of the development; the design and effect on the streetscene, and the effect on the neighbouring properties. Having taken into account the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the Council has determined that planning permission should be granted for the development.

(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 6573.

(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 Civic Offices or by telephoning 023 9244 6015.

(4) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) take a positive and proactive approach to development proposals focused on solutions. HBC work with applicants and agents in a positive and proactive manner 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 during the course of the application.

(5) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 20th June 2013 which requires:
(a) The provision of affordable housing either by a minimum of 30% (3 units) on site or the payment of a financial contribution of £154,406.84 before development commences.
(b) The payment of a play space contribution of £16,305 within 4 months of commencement.
(c) The provision of an easement, when called upon by the Council, to allow a road to adoptable standard to be provided across the site to serve future development of the land to the rear of the site.

C. D Murray

Mr Chris Murray
Service Manager (Planning Development)
4th July 2013

Our Ref: APP/11/01272