



Havant
BOROUGH COUNCIL

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Mr Unsted
Alan Unsted MCIAT
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For: Mr & Mrs Miller

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

Application Number: APP/14/00064

Site Address: Land rear of 38-40 Long Copse Lane, Emsworth, PO10 7UR

Proposal: Development of existing paddock with 4No. five bedroom houses and access drive. (Revised application.)

Further to your application received on 21 January 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 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 policies CS11, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.
- 3 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.

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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 CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

- 4 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 occupied 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, March 2012.

- 5 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 development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the 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 having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

- 6 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.

- 7 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, or any order revoking or re-enacting that Order, shall be erected within the curtilage of any dwelling.

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.

- 8 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, there shall be no alteration to the roof of the dwellings hereby approved nor the addition of windows permitted by Part 1, Classes B or C of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 as amended, or any Order revoking or re-enacting that Order.

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

- 9 The bathroom windows at 1st floor level in the north side elevation of the dwelling at plot 1 shall:-
- (i) consist of at least two lights divided horizontally with only the top light capable of being opened, and shall be maintained in that condition at all times;
- ii) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.
- 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, March 2012.
- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, or any order revoking or re-enacting that Order, no additional windows shall be formed at 1st floor level in the north side elevation of the dwelling at plot 1.
- 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.
- 11 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.
- 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.
- 12 No development hereby permitted shall commence on each phase until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewerage disposal including proposed to serve the same, the treatment of existing water courses and ditches and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) for that phase have first been submitted to and approved in writing by the Local Planning Authority. No dwelling or building shall be occupied until completion of the implementation of its 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, March 2012.
- 13 The development shall not be brought into use until a minimum of 3 parking spaces have been provided within the curtilage of the site and thereafter all of those spaces kept available for such 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.
- 14 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

- 15 Construction of the buildings hereby permitted shall not commence 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 have first been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
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.
- 16 The development shall be carried out fully in accordance with the following:
- i) The Tree Protection Plan and Arboricultural Impact Appraisal and Method Statement produced by Barrell Tree Consultancy (reference 12080-AIA-DC) and dated 07 September 2012 and,
 - ii) The Tree Protection Plan Barrell Plan Ref: 12080-BT2 received by the Local Planning Authority on 21 January 2014 and,
 - iii) The additional Tree Protection Plan (for Redlands Lane), Barrell Plan Ref: 12080-BT3, received with the Barrell Consultancy letter dated 21 March 2014 and a detailed description of tree protection measures for Redlands Lane which shall first be submitted to and approved in writing by the Local Planning Authority and,
 - iv) A further additional Tree Protection Plan (for Redlands Lane), to show tree protection measures extended further south along Redlands Lane and at the field entrance, which shall first be submitted to and approved in writing by the Local Planning Authority.
- Furthermore, details of any tree pruning works to trees within the site, including those along the Redlands Lane access, which are to be carried out as part of the development works hereby approved, shall first be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that development does not significant harm the trees surrounding the site and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 17 Works to trees identified in Section 2.0 of the Ecological Scoping Appraisal: Addendum Relating to Bats (Environmental Project Consulting Group, November 2012) shall be carried out in accordance with the recommendations specified with respect to the trees identified in the report. Upon completion of the tree works, a brief sign off report shall be submitted to and approved writing by the Local Planning Authority.
Reason: To ensure that development does not adversely harm the wildlife on the site and having regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) which forms part of the Development Plan and National Planning Policy Framework, March 2012.
- 18 The development shall be carried out fully in accordance with the Ecological Scoping Appraisal and Recommendations for Minimising Ecological Impact produced by the Environmental Consulting Group.
Reason: To ensure that development does not adversely harm the wildlife on the site and having regard to policies CS11 and CS16 of the Havant Borough Local

- 19 The dwellings hereby permitted shall not be occupied until the access and highway improvements to Redlands Lane have been carried out in accordance with details shown on Drawing No.111036/PO6 and prior to the occupation of the last dwelling to be occupied, surfacing with fine gravel shall be carried out in accordance with the Design and Access Statement 'Track Surfacing', submitted with the current application. A specification for the fine gravel shall first be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the protection of trees and having due regard to policies DM11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 20 No development hereby permitted shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all foul and surface water drainage and other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site and having due regard to policies D1 and L6 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Site and Location Plans (Drawing No.11103/PO1E)

Details of Redlands Lane Access and Site Plan and Sections (Drawing No.11103/PO6A)

House Type A - Plot 1 (Drawing No.11103/PO2A)

House Type B - Plot 2 (Drawing No.111036/P04)

House Type A - Plot 3 (Drawing No.11103/PO3A)

House Type B - Plot 4 (Drawing No.111036/PO5)

Design and Access Statement

Ecological Scoping Appraisal and Recommendations for Minimising Ecological Impact 28 August 2012

Ecological Scoping Appraisal and Recommendations for Minimising Ecological Impact (Addendum regarding Bats) 5 December 2012

Arboricultural Appraisal and Method Statement prepared by Barrell Tree Consultancy reference 12080-AIA-DC 07 September 2012 including the Tree Protection Plan Barrell Plan Ref: 12080-BT2

The updated Arboricultural Appraisal and Method Statement information in the Barrell Consultancy letter (reference 12080-LET1-DC, dated 21 March 2014 and the accompanying additional Tree Protection Plan for Redlands Lane, Barrell Plan Ref: 12080-BT3

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 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 Plaza or by telephoning 023 9244 6015.
- (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 and need for additional tree-related plans and information.
- (5) The applicant is advised that the development the subject of this permission is liable to the Community Infrastructure Levy (CIL) Schedule which became a material planning consideration on 1st August 2013. The development will fall liable to pay the Council's CIL upon commencement of development. A separate liability notice will be issued to the applicant by the Council immediately following this notice of planning permission. For further information, see the CIL pages online at www.havant.gov.uk
 - (6) All vehicles, including those of contractors and deliveries, will be accessing the site via a public footpath and should give way to public users at all times.
 - (7) Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of Hampshire County Council's Rights of Way Officer, to not less than its minimum width, on the completion of the build.
 - (8) Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a right of way to a standard commensurate with its expected normal public use.

- (9) There must be no surface alterations to the footpath, nor any works carried out which affect its surface, without prior permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from the Countryside Access team of Hampshire County Council. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980. You are therefore advised to contact the Countryside Access team before any proposed work commences.
- (10) Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times. If there is likely to be an effect on the footpath in terms of dust, noise or other obstruction during the period of the works, it is recommended that a Health and Safety Risk Assessment be carried out, and that if there is deemed to be a risk to users of the footpath, the applicants should contact the Countryside Access team of Hampshire County Council directly to discuss the Temporary Closure of the footpath for the duration of the works.
- (11) In addition, no builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.
- (12) The applicant is reminded that trees at and around the site are subject to Tree Preservation Orders (TPO), and that the consent of the Local Planning Authority is required for works to any TPO tree, at any time, whether or not such works are required in connection with the development works hereby approved.
- (13) 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. You are advised to contact Natural England on 0300 060 3900 for further information.



Mr Chris Murray
Service Manager (Planning Development)

16 May 2014