

HAVANT BOROUGH COUNCIL



TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL BY MR MACKLIN AGAINST THE DECISION OF HAVANT BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING DWELLING AND ERECTION OF 1No.PAIR OF 3 BED SEMI DETACHED HOUSES AND 1NO.2 BED BUNGALOW WITH ASSOCIATED GARDENS AND PARKING AT 28 LODGE ROAD, HAVANT, PO9 3LL.

Planning Inspectorate Reference: APP/X1735/A/13/22088999

LPA REF: APP/13/00064

List of suggested 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 dwellings 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 CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 3 No development hereby permitted nor any related site clearance shall 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 been submitted to and approved by the Local Planning Authority.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16, and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and 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 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 policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and 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 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, March 2012.
- 6 The development hereby permitted shall be carried out fully in accordance with the Arboricultural Report prepared by Partridge Associates dated 11 February 2013.

Reason: To protect the trees within the development site and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 7 The development hereby permitted shall not be occupied until a Post 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 has attained a minimum standard of Level 3 in accordance with the Code.

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, March 2012.
- 8 The development shall not be brought into use until a minimum of 2 parking spaces have been provided within the curtilage of each of the new dwellings 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 9 The development hereby permitted shall be carried out in accordance with the approved plans.

Reason: - To ensure provision of a satisfactory development.
- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwellings hereby approved including the addition of windows permitted by Part 1, Classes B of the Town and Country Planning (General Permitted Development) Order 2008 as amended, shall be constructed without the prior written approval of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and the amenities of the occupiers of nearby properties 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.

- 11 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** of the Town and Country Planning (General Permitted Development) Order 2008 as amended, shall be constructed without the prior written approval of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and the amenities of the occupiers of nearby properties 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.