



Havant
BOROUGH COUNCIL

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Mr A Perry
Anthony Perry Associates Architects
56 King Street
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PO5 4EQ

For: Mr & Dr B Benstead

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

Application Number: APP/13/00020

Site Address: Land and garden north of 1 Leigh Cottages, Petersfield Road, Havant, PO9 2HT

Proposal: **Erection of 1No. 3 bed house with new pedestrian and vehicular access from service road off Martin Road. (Revised application.)**

Further to your application received on 08 January 2013, which was valid from 28 January 2013, 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(s) 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 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent damage to existing trees on the site throughout 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 which such implementation is in progress. Any such tree which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position.

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Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11.2 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 4 i) No development hereby permitted shall commence until:

Design specifications for the installation of a hydrocarbon resistant membrane system have been submitted to and approved in writing by the local planning authority (the 'approved mitigation works'). The submitted specification shall include:

- a) Membrane product details, inclusive of material & density
- b) An installation method statement, including details of sealing method at service penetrations and installation across wall cavities, and;
- c) Provisions for sub-floor ventilation (if applicable)

ii) All measures forming part of the approved mitigation works for the site shall be undertaken and fully adhered to, prior to occupation of the residential units.

Reason: To protect future occupants from assumed risks from hydrocarbon vapours that could result from elevated concentrations of hydrocarbons within groundwater underlying the site and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 If, during development, contamination not previously identified on site is found to be present (for example, strong hydrocarbon odour, oil sheen within trenches, or staining of soils), no further development shall be undertaken until the Local Planning Authority has been notified, and agreed if further mitigation measures are required.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to property; and to ensure that the development can be carried out safely without unacceptable risks to workers, and neighbours and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The development hereby permitted shall not commence until a scheme for protecting the proposed dwelling from traffic noise from Petersfield Road has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be brought into use until the implementation of all works forming part of such approved noise protection scheme has been completed in full accordance with all detailed components of such scheme.

N.B. Maximum noise level (predicted 15 years from completion of dwelling) in habitable rooms, with windows closed and other means of ventilation provided:

Daytime 35 dB LAeq,16h

Night time 30 dB LAeq,8h

Reason: To safeguard the amenities of occupiers of those dwellings and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Note: It is anticipated that it would be sufficient to achieve this standard by ensuring that habitable rooms with windows on the north or south facades be double glazed with a minimum glazing configuration of 6: 6-20: 4, i.e. two panes of glass 6mm and 4mm thick separated by a gap of between 6 and 20mm. Any habitable room on these façades without an openable window on the rear (east) façade (i.e. not dual

aspect) would need to have a means of acoustically insulated ventilation provided so that the windows can be kept closed.

- 7 The existing boundary walls on the northern and western boundaries of the site shall, but for the access to the dwelling, be retained as part of the noise mitigation measures for the property required by condition 6.

Reason: To protect the amenities of the future residents of the property and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 The landscaping scheme hereby approved shall be completed within 6 months from the completion of the building shell, or by such other date as may be agreed in writing with the Local Planning Authority. Any trees which die during the first 5 years shall be replaced during the next planting season.

Reason: To ensure that the landscape scheme is completed in the interests of the appearance of development and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 The building shall not be occupied until space for the loading, unloading and parking of vehicles and bicycles has been provided within the site, surfaced and marked out in accordance with the approved details. 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 2012.

- 10 The development hereby permitted shall not be occupied until a Certificate of Compliance with the Code for Sustainable Homes has been submitted to 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 Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 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 and E of the 1995 Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: In view of the limited amenity space within the site that is not affected by road traffic noise and having due regard to policies CS16 and DM10 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 be carried out in accordance with the following approved plans and documents:

Application form

Anthony Perry letter dated 7/1/2013.

Design and Access Statement

Location map 1:1250

Tree Report by Dr Rachel Benstead

Traffic Noise Attenuation Report

GF Plan 2169/01A

1st Fl plan 2169/02A

Elevations 2169/03B

Roof Plan 2169/05A

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 Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS14	Efficient Use of Resources
CS16	High Quality Design
CS20	Transport and Access Strategy
DM10	Pollution
DM13	Car and Cycle Parking on Residential 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 effect on character and appearance of the area; highway implications; effect on neighbouring properties; environmental effects. 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 The Plaza 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

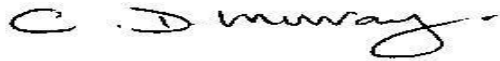
In this instance:

- You sought and were provided with pre-application advice,
- You were updated about issues during the course of the application.

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In this instance:

- You sought and were provided with pre-application advice,
 - You were updated about issues during the course of the application.
- (6) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 18 March 2013 which requires the payment of £3745 as a Hampshire Transport Contribution prior to the commencement of development.



Mr Chris Murray
Service Manager (Planning Development)

21 March 2013