



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

Mr Ramsay
Vail Williams LLP
Meridians House 7 Ocean Way
Ocean Village
Southampton
SO14 3TJ

For: Mrs Mulley

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

Application Number: APP/12/01233

Site Address: St Andrews House, 59-61 West Street, Havant, PO9 1LB

Proposal: Conversion of existing joinery (Henry Jones building) to form 8No. flats comprising 6No. 1 bed flats and 2No. 2 bed flats; demolition of remaining buildings and construction of 16No. 3 bed houses.

Further to your application received on 22 November 2012, which was valid from 25 April 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 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) 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 and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012.

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- 3 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 and CS16 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 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. The scheme shall include details of the agreed 'green wall' to the western boundary wall adjacent to the internal access road.
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, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 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 policies CS11, 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.
- 6 The proposed works shall be carried out in accordance with the following documents and plans:
Tree Survey by Green Earth Arboricultural Consultancy received 22 November 2012 and Arboricultural Method Statement by Green Earth Arboricultural Consultancy dated 9th May 2013 and received by the Council on 20 May 2013.
Reason To ensure the trees are not adversely affected by the construction of the development and having regard to policies CS11 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 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 any future occupiers of the site and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 8 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, DM10 and DM13 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 9 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 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.
- 10 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, no extension, building or structure permitted by Part 1, Classes A, B, D and E of Schedule 2 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 the interests of residential and visual amenity and to prevent overdevelopment of the site and having due regard to policies CS11, CS16 and DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 11 The buildings shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details as shown on Drawing No.12.071.005 REV C received on 25 April 2013. 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 12 The development hereby permitted shall not be commenced 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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 13 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012.

- 14 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012.

- 15 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012, (para 109 and 121).

- 16 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012, (para 109 and 121).
- 17 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012, (para 109 and 121).
- 18 Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. A scheme for surface water disposal shall be submitted to and approved by the local planning authority prior to the commencement of development. The scheme shall be implemented as approved.
Reason: To protect the quality of controlled waters in the local area as the site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and National Planning Policy Framework, March 2012, (para 109 and 121).
- 19 Construction work shall not begin until a scheme for protecting the dwellings against noise from surrounding uses, has been submitted to and approved by the Local Planning Authority; for each applicable dwelling all works which form part of the scheme for that dwelling shall be completed before the dwelling is occupied and a completion acoustical report shall be provided to the Local Planning Authority to confirm the noise expected within the proposal is achieved, this to protect the resident of the proposed development once built
Reason: To ensure that the buildings are adequately sound proofed in the interests of the amenities of the future occupants and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 20 No development, including demolition, can take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: The site is of archaeological significance and it is important that the opportunity should be afforded to excavate the site before development commences and having due regard to policy CS11.4 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 21 No development shall commence until the following details shall be submitted to, and approved in writing by the local planning authority:-

- a. Large scale 1:20 details of the proposed railings and boundary wall onto which they are to be set.
- b. The positioning and finish for any external flues, ducts, meter boxes or photovoltaic/thermal solar panels.
- c. Large scale 1:20 drawings/manufacturers drawings of the proposed windows and doors, in elevation, section and plan. To be sufficient to show, method of opening, relationship to surrounding masonry (depth of reveal), finish, pane proportions and glazing bar detail.

All work to be carried out in accordance with such approval.

Reason: To protect the character and appearance of the conservation area and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 22 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no gates shall be erected across the access road into the site.

Reason: In the interests of highway safety and to allow uninterrupted egress into and out of the site the having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Planning Statement received 22 November 2012

Design and Access Statement 08 February 2013

Location Plan and Application Boundary drw.no 12.071.001 received 22 November 2012

Existing Site Plan and Demolition Plan drw.no 12.071.002 rev.A received 22 November 2012

Existing Building Plan and Elevations drw.no 12.071.003 received 22 November 2012

Existing Street Scene drw.no 12.071.004 received 22 November 2012

Site Survey Plan drw.no 5099.SITE.RO received 22 November 2012

Proposed Site Plan drw.no 12.071.005 rev B received 25 April 2013

Plots 1-2 Plans & Elevations drw.no 12.071.006 rev C received 25 April 2013

Plots 3-10 Plans & Elevations drw.no 12.071.007 rev B received 25 April 2013

Plots 11-13 Plans & Elevations drw.no 12.071.008 rev C received 25 April 2013

Plots 14-15 Plans & Elevations drw.no 12.071.009 rev B received 25 April 2013

Plots 16-24 Plans & Elevations drw.no 12.071.010 rev C received 25 April 2013

Proposed Street Elevations drw.no 12.071.011 rev C received 25 April 2013

Ecological Appraisal and Phase 1 Bat Survey received 22 November 2012

Tree Survey by Green Earth Arboricultural Consultancy received 22 November 2012 and Arboricultural Method Statement by Green Earth Arboricultural Consultancy dated 9th May 2013 received 20 May 2013

Land Contamination Survey by Wilson Bailey Partnership received 22 November 2012
 Transport Assessment by DMMason Engineering Consultants received 22 November 2012
 Marketing Report and Enquiry Log received 22 November 2012
 Flood Risk Assessment by Opus International Consultants received 8 February 2012
 Environmental Noise Survey and Noise Impact Assessment by Hann Tucker Associates received 13 February 2013
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
CS15	Flood and Coastal Erosion
CS16	High Quality Design
CS17	Concentration and Distribution of Development within the Urban Areas
CS2	Employment
CS21	Developer Requirements
CS6	Regeneration of the Borough
CS9	Housing
DM10	Pollution
DM12	Mitigating the Impacts of Travel
DM13	Car and Cycle Parking on Residential Development
DM3	Protection of Existing Employment and Tourism Sites
DM8	Conservation, Protection and Enhancement of Existing Natural Features

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 impact upon residential amenity (existing and future occupants), the visual impact on streetscene, conservation area and heritage asset, parking and access arrangements, affordable housing, trees, landscaping, open space and legal agreement. 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, and,

In this instance:

- You sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

(5) The applicant is advised that demolition, clearance, excavation, road or construction works should 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.

(6) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 9 May 2013 which requires which requires a contribution towards transport, open space, payment of monitoring fee, details and provision of a SuDS, details and provision of the management of the land and the provision of 8 affordable units.

(7) The Environment Agency have reviewed the report and information provided by Wilson Bailey Geotechnical and Environmental to support this application to redevelop the site for residential housing. Their advice is as follows:

"As the Desk Study identifies that the historic uses of the site could give rise to a number of potential sources of contamination we agree with the recommendation that further intrusive investigations will be necessary if the site is to be developed.

We would like to refer the applicant to our groundwater policies in Groundwater Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage

In terms of flood risk, we appreciate that with respect to accessing the Brockhampton Stream the layout of the proposed development is an improvement relative to the existing site. If possible, it would be beneficial for flood risk management purposes if the boundary of the site with the Brockhampton Stream (in particular the area between plots 1 and 24) be designed in a way that will aid access to the watercourse during emergencies. Although we would not normally advocate building in such proximity to main river it is acknowledged that the proposal is a betterment over the existing situation.

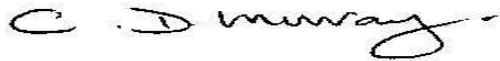
Information

Under the terms of the Water Resources Act 1991, and the southern region land drainage and sea defence byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8m of a designated main river."

- (8) A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, S023 9EH (Tel 01962 858688), or www.southernwater.co.uk"

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Atkins Ltd.

- (9) Your attention is drawn to the provisions of the Water resources Act 1991 and the Land Drainage Bylaws 1981. The consent of the Environment Agency is required for any work or structures in, under, over or within 8 metres of the top of the bank of a main river. You are advised to contact the Environment Agency on 0370 8506506 for further information.



Mr Chris Murray
Service Manager (Planning Development)

20 June 2013