Havant
BOROUGH COUNCIL

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To:
Mr Beck
Luken Beck Ltd
30 Carlton Crescent
Southampton
Hants
SO15 2EW

For: Barratt David Wilson Southampton Division

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: 10/53728/009
Site Address: 92 London Road, Widley, Waterlooville, PO7 5AE
Proposal: Construction of 31No. houses with associated access and landscaping.

Further to your application received on 12 March 2010, which was valid from 07 April 2010, 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 your application, as amended by plans, documents and additional information received on 24 May 2010, and 2 September 2010; 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 saved Policies D1, PC1 and PC3 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 23 and 25.

3 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 saved Policies D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

4 Construction of the buildings hereby permitted shall not commence until samples and details of all external facing and roofing materials have been 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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

5 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, and obtained written approval from the Local Planning Authority for a scheme detailing how this unsuspected contamination shall be dealt with.
Reason: To protect future occupants of residential properties on the site, and having due regard to saved Policies PC1 and PC3 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

6 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 saved Policies D1, L6 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

7 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 saved Policies D1 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 1 and 25.

8 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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

9 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 and hedgerows 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 during which such implementation is in progress. Any such tree or hedgerow 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 and of not less than 1.6 metres height when planted.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to saved Policies D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

10 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/or in the interests of traffic safety and having due regard to saved Policies D1, T9 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statement 1 and Planning Policy Guidance 13.

11 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 saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statement 1 and Planning Policy Guidance 13.

12 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 saved Policies D1, T7 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statement 23 and Planning Policy Guidance 13.

13 No development hereby permitted shall commence until a specification of the provision to be made for the storage and disposal of refuse following the commencement of the occupation of the building(s) hereby permitted 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 such provision for refuse has been completed in full accordance with such an approved specification.
Reason: To safeguard the amenities of the locality and having due regard to saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 3 and 23.

14 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. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statement 23 and Planning Policy Guidance 13.

15 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 without the prior written approval of the Local Planning Authority.
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 saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

16 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no free-standing walls, fences or other means of enclosure of any kind permitted by Part 2, Class A of the 1995 Order as amended shall be erected within the area since hatched in black on the approved plans without the prior written approval of the Local Planning Authority.
Reason: In the interests of visual amenity and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

17 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/C/D/E/F/G 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 the character and appearance of the development and to residential amenities having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statements 1 and 3.

18 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows or other openings shall be constructed within the first floor or above of the following elevations without the prior written approval of the Local Planning Authority:

- North facing elevation unit 1
- South facing elevation unit 2
- West facing elevation unit 6
- East facing elevation unit 7
- West facing elevation unit 8
- North facing elevation units 8 and 9
- North facing elevation unit 10
- North facing elevation unit 17
- North-east facing elevation unit 19/20
- East facing elevation unit 23
- West facing elevation unit 25
- North facing elevation unit 25
- North facing elevation unit 28
- West facing elevation unit 31

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to saved policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

19 No development shall be commenced on site until the existing buildings shall have been demolished and all resultant materials removed from the site unless otherwise approved in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and in the interests of the character and appearance of the area and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

20 No dwelling hereby permitted shall be constructed anywhere on the site until the road(s) have been laid to at least base course.
Reason: To avoid excess soil being deposited on the existing roads and having due regard to saved Policy PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

21 The windows since marked 'x' on approved Drawing No. 18-1690-AG-001 shall have a minimum cill height of 1.75m above finished floor level.
Reason: To protect the amenities of adjoining residential properties and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

22 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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

23 The rooflight windows at 2nd floor level in the east facing elevations of the buildings plots 1-5 and the north facing elevation of plot 6 shall either:-

(i) have a minimum cill height of 1.75m above finished floor level or
(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 and be fitted with restricted openings in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

24 The window at or above 1st floor level in the west elevation of unit 31 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; and
(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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

25 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. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

26 No development shall commence on the site until details of earthworks shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The agreed details shall be fully implemented before the buildings hereby permitted are first occupied.
Reason: In the interest of maintaining the amenity value of the area and having due regard to saved Policies D1 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

27 No development shall commence until a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall include long term design objectives, management responsibilities and implementation and maintenance schedules for all landscape areas for a minimum period of five years. The management plan shall thereafter be implemented in accordance with the approved details.
Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal and public significance and having due regard to saved Policies D1 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

28 No development shall take place unless and until a scheme showing measures which will be undertaken to protect the public sewers has been submitted to and approved in writing by the Local Planning Authority. The details approved shall thereafter be fully implemented unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect sewers that cross the site and having due regard to saved Policy US4 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

29 No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways, roads and individual accesses thereto (including all relevant horizontal cross and longitudinal sections) and the related provision to be made for street 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 saved Policies D1, T7 and T8 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

30 The development hereby permitted shall not commence unless and until details of cycle parking provision have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be implemented in accordance with the approved details prior to the occupation of the buildings hereby approved.
Reason: To ensure adequate provision for cycle storage in the interests of promoting non-car based transport options to improve the sustainability of the development and having due regard to saved Policies T6, T8 and T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statements 1 and 3, and Planning Policy Guidance 13.

31 No development hereby permitted shall commence unless and until details of measures proposed for ecological gain are submitted to and approved by the Local Planning Authority. The approved details shall thereafter be fully implemented prior to the occupation of the buildings.
Reason: In the interests of nature conservation and having due regard to saved Policy NC5 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 9.

32 The development hereby permitted shall be carried out strictly in accordance with the measures for mitigation for protected species set out in the submitted details from Aluco Ecology, submitted to Mr Egglesfield, Hampshire County Council Senior Ecologist and dated 22 May 2010 (copy enclosed). The following measures are to be implemented during the construction phase:
1) Trenches in excess of one metre in depth should be covered or secured and a means of escape provided for any animal that does fall in (a suitable escape can be provided by wooden planks placed at a 45 degree angle).
2) Any temporarily exposed open pipe system should be capped in such a way to prevent badgers gaining access.
3) Chemicals and fuels should be stored carefully and as far away from badgers paths as possible, and in accordance with the Code of Construction Practice.
Reason: In the interests of nature conservation and having due regard to saved Policy NC5 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 9.

Other Important Information:

In reaching its decision the Council has had regard to the saved policies of the Havant Borough District Wide Local Plan 1996-2011, forming part of the Havant Borough Local Development Framework:-

Havant Borough District Wide Local Plan 1996-2011

D1	(High Quality Design)
H5	(Density of Housing Development)
H6	(Range of House Types and Sizes)
H8	(Affordable Housing)
IMP1	(Financial Contributions)
L6	(Conservation and Protection of Existing Natural Features)
L7	(New Landscape Works)
NC5	(Other Features of Nature Conservation Interest)
PC1	(Control of Potentially Polluting Uses)
PC3	(Protection of Water Quality)
PC4	(Light Pollution)
R17	(Playing Space Related to New Housing Development)
T10	(Contributions to Off Site Highway Improvements)
T11	(Developer Contributions Towards Green Transport Infrastructure)
T2	(Safeguarding of Land for South Hampshire Rapid Transit System)
T5	(New Roads)
T6	(Public Transport, Cycling and Walking New Development)
T7	(Criteria for Access to Development)
T8	(Bus Access and Provision for Cyclists and Pedestrians)
T9	(Provision of Vehicle Parking and Turning Facilities)
UA1	(Concentration of Development within the Urban Areas)
US4	(Sewers)

National Policies

PPG13	(Transport)
PPG24	(Planning and Noise)
PPS 1	(Delivering Sustainable Development)
PPS 3	(Housing)
PPS 9	(Biodiversity and Geological Conservation)
PPS23	(Planning and Pollution Control)
PPS25	(Development and Flood Risk)

The Council considers, having regard to the objectives of these policies, 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 development, the effect on neighbouring properties, the effect on protected species, the effect on residential amenity, the effect on surrounding trees, the effect on the character and appearance of the area and the streetscene, the effect upon archaeological interest of the site, environmental effects, flood risk issues/sewers/drainage, highway implications, the adequacy of access, the adequacy of parking, loss of a commercial site, crime and disorder issues and the provision and improvement of playing space. 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) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel 01962 858688), or www.southernwater.co.uk.

(5) It is a legal requirement under the provisions of the Site Waste Management Plans Regulations 2008 to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail the SWMP should contain depends on the estimated build cost, excluding VAT. Further information can be found at www.netregs-swmp.co.uk.

(6) To facilitate the measures outlined in Condition No. 32, contractors and subcontractors should be made aware of the possible presence of badger paths as part of the environmental site induction courses. They should also be informed of the protection afforded to badgers under the Protection of Badgers Act 1992.

Julia Potter
Executive Head of Planning and Built Environment

29 October 2010