Havant BOROUGH COUNCIL

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Ms J Mottershead
Jane Mottershead Design Ltd
2 Brook Cottages
West Ashling
Chichester
PO18 8DY

For: Mr & Mrs Stone

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

Application Number: APP/12/00112
Site Address: 48 Bath Road, Emsworth, PO10 7ER
Proposal: Demolition of existing 4 bed detached house and outbuilding, and construction of 1No. 4 bed detached house and separate garden store.

Further to your application received on 31 January 2012, which was valid from 09 February 2012, 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 CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

3 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 Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

4 Construction of the building hereby permitted shall not commence until samples and details of the glazing to be used for the front (east) elevation of the building, including its level of reflection, have been submitted to and approved in writing by the Local Planning Authority. Thereafter only such approved glazing shall be used in carrying out the development.
Reason: In the interests of the amenities of the locality and having due regard to the Policy CS16 of the Havant Borough Core Strategy, which forms part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

5 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 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 CS11.1, CS11.2, CS11.4, CS12, CS16, DM8 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

6 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 use of the building hereby permitted 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 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 policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order 1995 (or any subsequent Order revoking or re-enacting that Order), no extension, building or structure permitted by Part 1, Classes A, D & E, 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 amenities of the area and the neighbouring properties and having due regard to Policy CS16 of the Havant Borough 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 1995 (or any subsequent Order revoking or re-enacting that Order), no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B & C of the Order, shall be constructed without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of the area and the neighbouring properties and having due regard to Policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

9 The development shall not be brought into use until a minimum of three 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 Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

10 The basement and observation platform hereby permitted shall not be used for sleeping accommodation at any time.
Reason: In the interest of the amenities and safety of the occupiers of the property and having due regard to policies CS15 and CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

11 No percussive piling or works with heavy machinery shall occur within the waterfowl over-wintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example use of pneumatic drills, diggers, dumper trucks and lorries.
Reason: In the interests of protecting natural features and species in accordance with policy DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

12 Clearance of trees and areas of scrub shall be timed so as to avoided the bird breeding season, and no such works shall be undertaken between the times of March to August inclusive.
Reason: In order to reduce the likelihood of harm to breeding birds in accordance with policy DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

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

Site Location Plans
Existing Plans
Existing Elevations
Existing Sections LS/08/15
Block Plan LS/08/08 Rev E
Drainage Details & Layout LS/12/05
LS/12/03 Rev A
Proposed Elevations LS/12/02 Rev A
Street Scene LS/08/03 Rev B
Ground Floor Plan LS/12/01 Rev A
First Floor Plan LS/08/05 Rev H
Second Floor Plan LS/08/06 Rev D

Reason: - To ensure provision of a satisfactory development.

Other Important Information:

In reaching its decision the Council has had regard to policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework: and The National Planning Policy Framework, March 2012.

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS12	Chichester Harbour Area of Outstanding Natural Beauty (AONB)
CS15	Flood and Coastal Erosion
CS16	High Quality Design
DM10	Pollution
DM13	Car and Cycle Parking on Residential Development
DM8	Conservation, Protection and Enhancement of Existing Natural Features
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 the character and appearance of the Conservation Area and wider landscape setting, the effect on neighbouring properties, highway and transport issues and flooding and nature conservation issues. 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.

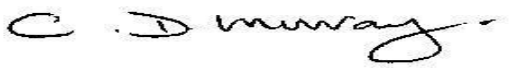
(1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's 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) Your attention is drawn to the provisions of the Wildlife & Countryside Act 1981 (as amended by Countryside & Rights of Way Act 2000) which relates to the protection of nesting birds. Any felling of trees, 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 the local office of Natural England at Lyndhurst for further information (tel. no 023 8028 6410).

(5) You are advised that given the sensitivities to nesting birds in the area, best practice should be in place for operating machinery to reduce unnecessary noise.



Mr Chris Murray
Service Manager (Planning Development)

03 May 2012