



Havant
BOROUGH COUNCIL

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Mr Tutton
Robert Tutton Town Planning Consultants Ltd
23 Romsey Avenue
Fareham
PO16 9TR

For: Mr Paxman

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

Application Number: APP/12/01131

Site Address: Land r/o 18-20 Forest Avenue, Waterloooville, PO8 8JD

Proposal: Construction of 2No. 3 bed detached houses and 1No. 3 bed detached bungalow, with associated landscaping and parking and access from Forest Avenue and removal of 4No. trees (1No. Willow, 1No. Hawthorne and 2No. Ash) within W1 of TPO 1614.

Further to your application received on 30 October 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 Prior to the commencement of the development hereby approved any foundation or other development constructed pursuant to either Planning Permission No. 07/60703/014 or 08/60703/015 (the earlier permissions) shall be entirely removed. The development hereby permitted shall then only be carried out in accordance with this current planning permission and not in combination with any development approved by the earlier permissions. Furthermore the existing hardstanding located to the north of the side boundary with the rear garden of No. 22 Forest Avenue may only be retained for the period of building works and shall be entirely removed prior to the occupation of any dwelling hereby approved, unless the Local Planning Authority gives prior written approval for any retention or variation.
Reason. To ensure that development is carried out only in accordance with a single grant of planning, in the interests of clarity and to ensure that the approved layout, including landscape planting, can be implemented in full to give a high standard of design in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

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- 3 The materials and finishes to be used in the external surfaces of the buildings hereby approved and ground surface treatments and fencing also hereby approved, shall be in accordance with the document entitled ' Materials Board, Revision A', dated 25th October 2012 by HJ Concepts Ltd, which was submitted as part of the current application. Only these materials and finishes shall be used in carrying out the development unless the Local Planning Authority gives prior written approval, which may be in the form of a formal letter of confirmation, for any variation.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 4 The first floor bathroom windows in the south east and north west side elevations of the dwelling at plot 2 and the south east elevation of plot 1 hereby approved shall be 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 shall be fixed and unopenable up to a height of 1.7m above internal floor level.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.
- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows shall be constructed in the rear roofslopes of the dwellinghouses at plots 1 & 2 hereby approved without the prior written approval of the Local Planning Authority.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.
- 6 Prior to the occupation of any dwelling hereby approved details of the construction of the access drive shall have been submitted to and agreed in writing by the Local Planning Authority. This drive shall be no less than 3.7m wide at its narrowest point, (between No/s 18 & 22 Forest Avenue), notwithstanding any information contained in the current application. The access drive shall be constructed and retained in accordance with the approved details.
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.
- 7 Prior to the occupation of any dwelling hereby approved, space for the loading, unloading and parking of vehicles and a turning space to enable vehicles to enter and leave the site in forward gear 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.
- 8 Prior to the occupation of any dwelling hereby approved, soft landscape planting and fencing shall be completed, in accordance with the Soft Landscape Plan drawing 0168.12 Revision A and the Japanese knotweed method statement submitted with this application. 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 CS16, DM8 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 9 Areas of landscaping outside the curtilage of any of the dwellings hereby approved shall be maintained in accordance with the Soft Landscape Plan document - 29 November 2012, unless the Local Planning Authority gives prior written approval for any variation.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

- 10 Development shall only be carried out strictly in accordance with the ECOSA (Phase 1 Ecological Survey report - October 2012 and in particular with Sections 4.3.3 (relating to provision of bat boxes), 4.6.3 (relating to clearance of potential bird nesting habitat and provision of bird boxes) and 4.7.3 (relating to clearance to avoid harm to reptiles) of the ECOSA Phase 1 Ecological Survey report.

Reason: To avoid impacts to legally protected species and to conserve and enhance biodiversity, and having due regard to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 No development hereby permitted nor any related site clearance shall commence until tree and root protection measures have been provided on site in accordance with:

Bernie Harverson Arboricultural Documents:

BH1 - BH6

BJH.01 - Tree Survey Plan

BJH.02 - Root Protection Plan

BJH.03 - Tree Retentions & Removals Plan

BJH.04 - Tree Protection Plan

Arboricultural Impact Assessment & Method Statement - October 2012

in order to prevent damage to existing trees on the site throughout the period of site clearance and development works. All tree protection measures and methods in those documents shall be undertaken and fully adhered to at all times.

Reason: To safeguard the continued health and presence of such existing vegetation, including trees which are covered by a Tree Preservation Order, to 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 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

- 12 The acoustic fencing shown on drawing 12.885 PL02 Revision B and in the Materials Board, Revision A, dated 25th October 2012 by HJ Concepts Ltd, shall comprise 'Jakoustic' acoustic fencing and posts unless the Local Planning Authority gives prior written approval for any variation. The fencing shall be completed prior to the occupation of any dwelling hereby approved and permanently maintained in a sound and effective condition thereafter.

Reason: To safeguard the amenities of neighbouring residents having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 13 Finished floor and site levels shall not exceed those stated on drawing number 12.885 PL02 Revision B - Overall Site Proposal Plan & Fence & Shed Details. Further details of the proposed ground levels at plot 3 shall be submitted to and approved in writing before the substantial completion or occupation of that dwelling, whichever occurs sooner.

Reason: In the interests of clarity and to ensure that ground level changes, which may materially affect the impact of the development are duly considered in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012, and because the elevations for plot 3 suggest that the site is level, whereas the site plan indicates notable differences in levels across the plot.

- 14 Within 2 months of the commencement of development approved by this Planning Permission, a scheme to deal with the potential risks associated with shallow made ground shall be submitted to and approved in writing by the Local Planning Authority.

Unless specifically excluded in writing by the Local Planning Authority, that scheme shall include details of plans for excavation, stockpiling, off-site disposal, in situ or ex-situ testing (including WAC testing), and on-site re-use. The scheme shall in addition take account of proposed finished ground levels in accordance with condition 13. The implementation of works specified shall be completed in full accordance with the approved scheme unless agreed in writing by the Local Planning Authority.

Reason: To prevent future occupiers of residential units on the site from being exposed to unacceptable risks arising from the deposition of building & demolition waste at the site, and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

- 15 If, during development, contamination not previously identified on site is found to be present, no further development shall be undertaken at that part of the site until a report has been submitted to and approved by the Local Planning Authority detailing how that contamination is to be dealt with at that part of the site. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to.

Reason: To prevent future occupiers of residential units on the site from being exposed to unacceptable risks arising from the deposition of building & demolition waste at 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.

- 16 Any topsoil imported for use within private garden areas shall be free of physical & chemical contamination, and be suitable as a growth medium in accordance with British Standard BS 3882:2007: "Specification for topsoil and requirements for use". Adequate documentary evidence shall be submitted to the Local Planning Authority to confirm that the topsoil / topsoil source is suitable, and that materials have been transferred directly between the source & destination sites.

Reason: To prevent future occupiers of residential units on the site from being exposed to unacceptable risks arising materials imported to the site, and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.

- 17 The access road, and contractor parking area shall be provided and used during the period of development / construction works in accordance with the Contractor Parking & Compound Plan which forms part of drawing No.12.885 PL01 Revision B
- Reason:** In the interests of highway safety during the development period and having due regard to Policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.
- 18 Measures to prevent the deposition of mud and spoil from the development onto nearby roads, shall be undertaken throughout the development period. Details of these measures shall be submitted to the Local Planning Authority within one month of the commencement of development and approved in writing.
- Reason:** In the interests of highway safety and local amenity, in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 which form part of the Local Development Framework and National Planning Policy Framework 2012.
- 19 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 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 20 The development hereby permitted shall be carried out in accordance with the following approved plans:
- 12.885 PL01 Revision B - Site Location Plan, including contractor parking and compound
12.885 PL02 Revision B - Overall Site Proposal Plan & Fence & Shed Details
- 12.885 PL03 Revision B - Elevations and Floor Plans - Plot 1
12.885 PL04 Revision B - Elevations and Floor Plans - Plot 2
12.885 PL05 Revision B - Elevations and Floor Plans - Plot 3
- Bernie Harverson Arboricultural Documents:
BH1 - BH6
BJH.01 - Tree Survey Plan
BJH.02 - Root Protection Plan
BJH.03 - Tree Retentions & Removals Plan
BJH.04 - Tree Protection Plan
Arboricultural Impact Assessment & Method Statement - October 2012
- 0168.12 Revision A: Soft Landscape Plan
Soft Landscape Plan document - 29 November 2012
Materials Board, Revision A', dated 25th October 2012 by HJ Concepts Ltd,
- Planning, Sustainability, Design and Access Statement
- Trial Hole Excavations Report
ECOSA Phase 1 Ecological Survey - October 2012
Japanese Knotweed Method Statement - NJ Trowell 3rd December 2012
Japanese Knotweed Site Plan
- 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
CS16	High Quality Design
CS20	Transport and Access Strategy
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 design of the proposal; effect on neighbouring properties; effect on TPO trees; highways; and other 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.

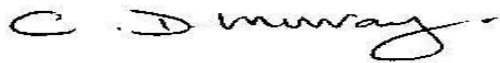
- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the 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/pes.
- (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) 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:
 - We updated you about issues after the initial site visit and issued the s.106 documents for your completion,

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- Your application was acceptable as submitted and, subject to agreement of conditions permission has been issued at the earliest opportunity.

Please refer to this office if you have any further queries in the implementation of this development.

- (5) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 19th December 2012 which accompanied the Transport Contribution paid by the applicant, in accordance with the Council's Transport Contributions Policy.

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)

21 December 2012