



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 Young
RBA
Boyd 3 The Admirals
Gunwharf Quays
Portsmouth
PO1 3AG

For: Mr Porter

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

Application Number: APP/12/01279

Site Address: Westminster Works, 15 Nile Street, Emsworth, PO10 7EF

Proposal: Demolition of existing buildings and construction of 2No. 2 and a half storey 3 bed semi detached dwelling houses with integral garages. (Revised Application.)

Further to your application received on 06 December 2012, which was valid from 11 December 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 shall commence until samples and details of all external facing (including large scale (1:20) details for all new windows and door), including glazing 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 policies CS11.4, and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 3 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory and having

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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.

- 4 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 policies CS11.1, CS11.4, and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 5 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows / doors or other openings shall be constructed within the west and east side elevations 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 7 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 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, 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 Conservation Area and AONB and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework, March 2012.
- 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 thereby permitted shall not commence 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 having due regard to policy CS16 of the Havant Borough Core Strategy 2011, which forms part of the Local Development Framework, and National Planning Policy Framework, March 2012.

- 9 The garage 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 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.
- 10 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.
- 11 The commencement of the development shall not take place until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved by the Local Planning Authority.
Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 12 No materials obtained from site clearance or from construction works shall be burnt on the site.
Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 13 Prior to the commencement of the 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), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

1. A desk study identifying:

- 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 previous investigation reports, for the purpose of informing an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3. The results of the site investigation and risk assessment (2) and if appropriate, a method statement based on these results giving full details of the remediation measures required and how they are to be undertaken.

4. A verification report shall be prepared on completion of the works set out in (3) [if any] confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting, if appropriate.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: To mitigate the risks to buildings, services & the wider environment, and to prevent future occupiers of residential units on the site (and the occupants of adjacent buildings) from being exposed to unacceptable risks arising from previous land uses undertaken at the development site, and having due regard to policy DM10 of the Havant Borough Adopted Core Strategy (2011) and the National Planning Policy Framework Plan.

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

Reason: To mitigate the risks to buildings, services & the wider environment, and to prevent future occupiers of residential units on the site (and the occupants of adjacent buildings) from being exposed to unacceptable risks arising from previous land uses undertaken at the development site, and having due regard to policy DM10 of the Havant Borough Adopted Core Strategy (2011) and the National Planning Policy Framework March 2012.

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

- design and access statement received on 6 Dec 2012
- heritage statement received on 6 Dec 2012
- Market report dated 12 September 2012
- Existing floor plans, sections and elevations drg no. 1216/0.001 rev D1
- Proposed floorplans, sections and elevations drg no. 1216/2.001 rev D1

Proposed site layout sight lines drg no. 1216/2.002 rev D1

Reason: - To ensure provision of a satisfactory development.

- 16 The window(s) at or above 1st floor level in the north, and west elevation of the building [since marked 'x' on the plans hereby approved] shall:-

(i) be fixed shut or 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) except for the top lights to the first floor kitchen windows, 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 policy CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 17 No development shall commence until a specification of the works, including details of the external finish to the exposed east elevation of 17 Nile Street 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 policies CS11.4, and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.
- 18 No development including demolition shall commence until a Construction Method Statement specifying the arrangements for delivery, construction and contractor's traffic, and the provision for materials store has been submitted to and approved in writing by the local Planning Authority. The development shall be carried out strictly in accordance with the approved details.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

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
CS9	Housing
DM11	Planning for More Sustainable Travel
DM13	Car and Cycle Parking on Residential Development
DM3	Protection of Existing Employment and Tourism Sites

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 loss of employment premises and viability of the building for alternative uses, the effect on the character of the Conservation Area, the effect on neighbouring properties, highway considerations and ecology. 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) 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) Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.



Mr Chris Murray
Service Manager (Planning Development)

01 February 2013