Havant BOROUGH COUNCIL

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Mr M Helyer
Helyer Design
1 The Old Flour Mill
Queen Street
Emsworth
PO10 7BT

For: Mrs Percival

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

Application Number: APP/12/00031
Site Address: Land rear of 22 Frogmore Lane, Waterlooville, PO8 9QL
Proposal: Construction of 2No. pairs of semi-detached houses, comprising 2No. 3 bed and 2No. 2 bed houses, and associated landscaping and parking, with access from Herriott Close.

Further to your application received on 11 January 2012, which was valid from 25 January 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 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 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.

3 The development hereby permitted shall not be commenced until a soft landscaping scheme for all open parts of the site not proposed to be hard surfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall also specify measures for biodiversity and 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 a significant number of Extra Heavy Standard trees.

The implementation of all such approved landscaping and biodiversity measures 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, or any biodiversity measure which is lost or 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, 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.

4 Tree protection shall be carried out in full accordance with the Arboricultural Impact Appraisal and Method Statement dated 1st May 2012, reference 11364-AIA-CA. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times. Any tree which is shown for retention in that document but 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, unless the Local Planning Authority gives prior written approval for any variation.
Reason: To safeguard the continued health and presence of such existing vegetation and protect 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.

5 Development shall only take place in accordance with the recommendations contained within the report provided by Ecosupport Ltd and dated 6 August 2012. Specifically:

(i) Sensitive tree felling techniques be employed (involving inspection and lowering of branches with bat roosting and resting features) and a licensed or suitably experienced ecologist be present on site during this process in the event of any bats being found.

(ii) Any external lighting to be hooded and directional to the ground to avoid any potential disturbances to commuting or foraging bats. Details of any external lighting shall be agreed in writing, in advance with the Local Planning Authority.

Reason: To safeguard biodiversity 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 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 or E shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.
Reason: The specific circumstances of this site warrant the Local Planning Authority having control over future development and in accordance with 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 All first floor side windows in each dwelling, and the rear, first floor bathroom window in the dwelling at plot 3 shall be permanently:-

i) 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

(ii) fixed and unopenable up to 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

8 The roof-lights in the dwellings at plots 3 and 4 shall be permanently maintained with a cill height which is at least 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows, doors or other openings shall be constructed at first floor level or above in the side or rear elevations or side and rear roof-slopes of any of the dwellings 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 Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

10 Floor levels of the buildings hereby approved shall not exceed those shown on the approved drawing no. 11089/002C without the prior written approval of the Local Planning Authority.
Reason: Changes in levels may materially affect the appearance and impact of development, 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.

11 The development shall not be brought into use until a minimum of two parking spaces per dwelling have been provided within the curtilage of the site and thereafter all of those spaces shall be 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 National Planning Policy Framework, March 2012.

12 The development shall not be brought into use until a turning space is provided within the site to enable vehicles to enter and leave the site in forward gear in accordance with details to be agreed in writing by the Local Planning Authority. This space shall thereafter always be kept available for such use.
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.

13 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no vehicular or pedestrian access shall be formed to any part of Elaine Gardens without the prior written approval of the Local Planning

Authority and the boundary with Elaine Gardens shall remain permanently fenced in accordance with details which shall first be submitted to and approved in writing before the commencement of the development hereby approved..
Reason: In the interests of the amenities of the occupiers of nearby properties, management of crime risk and in order to allow any highway safety impacts to be considered and having due regard to policies CS16 7 CS20 of the Havant Borough Local Plan (Core Strategy) 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

14 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 [to be provided in this development 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 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 occupiers of neighbouring property 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.

15 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.

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

11089/001C - Existing site & levels, with floor levels for approved dwellings
11089/002C – Proposed site layout
11089/003D – Proposed elevations & floor plans

Reason: - In the interests of clarity and to ensure provision of a satisfactory development.

17 During the construction of the development hereby permitted, including during the finishing and landscaping stages, no work or process shall be carried out, no machinery shall be operated and no deliveries shall be taken at the site outside the following times: Monday to Friday 7:30am to 6:00pm and Saturday 8:00pm to 1:00am, nor at any time on Sundays or Bank or other Public Holidays.
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.

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
CS14	Efficient Use of Resources
CS16	High Quality Design
CS9	Housing
DM13	Car and Cycle Parking on Residential Development
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 design and appearance, the effect on neighbours, highway issues and tree and other matters. 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.

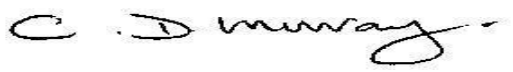
(1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's 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) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 26 June 2012 which requires a financial contribution towards highway works.

(5) Your attention is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended by Countryside and Rights of Way Act 2000) which relates to the protection of nesting birds. Any felling or 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 Natural England on 0300 060 3900 for further information.



Mr Chris Murray
Service Manager (Planning Development)

24 August 2012

Our Ref: APP/12/00031