Havant
BOROUGH COUNCIL

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To:
Mr R Chivers
Chivers Partnership
7 Oak Road
Southampton
Hants
SO45 5PQ

For: Sundridge Developments Ltd

**THE TOWN AND COUNTRY PLANNING ACT 1990**
**Grant of Planning Permission**

**Application Number:** 09/57881/018
**Site Address:** Former School, 63-65 Silvester Road, Waterlooville
**Proposal: Erection of 3 storey care home providing 35No. bedrooms, associated parking and altered access to Silvester Road. (Revised application.)**

Further to your application received on 19 November 2009, which was valid from 04 December 2009, 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 amended plan 4758/3 Revision M landscaping and location plan, received on 04 December 2009, additional plan 4758/2 Revision B site sections (includes street elevation), received on 19 February 2010, amended plan 4758/1 Revision U plans and elevations (includes ground floor plan) received on 22 March 2010, and amended plan 4758/11 Revision F 1st and 2nd floor plans received on 19 February 2010 and;

(ii) The following conditions:

**Conditions:**

1 The works hereby approved, which allow for the completion of the partially constructed building, 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 building hereby permitted shall not commence until samples and details of all external facing and roofing materials have been submitted to and approved in writing 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.

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 in writing by the Local Planning Authority.
**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.

4 No development hereby permitted shall be re-commenced until a detailed 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 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 and L7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

5 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 hard surfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not commence until the implementation of all such hard surfacing 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.

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

7 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same have 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/or 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.

8 Deliveries relating to the servicing of the care home once occupied, shall only be taken and / or dispatched from the site between the hours of 07:00 and 20:00 Monday to Friday and 07:00-19:00 on Saturdays and not at all on Sundays or recognised Public Holidays.
**Reason:** To safeguard the amenities of the locality 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.

9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B and C of both Town & Country Planning General Permitted Development Order 1995, shall be constructed without the prior written approval of the Local Planning Authority.
**Reason:** To protect the privacy of the neighbouring properties 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.

10 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 north west or south east elevation 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 saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

11 The windows since marked 'Y' on approved Drawing No. 4758/1 Revision U, received on 22 March 2010 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.

12 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 Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

13 The windows above ground floor level in the north west and south east elevation of the building since marked 'X' on the plans hereby approved 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.

14 The development shall not be brought into use until a minimum of 10 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 saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

15 Any proposal relating to the installation of noise making equipment (i.e. refrigeration units, air conditioning, extraction ventilation equipments) scheme shall be first submitted to and approved in writing by the Local Planning Authority prior to any developments taking place.
**Reason:** To protect the occupants of nearby residential properties from noise, vibration and/or dour nuisance 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.

16 Noise resulting from the use of any/ all plant machinery or equipment shall not exceed a level of 5dB(A) below the existing background level or (10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.
**Reason:** In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area 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.

17 The accommodation hereby permitted shall be occupied solely by persons aged 60 years or over.
**Reason:** The units of accommodation have insufficient on-site parking to be occupied independently and having due regard to saved Policies D1 and T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

18 The accommodation hereby permitted shall be limited to only 35 single occupancy bedrooms unless otherwise agreed in writing by the Local Planning Authority.
**Reason:** In the interests of the amenities of the locality and having due regard to saved Policies D1 and T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

19 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, an amendment to the remediation strategy detailing how the unsuspected contamination shall be dealt with.
**Reason:** To protect the Source Protection Zone 4s (for the Bedhampton & Havant Springs, and the Lovedean public drinking water supply abstraction) beneath the site from contamination having due regard to Planning Policy Statement 1.

20 The Travel Plan must be reviewed and submitted to the Council for approval within one year of this permission being implemented and thereafter annually for the following four years.
**Reason:** In the interests of the amenities of the locality and having due regard to saved Policy T1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
**Reason:** To protect the Source Protection Zones beneath the site from contamination and having due regard Planning Policy Statement 1.

22 Within one month of the date of this notice of permission, or other time period if first agreed in writing by the Local Planning Authority, the applicant shall submit details of the proposed surface water design provisions for the site, including soakage information and the capacity of the surface water drainage system. The development shall not be occupied until details have been approved in writing by the Local Planning Authority and the system has been provided on-site. The surface water drainage system shall be permanently retained and maintained thereafter.
**Reason:** In order to ensure the provision of adequate surface water drainage to safeguard the amenities of the area and to accord with Planning Policy Statement 25 'Development and Flood Risk', which refers to the management of surface water drainage, and Policy NRM4 of the South East Plan May 2009.

23 The two wc windows in the south east elevation, at first and second floors, since marked 'Z' on the plans hereby approved, shall 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

**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

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|---|---|
| CS3 | (Rest and Nursing Homes) |
| D1 | (High Quality Design) |
| IMP1 | (Financial Contributions) |
| L7 | (New Landscape Works) |
| T10 | (Contributions to Off Site Highway Improvements) |
| T6 | (Public Transport, Cycling and Walking New Development) |
| T9 | (Provision of Vehicle Parking and Turning Facilities) |
| US4 | (Sewers) |

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 appropriateness of the design, the effect on the streetscene, the effect on residential amenity, the effect on the neighbouring properties, parking provision and financial contributions. 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.

Mrs J A Batchelor
Head of Development & Technical Services

26 March 2010

Our Ref: 09/57881/018