



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

To:
Mr M Singleton
14 Brightside
Waterlooville
PO7 7BA

COUNCIL

For: Mr D Lucas

13 AUG 2018

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**The Town and Country Planning (Development Management Procedure) (England) Order
2015
Refusal of Planning Permission**

Application Number: APP/18/00535

Site Address: The Railway Inn 95 North Street, Emsworth, PO10 7PQ

Proposal: Application to remove Condition 5 of Planning Permission APP/16/01311 and variation of Condition 6 of Planning Permission APP/16/01311 relating to alterations on the south elevation comprising removal of access door onto flat roof area and insertion of 2No. AOV obscurely glazed windows.

Further to your application received on 24 May 2018, which was valid from 06 June 2018, Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reason for the Council's decision to refuse planning permission is:

- 1 The use of the flat roofed area at first floor adjacent to the shared boundary with 93 and 93A North Street, as amenity space would result in unacceptable over looking and loss of privacy to neighbouring residents. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework 2012.

Other Important Information:

- (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 6571.
- (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

Our Ref: APP/18/00535

- (3) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions 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, and advised that the removal of this condition would not be considered by the Local Planning Authority.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

24 July 2018



**Application for removal or variation of a condition following grant of planning permission.
Town and Country Planning Act 1990.
Planning (Listed Buildings and Conservation Areas) Act 1990**

Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to the Local Planning Authority in accordance with the legislation detailed on this form.

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to the Local Planning Authority in agreement with the declaration section.

On receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Local Planning Authority details:



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Hampshire PO9 2AX
T 023 9244 6015
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Publication of applications on planning authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.

Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require further clarification, please contact the Local Planning Authority directly.

Printed, please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes and help text as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR	First name:	DAVID
Last name:	LUCAS		
Company (optional):			
Unit:		House number:	95
		House suffix:	
House name:	THE RAILWAY INN		
Address 1:	NORTH STREET		
Address 2:			
Address 3:			
Town:	EMSWORTH		
County:	HANTS		
Country:	ENGLAND		
Postcode:	PO10 7PA		

2. Agent Name and Address

Title:	MR	First name:	MARK
Last name:	SINGLETON		
Company (optional):			
Unit:		House number:	14
		House suffix:	
House name:			
Address 1:	BRIGHTSIDE		
Address 2:			
Address 3:			
Town:	WATERLOOVILLE		
County:	HANTS		
Country:	ENGLAND		
Postcode:	PO7 7BA		

Site Address Details

Please provide the full postal address of the application site.

t: House number: House suffix:

Use name:

Address 1:

Address 2:

Address 3:

Postcode:

County:

Postcode (optional):

Description of location or a grid reference.
Must be completed if postcode is not known:

Grid reference: Northing:

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

Reference:

Date (DD/MM/YYYY):

(must be pre-application submission)

Details of pre-application advice received?

ENQUIRY WITH REGARDS TO
CONDITION NOS 4/5 FOLLOW-
ING EXTERNAL CHANGES
REQUIRED TO COMPLY WITH
BUILDING REGULATIONS

Description Of Your Proposal

Please provide a description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below:

RAISE ROOF HEIGHT AND FORM INTO SELF CONTAINED
MANAGERS FLAT TO SECOND FLOOR ROOF AREA
WITH INTERNAL STAIRCASE FROM FIRST FLOOR

Reference number: Date of decision (DD/MM/YYYY): (date must be pre-application submission)

Please state the condition number(s) to which this application relates:

1.	No 4.	6.	
2.	No 5	7.	
3.		8.	
4.		9.	
5.		10.	

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Has the development already started?

☐ Yes ☒ No

Yes, please state when the development started (DD/MM/YYYY):

(date must be pre-application submission)

Has the development been completed?

☐ Yes ☒ No

Yes, please state when the development was completed (DD/MM/YYYY):

(date must be pre-application submission)

Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed: No 4.

TO ACHIEVE COMPLIANCE WITH PART B (BUILDING REGULATIONS) EXTERNAL DOOR
ORIGINALLY PROVIDED AT FIRST FLOOR LEVEL ONTO EXISTING FLAT ROOF NOT
REQUIRED. ADV (WINDOW) TO BE PROVIDED INSTEAD PLUS VELUX ROOF WINDOW
ADV ON SOUTH ROOF SLOPE AT TOP OF STAIRS. NO PEDESTRIAN ACCESS ONTO FLAT
ROOF AREA - REVISED DRAWINGS SHOW CHANGES REQUESTED.

you wish the existing condition to be changed, please state how you wish the condition to be varied:

NO 5 - WITH ALTERATIONS AS DESCRIBED ABOVE TO VARY CONDITION NO 4. FLAT ROOF
AREA REMAINS AS EXISTING AND HAS NO CONNECTION WITH THE PROPOSAL.
NEW FLAT HAS ITS OWN PRIVATE OPEN SPACE. THIS CONDITION IS THEREFORE
IRRELEVANT AND SHOULD BE REMOVED AS IT HAS NO BEARING ON THE NEW
FLAT TO BE CREATED.

7. Ownership Certificates and Agricultural Land Declaration

One Certificate A, B, C, or D, must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

Signed - Applicant:

Ant:

Date (DD/MM/YYYY):

ON BEHALF OF
APPLICANT

05/06/2018

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

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7. Ownership Certificates and Agricultural Land Declaration (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners* and/or agricultural tenants** of the land or building, or of a part of it, but I have/ the applicant has been unable to do so.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

The steps taken were:

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

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8. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority (LPA) has been submitted.

The original and 3 copies* of a completed and dated application form:



The original and 3 copies* of the completed, dated Ownership Certificate (A, B, C or D – as applicable) and Article 14 Certificate (Agricultural Holdings):



The original and 3 copies* of other plans and drawings or information necessary to describe the subject of the application:



The correct fee:



*National legislation specifies that the applicant must provide the original plus three copies of the form and supporting documents (a total of four copies), unless the application is submitted electronically or, the LPA indicate that a smaller number of copies is required. LPAs may also accept supporting documents in electronic format by post (for example, on a CD, DVD or USB memory stick). You can check your LPA's website for information or contact their planning department to discuss these options.

9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them

Signed - Applicant:

Date (DD/MM/YYYY):

on BEHALF
OF APPLICANT

05/06/2018

(date cannot be pre-application)

10. Applicant Contact Details

Telephone numbers

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Email address (optional):

11. Agent Contact Details

Telephone numbers

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address (optional):

12. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☐ Yes

☒ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ Agent

☒ Applicant

☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

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Mr M Singleton
14 Brightside
Waterlooville
PO7 7BA

For: Mr D Lucas

**The Town and Country Planning (Development Management Procedure) (England) Order
2015**
Grant of Planning Permission

Application Number: APP/16/01311

Site Address: The Railway Inn, 95 North Street, Emsworth, PO10 7PQ

Proposal: Raise roof height and form 1No. self contained manager's flat to second floor
roof area with new internal stairwell from first floor

Further to your application received on 23 December 2016, which was valid from 11 January 2017, 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.

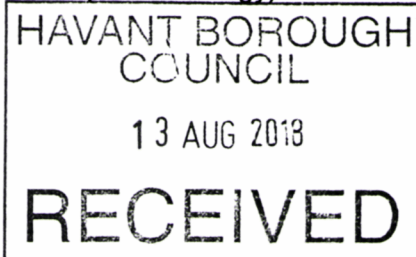
This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The accommodation hereby permitted shall be occupied solely for purposes incidental to the use of The Railway Inn and shall not be used as a separate unit of accommodation.
Reason: The unit of accommodation has insufficient amenity space and parking provision to be occupied separately from the host premises and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

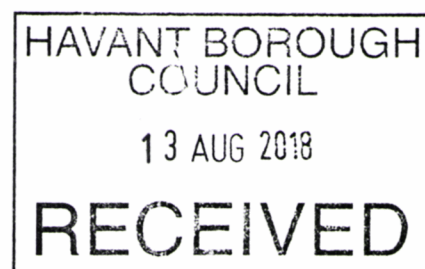
Our Ref: APP/16/01311



- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the rooflight window and first floor window in the newly created stairwell in the south elevation shall be fitted with non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.
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 and the National Planning Policy Framework.
- 5 The flat roof area at first floor level adjacent to the shared boundary with No. 93 and 93a North Street shall not be used for the purposes of a terrace or balcony at any time whatsoever, but shall only be used for infrequent and occasional maintenance purposes only.
Reason: To safeguard the amenities of the occupiers of the 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 the National Planning Policy Framework.
- 6 The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed plans and elevations - DN: 06/16 (02)
Site plan and block plan - DN: 06/16 (01)
Reason: - To ensure provision of a satisfactory development.

Other Important Information:

- (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 6571.
- (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 Plaza or by telephoning 023 9244 6015.



(1)

In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions 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,

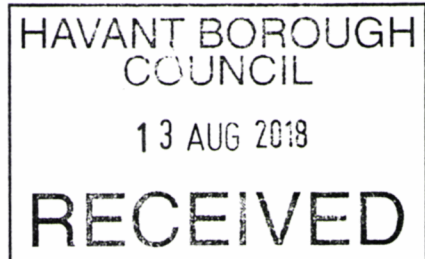
In this instance:

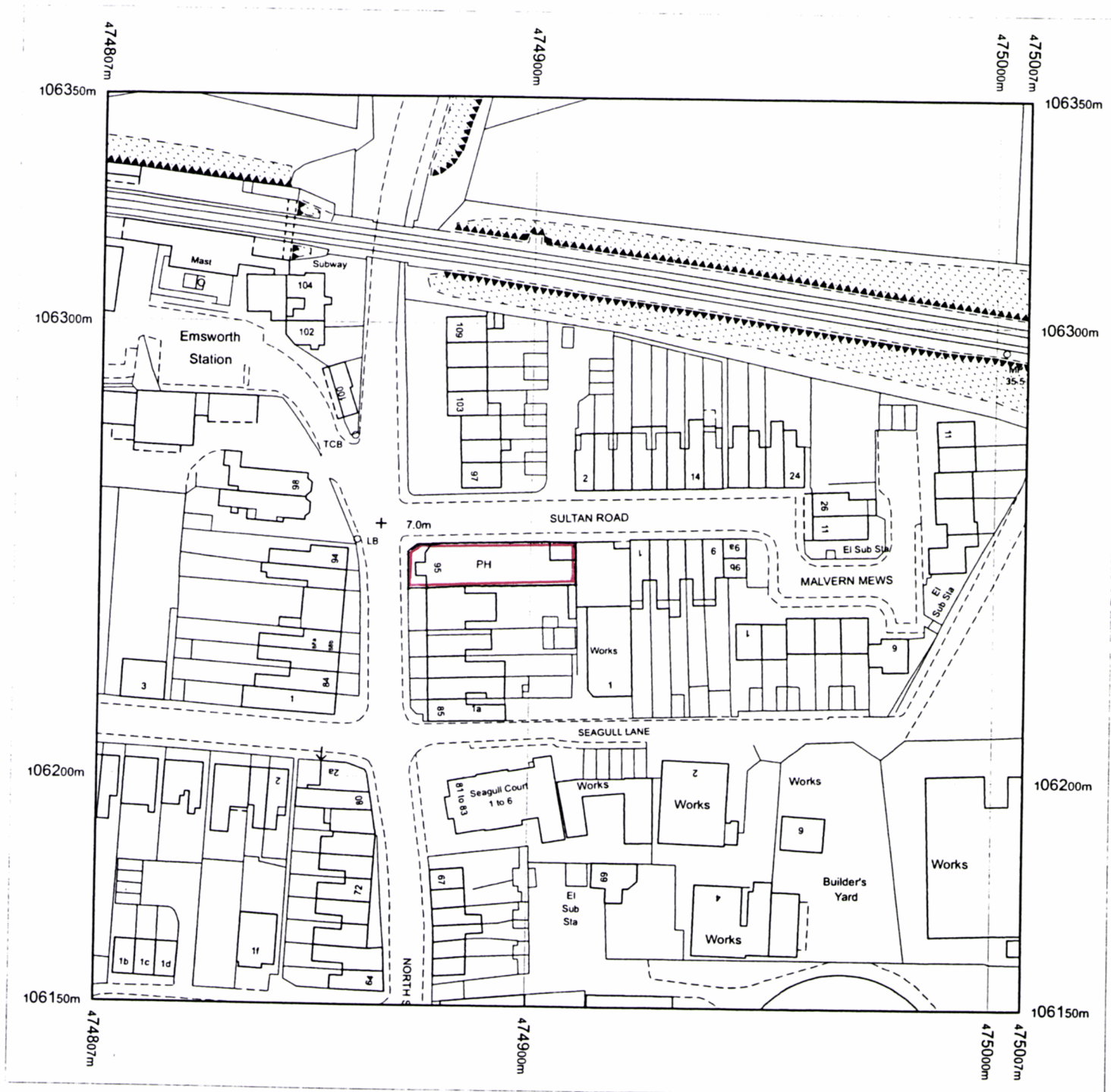
- You were updated about issues after the initial site visit

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

14 March 2017





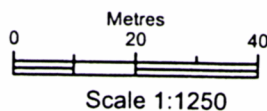
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The representation of features as lines is no evidence of a property boundary.



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Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site:
www.ordnancesurvey.co.uk

HAVANT BOROUGH COUNCIL

13 AUG 2013

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