

Mr Clive Davis
Clive Davis Architect
137 Harrowdene Gardens
Teddington
TW11 0DN

Case Officer: Jon Holmes
Direct Dial: 01730 234243
Our Ref: 58616/001
Your Ref:
Date: 21 January 2022
email: jon.holmes@easthants.gov.uk

Dear Mr Davis

Proposal: Erection of six (Use Class C3) new dwellings following demolition of existing buildings (as amended by plans received 23/11/21 and 13/12/21).

Site Address: Beech Hill Stores, Eddeys Lane, Headley Down, Bordon, GU35 8HU

I am pleased to enclose the Notice of the Council's formal decision in relation to the above application. **Before proceeding please read the following important information which affects this Notice.**

All the conditions of the Notice are legally binding, failure to comply may invalidate the permission and result in the Council taking action against you. Please check the Notice to see if there are any conditions which require discharge/approval before works commence. Some conditions may require further details or samples to be submitted for approval. If this is the case a **fee of £116 is payable with the request for discharge/approval**. If you are unclear about the procedures, the fee required or how to pay, then please contact our Customer Service Centre 01730 234246. The fee can be paid by cheque made payable to EHDC or phone 01730 234246, in either case please quote the **planning no: 58616/001, site address and "fee payment for discharge of planning conditions"**.

Before the development or change in the use is started **please complete the tear-off section below** and return to Planning Compliance who will then check the details of the consent, **no fee required**. Failure to do so could result in difficulties or delays when the property is sold. Please also note that once work has commenced on site, developers should apply for addresses to the East Hampshire District Council street naming and numbering department.

Yours sincerely



Simon Jenkins Director of Regeneration and Place

No fee required with the return of this slip. Please return to: 58616/001
Planning Compliance Name: _____
East Hampshire District Council Address: _____
Penns Place, Petersfield _____
Hants GU31 4EX Email/Tel No: _____
I anticipate that the works/use will begin on _____
Signed: _____ Date: _____

For: Cimbrone Developments 2 Ltd

c/o Clive Davis Architect
137 Harrowdene Gardens
Teddington
TW11 0DN

**TOWN & COUNTRY PLANNING ACT 1990 (as amended)
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTICE OF PERMISSION: 58616/001

Proposal: Erection of six (Use Class C3) new dwellings following demolition of existing buildings (as amended by plans received 23/11/21 and 13/12/21).
Site Address: Beech Hill Stores, Eddeys Lane, Headley Down, Bordon, GU35 8HU (Headley Parish)

The Planning Authority GRANTS Planning Permission in accordance with your application, plans and details submitted therewith, which was registered on 26 August, 2021, subject also to the following conditions:-

- 1 The development hereby permitted shall be begun **before the expiration of three years** from the date of this planning permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990
- 2 Other than works for the demolition and site clearance, no development shall commence on site until details of a scheme for foul and surface water drainage has been submitted to, and approved in writing by, the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding to prevent surface water from discharging onto the highway and should be based on site investigation and percolation tests. The development shall be carried out in accordance with the approved details before any part of the development is first occupied and shall be retained thereafter.
Reason - To ensure adequate provision for drainage.

- 3 Other than works for the demolition of existing buildings, no development shall commence on site until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority to demonstrate that the built development hereby permitted incorporates measures that provides at least 10% of energy demand from decentralised and renewable or low carbon energy sources.

Before any part of the development is first occupied a verification report and completion certificate shall be submitted in writing to the Local Planning Authority confirming that the built development hereby permitted has been constructed in accordance with the approved scheme.

The developer shall nominate a competent person for the purpose of assessing and providing the above required report and certificate to confirm that the completed works incorporate such measures as to provide these requirements. The measures shall thereafter be retained and maintained to the agreed specification for the lifetime of the development.

Reason - To ensure that the development incorporates necessary mitigation and adaptation measures with regard to climate change.

- 4 The development hereby permitted shall be constructed in accordance with the materials specified within the approved details, unless details of other suitable materials are otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

- 5 The development shall be carried out in accordance with the contamination Remediation Strategy (Ashdown Site Investigation Ltd Ref: R14996, 7 September 2021) unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite.

- 6 **Before any part of the development is first occupied or brought into use** (unless otherwise first agreed in writing by the Local Planning Authority) a

verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the Local Planning Authority. The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 7 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Bat Survey report (WYG, June 2020) unless otherwise agreed in writing by the Local Planning Authority. Bat mitigation, compensation and enhancement features shall be installed as per the ecologists' instructions and retained in perpetuity in a condition suited to their intended function.

Reason - To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy CP21 of the East Hampshire District Local Plan: Joint Core Strategy.

- 8 Notwithstanding any indication shown on the approved plans, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) prior to the first occupation of Plot 1 hereby approved the first-floor window in the east (side) elevation of the building shall be permanently;
- (i) glazed with obscure glass with a glass panel which has been rendered obscure as part of its manufacturing process to Pilkington glass classification 5 (or equivalent of glass supplied by an alternative manufacturer), and
 - (ii) non-opening.

Reason - To protect the privacy of the occupants of the adjoining residential property/ies.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order) no windows or doors shall at any time be inserted in the first-floor east elevation of Plot 1 hereby permitted without the prior written consent of the Local Planning Authority.

Reason - To protect the privacy of the occupants of the adjoining residential property.

- 10 The development hereby permitted shall not be brought into use until the areas

shown on the approved plan for the parking of vehicles shall have been made available, surfaced and marked out. The parking areas shall then be permanently retained and reserved for that purpose at all times.

Reason - To make provision for off street parking for the purpose of highway safety.

- 11 No part of the development hereby approved shall be occupied until details for the on site provision of [bin & cycle] storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the [bin & cycle] storage has been constructed in accordance with the approved details and thereafter retained and kept available.

Reason - To ensure the adequate provision of on site facilities.

- 12 The development hereby approved shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the **first planting season after practical completion or first occupation of the development**, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority.

Any trees or plants which, within **a period of 5 years** after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless a suitable alternative species are otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

- 13 Any planting or fencing within the plots fronting the footways should be limited to a height of 0.6 metre for the first 1 metre to ensure visibility to and from approaching pedestrians.

Reason - In the interests of highway safety.

- 14 No development shall start on site, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction phases of the development. The Statement shall include the following details for the operation of the site during both the demolition and construction phases:
- A programme of and phasing of demolition and construction work;
 - The vehicle parking arrangements for site operatives and visitors;
 - The arrangements and timings for deliveries;
 - Access and egress for plant and machinery;
 - Details of wheel washing facilities and their use;
 - Measures to control the emission of dust and dirt;
 - Protection of pedestrian routes within and adjoining the site;
 - Location of temporary site buildings, compounds, construction material, spoil heaps and plant storage areas;
 - Provision for the storage and collection of waste from the development; and
 - Measures to control the emission of noise and vibration.

Reason - In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality.

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

Application form
CIL form 1
Bat survey report
Ecological appraisal
Habitats regulations assessment
Planning, design & access statement
Transport statement
Location plan
Block plan
Existing site plan
Existing houses plans & elevations
Existing shop, flat & store floor plans
Existing shop, flat & store elevations
Topographical survey
TP12 - Rev A - Proposed site plan
TP16 - Existing & proposed street scenes
TP13 - House type A2
TP15 - House type B

Reason - To ensure provision of a satisfactory development

Any variation or departure from the approved plans will require the prior approval of the Planning Authority before works commence.

A handwritten signature in blue ink, appearing to read 'S Jenkins', with a horizontal line underneath.

Simon Jenkins
Director of Regeneration and Place
Date: 21 January 2022

Supplementary Information

These are advice notes to the applicant and are not part of the planning conditions.

- 1 The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended)

In accordance with CIL Regulation 65, East Hampshire District Council will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which planning permission first permits development. Further details on the Council's CIL process can be found on the East Hampshire District Council website:

<http://www.eashtants.gov.uk/sites/default/files/documents/Planning%20Contributions%20and%20CIL%20Supplementary%20Planning%20Document%20-%20April%202016.pdf>

- 2 All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to **Environmental Health**. An investigation and risk assessment should then be undertaken by competent persons and in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings, to include a remediation statement, should then be forwarded to the Local Planning Authority for appraisal. Following completion of remedial measures a verification report should be prepared that demonstrates the effectiveness of the remediation carried out. It is recommended that no part of the development be occupied until all remedial and validation works are complete and a Completion Certificate has been issued. This would ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 3 In accordance with paragraphs 38 and 39 of the NPPF East Hampshire District Council (EHDC) 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,
- updating applicant/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- In this instance the applicant was updated of any issues after the consultation period and amended plans sought.

The applicant is advised that there may be a need to comply with the requirements of the Party Wall etc Act 1996 before starting works on site. The Act relates to work which involves:

- work on an existing wall shared with another property
- building on the boundary with a neighbouring property
- work involving excavating near a boundary

The Party Wall etc Act is not enforced or administered by the Council but you should understand

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your obligations to notify adjoining owners and be aware of the circumstances under which a dispute can arise. For further information on the Party Wall Act 1996 there is an explanatory booklet available at the Planning Portal: www.planningportal.gov.uk

The following Planning Policies were considered when making the above decision:-

East Hampshire District Local Plan: Joint Core Strategy

CP1 - Presumption in favour of sustainable development
CP2 - Spatial Strategy
CP10 - Spatial strategy for housing
CP20 - Landscape
CP21 - Biodiversity
CP22 - Internationally designated sites
CP24 - Sustainable construction
CP25 - Flood Risk
CP27 - Pollution
CP29 - Design
CP31 - Transport
CP32 - Infrastructure

East Hampshire District Local Plan: Second Review (2006)

S5 - Local and Village Shops
H3 - Residential Development within Settlement Policy Boundaries

Building Regulations

This decision is not an approval under the Building Regulations. It is your responsibility to make any necessary applications. If in doubt, you are advised to contact the Council's Building Control Section building.control@easthants.gov.uk

NOTIFICATION

Planning permission/refusals

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

1. If you want to appeal – For householder development and minor commercial you must appeal within 12 weeks of the date of this notice, for all other development you must appeal within six months of the date of this notice. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: **0303 444 5000**. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal.
2. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
3. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decisions on directions given by the Secretary of State.
4. As from 6 April 2010 if an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.
5. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>
6. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Purchase Notice

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted.

7. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

8. The applicant is recommended to retain this form with the title deed of the property.

Notes Specific to any Grant of Planning Permission

Any grant of permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act 1990 otherwise than under Sections 69-76 or which may be required under any other Acts including any Bylaws, Orders or Regulations made under such other Acts.

9. Applicants are reminded that any grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:- a) in the case of a footpath or bridleway, for an Authority under Section 257 of the Town and Country Planning Act 1990; b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990.

10. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade.

11. If this permission relates to buildings or premises to which the public are to be admitted or to offices, shops and railways premises or factories then your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970, Disabled Persons Act 1981, Building Regulations Part M and the Disability Discriminations Act 1995.

IMPORTANT - Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provision of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken. If you want to depart in any way from approved development, you must seek the agreement of the Council before carrying out any work.