Development Control
Application No F/13/73827
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03 March 2014

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2010

Application No. F/13/73827

In pursuance of their powers under the above Act and in accordance with your application received on 8 January 2014, with subsequent amendments dated

18/02/2014

the Council, as Local Planning Authority hereby PERMIT the following :

Description: Construction of 1no. 2 bed dwelling to the rear of 79 Stoke Park Road with associated parking, bin/cycle storage and amenity space and access off Rogers Road.
Site: Rear Of, 79 Stoke Park Road, Bishopstoke, Eastleigh, SO50 6BW

Subject to due compliance with the following conditions:
(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 1711/11 01, 1711/11 02A. Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) No development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(4) No development shall start until a Code for Sustainable Homes level 4 interim stage certificate and sustainability report demonstrating how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' are to be met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'

(5) The development shall not be occupied unless agreed in writing by the Local Planning Authority until a Code for Sustainable Homes level 4 final stage certificate and sustainability report highlighting how all of the essential requirements of the Eastleigh Borough Council adopted Supplementary Planning Document 'Environmentally Sustainable Development' have been met have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development meets the requirements of the adopted Supplementary Planning Document 'Environmentally Sustainable Development'.

(6) No development shall take place until the applicant has carried out an adequate assessment of the risks, to or arising from, the proposed development, and a report of this assessment, including recommendations for protection of the development, has been received and approved in writing by the LPA. [British Standard BS10175:2011 'Investigation of potentially contaminated sites – Code of Practice' is a useful source of advice on site investigation] Any recommendations for protection of the development, the remediation scheme, must be supervised by a competent person and a completion certificate provided by that person to the LPA to certify that the works have been implemented in accordance with that scheme. Reason: To minimise the risk from land contamination for the safety of the property's owners.

(7) Developments shall not begin until a scheme of works to deal with dust from the site has been submitted to and approved in writing by the local Planning Authority. The agreed scheme shall then be implemented and retained to the satisfaction of the local Planning Authority. Reason: To protect the amenity of the occupiers of nearby dwellings.

(8) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process. Reason: To protect the amenities of the occupiers of nearby properties.

(9) No construction or demolition work must take place except between the hours of 08:00 to 18:00 Mondays to Fridays or 08:00 to 13:00 on Saturdays and not at all on Sundays or Bank Holidays. Reason: To protect the amenities of the occupiers of nearby dwellings.

(10) Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 1995 [or any order revoking and re-enacting that Order with or without modification], no development permitted by Classes A, B, C, D, E, and F of Part 1 of Schedule 2 of the order shall be carried out without the prior written consent of The Local Planning Authority. Reason: To protect the amenities of the locality and to maintain a good quality environment.

(11) No additional or altered window[s] shall be constructed in the rear elevation of the development hereby approved. Reason: To protect the amenity and privacy of the adjoining residential properties.

(12) No development shall start until details for the sustainable disposal of surface water from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details. Reason: To ensure satisfactory provision of foul and surface water drainage.

(13) The development hereby permitted shall not be occupied until the parking area has been provided in accordance with the approved plans and thereafter permanently retained and used only for the purpose of accommodating private motor vehicles incidental to the enjoyment of the dwelling house as a residence. Reason: To make provision for off street parking for the purpose of highway safety.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review [2001-2011], and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Revised Pre-Submission Eastleigh Borough Local Plan [2011-2029] the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review 2001-2011, saved Policies [28.ES, 34.ES, 37.ES, 59.BE, 72.H, 101.T, 146.OS191
IN].

Revised Pre-Submission Eastleigh Borough Local Plan 2011-2029 Policies [DM1, DM2, DM23, DM24, DM25, DM29, DM32, DM35].

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Under the Town and Country Planning [England] Regulations 2012, a fee is now required for Discharge of Condition Applications. N.B. Conditions not fully discharged, invalidate the planning permission.

Note to Applicant: The applicant should be advised that in advance of the commencement of development condition 6 requires that the assessment be completed and approved. Condition 6 has been imposed as the application site is located on a former brickworks. The applicant should be aware that as a result of the assessment, amendments to the design of building structures may be required, further that adequate provision of time needs to be made so the assessment can be completed before works commence on site.

The applicant should also be advised to contact Environmental Health to discuss the options open to them in order to comply with the above condition.

Further information and advice about developing ‘Brownfield land’ can be found on the Council’s website. The relevant web-page is entitled ‘Development of Brownfield Land’.

Note to Applicant: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit must be obtained from Hampshire Highways, HCC call centre number 0845 6035633.



C L Thomas
Head of Development Control

N.B. See Enclosed Notes (PER)