

TOWN AND COUNTRY PLANNING ACTS



Portsmouth
CITY COUNCIL

Reference No: 11/01316/FUL

RECEIVED - 2 APR 2012

Willmore Iles Architects
FAO Mr Julian Owen
267 Hotwell Road
Hotwells
Bristol
BS8 4SF

On behalf of: SAP No 1 Ltd And SAP No 2 Ltd

LOCATION:

155 Elm Grove Southsea PO5 1LJ

DESCRIPTION OF DEVELOPMENT:

Conversion of existing library (Class D2) and offices (Class B1) to form halls of residence within Class C1 (comprising 19 study bedrooms arranged as five cluster flats) and construction of cycle and bin stores with associated landscaping

In pursuance of powers under the above mentioned Acts the City Council, as Local Planning Authority, **GRANT PLANNING PERMISSION** for the development indicated above in accordance with the application, drawing no's 333-PL-SITE-1000; 333-PL-SITE-1002; 333-PL-GA-101; 333-PL-GA-102; 333-PL-GA-103; 333-PL-GA-104; 333-PL-GA-105; 333-PL-GA-106; and other particulars valid on 3 January 2012 **and subject also to compliance with the following conditions:-**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: 333-PL-SITE-1000, 333-PL-SITE-1002 Rev.A, 333-PL-GA-101 Rev.A, 333-PL-GA-102 Rev.A, 333-PL-GA-103, 333-PL-GA-104 Rev.A, 333-PL-GA-105 Rev.A and 333-PL-GA-106 Rev.A.
- 3) No development shall take place on site until a scheme for insulating the building against external noise (including if required the provision of a forced ventilation system) has been submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation scheme shall be carried out before first occupation of the development and shall thereafter be retained.

THIS IS AN IMPORTANT LEGAL DOCUMENT - READ ATTACHED NOTES CAREFULLY

4) Prior to the first occupation of the residential accommodation hereby permitted bicycle storage facilities shall be provided in accordance with a detailed scheme to be submitted to and approved by the local planning authority in writing, and those facilities shall thereafter be retained for the continued use by the occupants of the flats for that storage at all times.

5) Prior to the first occupation of the residential accommodation hereby permitted, refuse and recyclable materials storage facilities shall be provided in accordance with a detailed scheme to be submitted to and approved by the Local Planning Authority in writing, and those facilities shall thereafter be retained for the continued use by the occupants for that purpose at all times.

The reasons for the conditions are:-

- 1) To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) To ensure the development is implemented in accordance with the permission granted.
- 3) To ensure that acceptable noise levels within the halls of residence are not exceeded in the interests of residential amenity in accordance with policy PCS23 of the Portsmouth Plan.
- 4) To ensure that adequate provision is made for cyclists using the premises in accordance with policies PCS17 and PCS23 of the Portsmouth Plan.
- 5) To ensure that adequate provision is made for the storage of refuse and recyclable materials in accordance with policy PCS23 of the Portsmouth Plan.

The reason for the Local Planning Authority's decision is:-

In the opinion of the Local Planning Authority, the principle of the conversion of the building for a specialist form of residential accommodation within the District Centre is appropriate and acceptable. Furthermore the alterations to the building will contribute positively to the local townscape and the proposed use will not significantly impact upon the amenities of neighbouring occupiers in terms of noise, disturbance or loss of privacy. The proposal is therefore in accordance with policies PCS8, PCS15, PCS16, PCS17 and PCS23 of the Portsmouth Plan.

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pes.
- You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.*
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- 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 reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- 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.

This Decision Notice relates to permission under Part III of the Town and Country Planning Acts only

IT DOES NOT CONSTITUTE AN APPROVAL UNDER THE BUILDING REGULATIONS

You should also be advised that you may have obligations under the Party Wall Act 1996

THE APPLICANT IS RECOMMENDED TO KEEP THIS DOCUMENT WITH THE TITLE DEEDS OF THE PROPERTY

INFORMATIVES

This permission should be read in conjunction with the legal agreement dated 30 March 2012.

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C. Upton-Brown
Head of Planning Services *amb*
30 March 2012

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