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BOROUGH COUNCIL

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24 April 2018

**Town and Country Planning (Development Management Procedure) (England) Order 2015
Discharge of Conditions Application**

Application Number: APP/13/00317

Site Address: Yacht Haven Development Site, Copse Lane, Hayling Island

Description: Construction of 6No. 5 bed detached houses, 1No. detached boat store and ancillary office building, 1No. detached boat store for sailing charity use with hardstanding, pontoon restricted to 12 berths (6 for house residents and 6 for non residents), improvements to slipway, beach, reposition concrete sea defence to side of slipway, coastal footpath and the creation of one area of coastal meadow and one area of conservation grassland. (Revised application.) (Approved 24.11.15). Request to Discharge Condition No.s 8 Appendix 6.1; No.9 Appendix 4.1 & 4.1a; No.20 Appendix 8.1, 8.2 and 8.3; No.25 Appendix 4.1, 4.2, 4.12, 4.13 and 4.1a; No.28 Appendix 10.1 and 3.2; No.29 Appendix 3.2; No.31 Appendix 7.1 (18.5.17). Request to Discharge Condition Nos 26 and 27 (25.8.17). Request to Discharge Conditions 7, 16-19, 26 and 27 (21.11.17).

This decision relates to your request to discharge conditions which was valid from 21/11/2017.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission APP/13/00317.

The conditions in respect of which information has been submitted are:

Condition 8:

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 by the Local Planning Authority.

Reason: To ensure the impact of the development in its surroundings is satisfactory and having due regard to policies CS11.4, CS16 and DM9 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework .

Details submitted:

Environmental Statement Appendix 6.1 Part 1,2 and 3

Condition 8 Additional Levels Information

Appendix 3.3

Drwg. 203 - External Works Details

Drwg. 201 P2 - External Works Details

Drwg. 202 P2 - External Works Details

Condition 16:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), produced by Cowan Consultancy, ref.no. EG/320573/EG and dated 02 January 2012 and the following mitigation measures detailed within the FRA:

1. Identification and provision of safe route(s) into and out of the site at a level no lower than 4.250m above Ordnance Datum (AOD), as specified on page 6 of the FRA. As a safe means of access the access road must achieve a level of at least 4.250m AOD.
2. Finished floor levels of the residential units are set no lower than 5.10 m above Ordnance Datum (AOD), as specified on page 5 of the FRA.

Reason: To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants, having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Appendix 6.1: parts 1, 2 and 3

Condition 26:

No development including site clearance shall commence on the site until all trees / shrubs and / or other natural features, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing along a line to be agreed in writing with the Local Planning Authority. Such fencing shall conform to the following specification in accordance with BS5837 2005.

Minimum 2.4 metres high, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting a minimum of 20mm exterior grade ply.

Such fencing shall be maintained throughout the course of the works on the site, during which period no access, placement of materials, fuels or chemicals, soil or other materials shall take place inside the fenced off area.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Plan ECO2 - Tree Protection Measures
Arboricultural Method Statement

Condition 27:

The soil levels within the root spread of trees / hedgerows to be retained shall not be raised or lowered. If the requirement of condition 16 above to have the access road at least 4.250m above AOD should result in a disturbance or change to the level beneath the adjacent trees, then the resultant level difference and method of soil movement shall first be submitted to and agreed with the Arboricultural officer.

Reason: To avoid damage to health of existing trees and hedgerows and having due regard to policies CS11.4 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Details submitted:

Plan ECO2 - Tree Protection Measures
Arboricultural Method Statement

Condition 31:

The development shall be carried out in accordance with:-

Best practice for operating machinery to reduce unnecessary noise;

No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the northern site boundary) to be undertaken during the bird over wintering period - October to March inclusive-, unless the existing noise level measured from the sensitive receptor already exceeds 69dbAmax; in which case, no such works shall be undertaken during the specified period if the resulting noise level would exceed the existing noise level measured from the southern site boundary.

Reason To minimise disturbance to over wintering and nesting birds, and having due regard to policy DM9 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework, The Planning Policy Framework, March 2012 and advice from Natural England.

Details submitted:

Appendix 7.1

Reasons for approval

The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

- (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) 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 Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning
Date: 24 April 2018