

Mr Mitchell  
HBC  
Public Service Plaza  
Civic Centre Road  
PO9 2AX

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**THE TOWN AND COUNTRY PLANNING ACT 1990**  
**THE TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992**  
**Grant of Planning Permission**

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**Application Number:** APP/22/00296

**Site Address:** Mengham Park, Rails Lane, Hayling Island, PO11 9LF

**Proposal:** Installation of bunds, swales and boulders around the perimeter of Mengham Park.

Further to your application received on 28 March 2022, which was valid from 27 April 2022 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan Drawing No. 2022-01-HBC Rev 03  
Amended Site Plan Drawing No. 2022-01-HBC Rev 03  
Pre-Development Arboricultural Survey and Arboricultural Assessment of Impact Report No. MB2120117-01 February 2022  
Flood Risk Assessment May 2022 V1.1  
Access and Compound Location Plan Drawing No. 2022-01-HBC Rev 03

**Reason:** To ensure provision of a satisfactory development.

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- 3 The development shall take place in accordance with the Access and Compound Location Plan unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 All tree works and works within Root Protection Areas shall be carried out in accordance with BS3998:2010 Tree Work recommendations and supervised by a suitably qualified and experienced Arboriculturalist.

**Reason:** To ensure that the trees are suitably protected in accordance with policies CS11 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

#### **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](http://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.
- (4) In accordance with paragraphs 38-50 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.

- (5) The applicant is advised of the consultation response from Southern Water dated 24th May 2022 which can be viewed on the Council's website via the following address and sets out requirements in relation to sewer protection and the potential need for consent from Southern Water:

[https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_253168](https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_253168)

*Simon Rowberry*

Simon Rowberry  
Head of Planning and Building Control (Interim)

17 June 2022

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL  
PLANNING AUTHORITY REFUSE PLANNING PERMISSION  
OR GRANT IT SUBJECT TO CONDITIONS**

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

**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 this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and 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 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 which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

# **IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS**

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

**023 9244 6571**