Havant BOROUGH COUNCIL

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Canford Cliffs Architects
28 Haven Road
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For: Marina Developments Ltd

The Town and Country Planning (Development Management Procedure) (England) Order 2015
Grant of Planning Permission

Application Number: APP/21/01358
Site Address: Teal Buildings, Northney Marina, Hayling Island, PO11 0NH
Proposal: Temporary variation of condition 22 of Planning Permission 97/51153/025 to extend the period of varied use as most recently amended by Temporary Planning Permission reference APP/17/01218 for a further 3 year period.

Further to your application received on 26 November 2021 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 Except with the prior written approval of the Local Planning Authority to the contrary and notwithstanding the provisions of any Town and Country Planning General Permitted Development or Use Classes Order, the subject building (i.e. the building specified in Condition 22 of Planning Permission 97/51153/025), shall be used in the period up to 1st April 2025 only for the warehousing and distribution of marine equipment and/or the construction, repair and servicing of boats and components of boats and for purposes wholly ancillary thereto. It shall not be used for any other purpose during that same period.

Reason: To safeguard against unjustified and inappropriate non-maritime related commercial usage of the building, to the detriment of the surrounding environmentally sensitive rural and coastal area, and having due regard to Policies CS2 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

2 Except with the prior written approval of the Local Planning Authority to the contrary and notwithstanding the provisions of any Town and Country Planning General Permitted Development or Use Classes Order, the subject building shall be used in the period following 1 April 2025 only for the construction, repair and servicing of boats and for purposes wholly ancillary thereto.

Reason: To enhance the potential for long term usage of the building for the purpose for which it was originally erected, and thereby to safeguard against unjustified and inappropriate additional building development for that same purpose in the visually and environmentally sensitive rural and coastal locality, and having due regard to Policies CS2 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

3 The subject building shall not be used at any time for undertaking retail sales of marine equipment or any other goods without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety and having due regard to Policies CS2 and CS12 Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site and Location Plan Drawing No. 30
Planning Statement Received Ref: RW/PE/2111-184 November 2021

Reason: To ensure provision of a satisfactory development.

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.

(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 Development Control 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:

- Your application was acceptable as submitted and no further assistance was required.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

11 March 2022

TOWN AND COUNTRY PLANNING ACT 1990

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) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Our Ref: APP/21/01358

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

Our Ref: APP/21/01358