

From: Steve Lawrence
Sent: 5 May 2016 22:16:42 +0100
To: Simon Kennedy;Steve Weaver;April Shilstone
Cc: HRFC Secretary;Martin Miller;gordon
Subject: Re: Hooks Lane Ground Clubhouse - APP/15/00832

Ok Simon/Steve, so the wording of condition 4 states -

*"The use of the children's day nursery shall not commence until details of the means of enclosure for the open space area for the nursery, together with **a specification for the construction of all diverted footpaths**, have been submitted to and approved in writing by the Local Planning Authority. **The approved means of enclosure and the footpath that is to be diverted to provide for the provision of the open space for the nursery shall be implemented prior to the commencement of the use of that open space.***

Reason: In the interests of the amenities of the area and to provide satisfactory footpath links and having due regard to policies CS16 and DM11 of the Havant Borough Local Plan (Core Strategy) 2011."

A number of observations on the enboldened text above.

(a) ***all diverted footpaths:***

This clearly means more than one footpath, but we are now agreed that because the Club does not need to divert the west one, no details are necessary for the west one.

The approved plans showed how the north footpath was to be diverted, so all this then leaves is a ***a specification for the construction of*** this.

I offer you the following specification. That the element of turf between the footpath and the 1st XV pitch that is affected, will be taken up, the litter bin in that area removed/disposed of, the ground level reduced by 20cm, a layer of sand laid, then a layer of limestone scalpings put on top of that and a final top layer of 5cm of tarmac then laid on top and rolled with a heavy roller till level with the surrounding areas of existing footpath.

Clearly there is also the footpath diversion procedure to be followed and I'm still waiting to hear from April in Legal Services to that end. By copying this email to April, I ask her to expedite that matter and offer a clear timescale for its administration.

(b) ***The approved means of enclosure and the footpath that is to be diverted to provide for the provision of the open space***

This clearly does not relate to the north footpath, for the simple reason that use of the side area does not rely upon diverting the north footpath. So at the very least, the condition is poorly worded and ambiguous

The club certainly commits to not allowing that side area to be first used by the nursery until the means of enclosure to that area have been approved.

I trust that additional information will enable you to now discharge condition 4 to APP/00832/FUL.

With regard to condition 3, the Club will be contacting Sport England to discuss this matter with them and would ask that you hold determination of the whole application in abeyance until we are able to furnish you with additional information.

Simon, you have mentioned that Sport England's comments on the details submitted for Condition 3 to APP/15/00832 are on the council's website, but I have been unable to find them. In fact, I have yet to have any confirmation from the council that the Club's discharge of conditions application (lodged 5.4.2016) has been received/made valid and the reference number assigned to it. Please advise why this is so?

It would be helpful if you could supply a pdf copy of the SE comments by reply, or at the very least the email contact details of the person who wrote the letter and the date of the letter.

Kind regards

Steve Lawrence BSc (Hons.) Dip TP Dip UD MRTPI
Director
ACHIEVE - Town Planning and Urban Design Ltd
077 0973 0681

On 4 May 2016 at 14:06, Simon Kennedy <Simon.Kennedy@havant.gov.uk> wrote:

Dear Steve

Thank you for your email, I have left a voicemail on your mobile covering some of the points raised.

To clarify the position, it is not the footpath on the West boundary of the clubhouse that I require information on, I accept that as the footpath no longer needs to be diverted then no further information is required, however Steve

Weaver has informed me that the footpath to the North boundary of the clubhouse is also being diverted and should be considered in respect of this application to discharge condition 4.

In regards to condition 3 I have consulted Sport England with reference to your application to discharge the condition, at this time they feel that the information that you have submitted is not sufficient for them to approve discharge. The consultation response is available on the web and I attach a copy for ease of reference.

Please could you submit further details to allow me to discharge both conditions. Sport England has a 21 day consultation period so in order to approve that condition by the statutory date of 09th June 2016 a quick response would be appreciated.

Yours sincerely.

Simon Kennedy

Planning Officer (Conditions Discharge & Compliance)

Planning Services

Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant
PO9 2AX

DD: 02392 446138

Email: simon.kennedy@havant.gov.uk

From: Steve Lawrence [mailto:achieve.planning@gmail.com]

Sent: 03 May 2016 15:40

To: Simon Kennedy; HRF Secretary

Cc: Steve Weaver; Martin Miller; gordon

Subject: Re: Hooks Lane Ground Clubhouse - APP/15/00832

Dear Simon,

Conditions 3 & 4 - APP/15/00832

Sorry for the delay in coming back to you. Sorry for the mix up on the application form, I am supposed to be the agent and am instructed by the Club to act on their behalf. By copying to Alan Newton, perhaps he could send you a small confirmatory email to that effect.

I note what you are saying, but was hoping that a little common sense and pragmatism could be applied here, from a council wanting to promote sport and pre-school education as part of its corporate objectives.

The supporting letter to the application explains why it is not necessary to divert the footway.

Perhaps in issuing a Notice the council could approve the details submitted and attach an informative that should circumstances change and it becomes necessary to move the footpath, the Club would then need to submit details at that time.

It would seem excessive that the Club would be required to submit a formal application to vary the wording of the stated planning condition. Could you please discuss with Steve Weaver and let me know how the council wishes to proceed.

Yours sincerely

Steve Lawrence BSc (Hons.) Dip TP Dip UD MRTPI

Director

ACHIEVE - Town Planning and Urban Design Ltd

077 0973 0681

On 21 April 2016 at 11:53, Simon Kennedy <Simon.Kennedy@havant.gov.uk> wrote:

Mr Lawrence.

I am the planning officer responsible for the discharge of conditions at Havant Borough Council, I have recently received an application to discharge conditions 3 and 4 in relation to APP/15/00832, although you are not listed as agent on the conditions application I am aware that you have recently emailed Steve Weaver in regards to a footpath diversion for the footpath running along the north of the clubhouse and as this enquiry relates to footpaths felt that you may be best placed to respond.

You state in your covering letter supporting the application to discharge condition 4 that as the footpath on the west flank of the building is no longer being altered then no details relating to specification for the construction of footpaths is needed. However the wording of condition 4 states that a specification for ALL of the diverted/constructed footpaths is required. Would it be possible to have this information submitted in order for me to be able to fully assess all elements of condition 4?

If you are not acting as agent for the discharge of conditions then please let me know and I will contact the applicant directly.

Kind regards

Simon Kennedy

Planning Officer (Conditions Discharge & Compliance)

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