



Havant
BOROUGH COUNCIL

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Mr Murray
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For: Mr Simmons
Solent Marine

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

Application Number: APP/15/00881

Site Address: Howards Car Spares, Mill Rythe Lane, Hayling Island, PO11 0QQ

Proposal: Variation of Condition No/s 2 and 6 of Planning Permission APP/14/00455
(Change of use to mixed B1, B2 and B8 from existing Sui Generis use as scrapyard/metal recycling yard) relating to use of a crane and use of the exterior yard; and discharge of conditions 7a and 7b.

Further to your application received on 07 August 2015 (which was valid from 07 August 2015) 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 hereby permitted shall be begun before the expiration of 3 years from 20 August, 2014, the date on which planning permission APP/14/00455 was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 At no time, except when a crane is in use, shall the height above ground level of any vehicle, plant, equipment, goods or items stored on the site exceed the height of the boundary fencing. When the crane is not in use it shall be stored so it does not exceed the height of the boundary fencing.
Reason: In the interests of the visual character of the area and having due regard to policies CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The lighting fitments hereby approved shall not be displayed at a height exceeding 3m and shall be installed such as to achieve full horizontal cut off, and shall be retained in that condition at all times.
Reason: In the interests of the visual character of the area and having due regard to policies CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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- 4 Between the hours of 20.00 and 06.00 hours the lighting within the yard shall be subject to movement sensors and no lighting fittings shall be continuously lit.
Reason: In the interests of the visual character of the area and having due regard to policy CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The premises shall be used only for purposes falling wholly within the scope of Use Classes B1(c) and/or B2 and/or B8 and for no other purpose whatsoever including any other purpose in Class B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.
Reason: To provide uses that are appropriate to the locality and the nature of the site and in the interests of the level of traffic generated by the development and having due regard to Policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 The manufacture, assembly, alteration or repair of any article outside the building shall only take place in the area edged green on plan A110 dated 23.6.13 and between the hours of 0800 to 2000 Monday to Saturday and 0800 to 1400 on Sundays.
Reason: In the interests of the amenity of the area and having due regard to policies CS12, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.
- 7 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 8 Noise resulting from the use of any plant, machinery or equipment used outside a building, shall not exceed a level of No Observable Adverse Effect Level (NOAEL) when measured according to British Standard BS4142-2014, at the boundary of the nearest sensitive receptor.
Reason: In the interests of the amenity of the area and having due regard to policies CS12, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.
- 9 The development hereby permitted shall be carried out in accordance with the following approved plans and document:

Plans from APP/14/00455:

Planning Design and Access Statement
Flood Risk Assessment Tamllite Lighting Specification
Views A103 V4.2
Location Plans A101 V4.2
Elevations A106 V4.2

Plan from APP/15/00881:

Site Plan A110

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 186 and 187 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 sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

23 October 2015