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Our Ref: APP/13/00153
Direct Line: (023)9244 6549
Ask For: Mr D Eaves
Email: planning.development@havant.gov.uk
26 March 2013

**Town and Country Planning (Development Management Procedure) (England) Order
2010
Discharge of Conditions Application**

Application Number: APP/13/00153

Site Address: Land South of Scratchface Lane, adjacent to A3M and West of Brooklands Road and Hillmead Gardens, Havant

Proposal: Discharge of Condition 15,27,37, 40 and 42, of Planning Permission APP/12/0061.

This decision relates to your application received on 12 February 2013 which was valid from 12/02/2013, and in particular the plans and other documents submitted with your application.

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/12/00612.

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

15. No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent damage to existing trees and hedgerows on the site throughout implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All measures forming part of such approved specification shall be undertaken and fully adhered to at all times during which such implementation is in progress. Any such tree or hedgerow which is nevertheless seriously damaged during that implementation shall be replaced within 6 months of the occurrence of such damage by another of the same species in the same position and of not less than 1.6 metres height when planted.

Reason: *To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF.*

Details submitted:

Arboricultural Statement CBA Trees CBA7220 V3 (As amended by following revised plans)
Tree Survey Plan Sheet 1 of 2 Drawing Number: CBA 7220.08 B
Tree Survey Plan Sheet 2 of 2 Drawing Number: CBA 7220.08 B

27. 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 NPPF.

Details submitted:

Arboricultural Statement CBA Trees CBA7220 V3 (As amended by following revised plans)

Tree Survey Plan Sheet 1 of 2 Drawing Number: CBA 7220.08 B

Tree Survey Plan Sheet 2 of 2 Drawing Number: CBA 7220.08 B

37. Prior to commencement of the development hereby permitted, an updated reptile mitigation strategy shall be submitted for written approval to the local planning authority. In addition to those measures regarding trapping, translocation, monitoring and habitat enhancements already provided in the Phase 2 Ecology Report (PV Ecology, July 2012), this shall include (but not necessarily be limited to): setting out of the wildlife corridor; details of the establishment vegetation management and amended planting of the detention basins, receptor site and wildlife corridor; ongoing management of the detention basins, receptor site and wildlife corridor; and details of how these will integrate with public access requirements. Development shall subsequently proceed and be maintained in accordance with any such approved mitigation strategy.

Reason: To avoid impacts to reptiles in accordance with CS11 of the Havant Borough Local Plan (Core Strategy) and having due regard to the NPPF.

Details submitted:

Mitigation Statement and Habitat Creation Management Plan Rev 02 Azure Ecology February 2013

- As amended by email from Paul Whitby Azure Ecology dated 21st March 2013
- As further amended by email from Paul Whitby Azure Ecology dated 26th March 2013

40. Clearance of any vegetation shall only take place between August and early February (inclusive). If this is not possible then pre-clearance site checks shall be undertaken by a competent ecologist to ensure there are no occupied nests present. If necessary, the supervising ecologist shall maintain a watching brief during the vegetation clearance. Work shall cease in any areas where occupied nests are identified and an exclusion zone of 5 metres maintained around such nests, until such time as those nests become unoccupied of their own accord.

Reason: To avoid impacts to nesting birds and having due regard to policies CS11, and CS16 of the Havant Borough (Core Strategy) 2011 and the NPPF.

Details submitted:

Mitigation Statement and Habitat Creation Management Plan Rev 02 Azure Ecology February 2013

- As amended by email from Paul Whitby Azure Ecology dated 21st March 2013
- As further amended by email from Paul Whitby Azure Ecology dated 26th March 2013

42. No development including site clearance shall take place until a scheme in relation to the proposed reptile relocation area has been submitted to and approved in writing by the Local Planning Authority. These details shall include a schedule for provision, details of any public access to the land, ecological management and boundary treatment. The approved scheme shall thereafter be provided and maintained in accordance with the approved details.

Reason: *In the interests of the amenities of the locality and nature conservation and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF.*

Details submitted:

Mitigation Statement and Habitat Creation Management Plan Rev 02 Azure Ecology February 2013

- As amended by email from Paul Whitby Azure Ecology dated 21st March 2013
- As further amended by email from Paul Whitby Azure Ecology dated 26th March 2013

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.
- (3) The applicant is advised that any works within the Tree Protection/Reptile protection areas would require a further application seeking to amend the discharge of the relevant conditions.



Mr Chris Murray
Service Manager (Planning Development)
Date: 26 March 2013