



To:
Mr S Wood
Havant Borough Council
Southmoor Depot
2 Penner Road
Havant
PO9 1QH

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

Application Number: APP/11/00134

Site Address: Cycleway, Warblington School, Southleigh Road, Havant

Proposal: 3m wide cycle/pedestrian path from Southleigh Road to Hayling Billy Trail, through school grounds/playing field and over a section of Network Rail land, car park extension and fencing to the cycle/pedestrian path.

Further to your application received on 07 February 2011, 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 your application, and
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16, and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 25.

- 3 No development hereby permitted shall commence until a specification of the proposed fencing has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such fencing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 25.
- 4 The development hereby permitted shall not take place other than in full accordance with the recommendations of the Warblington School footpath – Biodiversity Statement submitted with this application.
Reason: In the interests of protecting the biodiversity of the area having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 9.
- 5 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 1 and 9.
- 6 No development including site clearance shall commence on the site until all trees and shrubs, 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 2.4m 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 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 7 No burning of materials shall take place anywhere on the development site, throughout the period of site clearance and development.
Reason: To protect the health of trees to be retained in the interests of amenity and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.

- 8 The soil levels within the root spread of trees / hedgerows to be retained shall not be raised or lowered without the prior written approval of the Local Planning Authority.
Reason: To avoid damage to health of existing trees and hedgerows and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.
- 9 Any excavation work, including foundations, within the existing crown spread of the trees to be retained shall be carried out only by hand and under the supervision of a representative of the Local Planning Authority. Any roots over 25mm in diameter shall not be severed without the prior agreement of the Local Planning Authority.
Reason: To ensure the tree is not adversely affected by the construction of the development and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.
- 10 No development hereby permitted shall commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all underground services including lighting cables proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site, and having due regard to policies CS11 and CS16 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 1.
- 11 The development hereby permitted shall not be brought into use unless and until a scheme demonstrating that the lighting proposed will not cause unnecessary light pollution beyond the site has been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall thereafter be provided prior to the use of the lit section of the pedestrian/cycle route taking place and thereafter be maintained as approved.
Reason: In the interest of preventing light pollution and public safety having due regard to policies CS8 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statement 23.

Other Important Information:

In reaching its decision the Council has had regard to policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework: and Planning Policy Statements/Guidance -

Havant Borough District Wide Local Plan 1996-2011

H3	(Baseline Housing Sites)
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Havant Borough Core Strategy 2011

CS1	Health and Wellbeing
CS13	Green Infrastructure
CS16	High Quality Design
CS19	Effective Provision of Infrastructure
CS20	Transport and Access Strategy
CS8	Community Safety
DM1	Recreation and Open Space
DM11	Planning for More Sustainable Travel
DM14	Car and Cycle Parking on Development (excluding residential)
DM8	Conservation, Protection and Enhancement of Existing Natural Features

National Policies

- PPG13 (Transport)
- PPS 1 (Delivering Sustainable Development)
- PPS 9 (Biodiversity and Geological Conservation)

The Council considers, having regard to the objectives of these policies, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the effect on the character and appearance of the area, the effect on residential amenity, the effect on surrounding trees, crime and disorder issues and the effect on protected species. Having taken into account the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the Council has determined that planning permission should be granted for the development.

- (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) 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 Planning and Development service at the Civic Offices or by telephoning 023 9244 6015.

for *Stewart*

Julia Potter
Executive Head of Planning and Built
Environment

10 June 2011