Havant BOROUGH COUNCIL

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Mr Wright
Arup
13 Fitzroy Street
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For: Mr Zolnacz

The Town and Country Planning (Development Management Procedure) (England) Order 2010
Grant of Planning Permission

Application Number: APP/12/00111
Site Address: Stoke Common, Havant Road, Hayling Island
Proposal: Construction of a low flood bund along the alignment of the existing informal path with a new footpath to be constructed on top.

Further to your application received on 02 February 2012, which was valid from 10 February 2012, 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 the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development shall be carried out to ensure best practice is in place for operating machinery to reduce unnecessary noise and there shall be no percussive piling or works with heavy machinery occur within the waterfowl over-wintering period, 1 October to 31 March inclusive. Heavy machinery constitutes, for example, use of pneumatic drills, diggers, dumper trucks and lorries. Clearance of trees and areas of scrub should avoid the bird breeding season, March to August inclusive, to reduce the likelihood of harm to breeding birds. Any seed mix used as part of the habitat enhancement should be of native source and, where possible of local provenance.
Reason: Given the bird sensitivities in the area, the proposed construction will need to be timed and undertaken in a suitable way to minimise disturbance to over wintering and nesting birds and having due regard and having due regard to policies and proposals CS11 and CS12 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

3 Within 2 months of the date of this permission plans indicating the exact route of the footpath shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.
Reason Given the bird sensitivities in the area, the proposed route of the footpath will need to be located in a suitable way to minimise disturbance to over wintering and nesting birds and having due regard to policies and proposals CS11 and CS12 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

4 The root protection area for the Yew tree located to the east of the site and shown on dwg no 3022- 02 shall be marked out on site and no works within this area shall be carried out until a Method Statement identifying procedures to prevent damage to the tree has been submitted to and approved in writing by the Local Planning Authority The development shall be carried out in accordance with the approved details.
Reason To prevent damage to the Yew tree and having due regard to policies CS11 and CS12 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

5 No herbicide spraying shall be carried out until a survey identifying areas supporting botanical interest has been submitted to and approved in writing by the Local Planning Authority. Only those area agreed as having no relevant botanical interest shall subsequently be sprayed.
Reason To prevent loss of species of botanical interest and having due regard to policies CS11 and CS12 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework, and The National Planning Policy Framework, March 2012.

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

Drawing Number3021 Location Plan
Drawing Number3022 Red Line Plan (Planning Application Boundary)
Drawing Number3023 Land Ownership
Drawing Number3024 Existing Site Plan (1 of 2)
Drawing Number3025 Existing Site Plan (2 of 2)
Drawing Number3026 Proposed Development
Drawing Number3027 Proposed Development (1 of 2)
Drawing Number3028 Proposed Development (2 of 2)
Drawing Number3029 Proposed Development Cross Section
Drawing Number3030 Proposed Development Elevations
Planning Statement Feb 2012
Ground Contamination Assessment File Note.
Environmental Impact Assessment File Note.
Phase 1 Habitat Survey.
Habitats Regulations Assessment Screening.
Section 28 Consent
EIA Screening Request

Reason: - To ensure provision of a satisfactory development.

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 The National Planning Policy Framework, March 2012.

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS12	Chichester Harbour Area of Outstanding Natural Beauty (AONB)
CS15	Flood and Coastal Erosion
CS5	Tourism
DM8	Conservation, Protection and Enhancement of Existing Natural Features
DM9	Development in the Coastal Zone

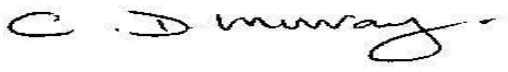
The National Planning Policy Framework, March 2012

The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of Environmental considerations. 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.



Mr Chris Murray
Service Manager (Planning Development)

05 April 2012

Our Ref: APP/12/00111