



Havant
BOROUGH COUNCIL

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Mr D J Wilson
Wilsons of Hayling Ltd
The Boatyard
Marine Walk
Hayling Island
Hants
PO11 9PG

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

Application Number: APP/11/01268

Site Address: Boatyard, Marine Walk, Hayling Island, PO11 9PG

Proposal: Discharge of Condition No. 1 of Planning Permission APP/10/00953.

This decision relates to your application received on 28 April 2011 which was valid from 30 August 2011, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby REFUSES the submitted application as meeting the information requirements of the following Condition of Planning Permission APP/10/00953.

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

- 1 Within 1 month of the date of this planning permission a scheme of compensatory habitat replacement with a plan showing the area involved and a schedule for implementation shall be submitted to the Local Planning Authority. The scheme subsequently approved shall be fully implemented and maintained in accordance with the approved details and schedule.

Reason: To ensure that the development provides satisfactory compensatory habitat in the interests of ensuring the bio-diversity of Chichester Harbour Area of Outstanding Natural which is designated as an SSSI, Special Protection Area, Ramsar Site and Solent Maritime Special Area of Conservation and having due regard to policies CS11, CS12 and DM8 of Havant Borough Core Strategy 2011 which forms part of the Havant Borough Local Development Framework and Planning Policy Statements 1 and 9.

It is not possible to discharge this condition as the requisite scheme was not submitted within the timescale set by the condition (Planning Permission APP/10/00953 was approved on 3 March 2011; this application was not received until 28 April 2011). However it is acknowledged that the transfer of the two mud berths licences MWPP722MB and MWPP724MB to Chichester Harbour Conservancy meets the information and action requirements of this condition, and no further action need be taken to secure compliance with the condition's ongoing requirements at this time.

- (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/pes.
- (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)

24 October 2011