



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr J Aldred
41 The Mallards
Havant
Hants
PO9 1SS

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

Application Number: APP/11/01048

Site Address: 41 The Mallards, Havant, PO9 1SS

Proposal: Change of use of land to the west of No. 41 The Mallards, to the west of the stream, to residential amenity space, incorporating ranch style fencing and gate of 1.2m height and footbridge.

Further to your application received on 23 May 2011, which was valid from 10 June 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 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 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no free-standing walls, fences or other means of enclosure of any kind permitted by Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended shall be erected within the application site as edged red on the approved plans, other than those expressly approved by this permission, without the prior written approval of the Local Planning Authority.
Reason: In the interests of visual amenity and having due regard to policies DM1, DM8, CS11, CS13 and CS16 of the Core Strategy and Planning Policy Statement 1.

Our Ref: APP/11/01048

- 3 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no hard standings or surfaces of any kind permitted by Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 1995 as amended shall be laid within the application site as edged red on the approved plans without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity and having due regard to policies DM1, DM8, CS11, CS13 and CS16 of the Core Strategy and Planning Policy Statement 1.

- 4 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no structures of any kind permitted by Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 as amended shall be erected within the application site as edged red on the approved plans without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity and having due regard to policies DM1, DM8, CS11, CS13 and CS16 of the Core Strategy and Planning Policy Statement 1.

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

Amended location plan 1:1250 dated 9th December 2011(Land subject of application shown edged red)

Amended site plan dated 9th December 2011 (Land subject of application shown edged red)

Elevation of proposed gate

Plan and elevation of proposed bridge

Photograph no's 9 and 11 showing ranch style fencing

Letter of supplementary information dated 23 May 2011

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 Planning Policy Statements/Guidance -

Havant Borough District Wide Local Plan 1996-2011

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS13	Green Infrastructure
CS15	Flood and Coastal Erosion
CS16	High Quality Design
DM1	Recreation and Open Space
DM8	Conservation, Protection and Enhancement of Existing Natural Features

National Policies

PPS 1	(Delivering Sustainable Development)
PPS 9	(Biodiversity and Geological Conservation)
PPS23	(Planning and Pollution Control)

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 the Right of Way, the effect on the neighbouring properties and Environmental Effects.

Our Ref: APP/11/01048

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.
- (4) Under the terms of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Langstone Mill Channel, designated a 'main river'.

It is noted that the applicant has stated that the exact design of the bridge has not been confirmed. The Environment Agency would wish to see a clear span bridge with it's soffit level (underside) set a minimum of 600mm above the top level of the river bank. The bridge abutments should be set a minimum of 1 metre back from the edge of the river bank to ensure that the bridge does not increase flood risk through causing a restriction to flow or debris.

Environment Agency consent cannot be provided retrospectively and is separate and in addition to any planning permission required for the works. Upon formal submission of an application for consent the Environment Agency has two months in which to provide a decision.

The applicant should contact Rob Waite, at the Environment Agency, on telephone number 01962 764897, to discuss submitting an application for Flood Defence Consent.



Mr Chris Murray
Service Manager (Planning Development)

26 March 2012