Havant
BOROUGH COUNCIL

Civic Offices
Havant
Hampshire PO9 2AX

Tel (023)9247 4174
Fax(023)9244 6588
DX50005 Havant
www.havant.gov.uk

To:
Mr D Gallaway
Blake Lapthorn
New Kings Court
Tollgate
Chandlers Ford, Eastleigh
Hants
SO53 3LG

THE TOWN AND COUNTRY PLANNING ACT 1990
Discharge of Conditions Application

Application Number: APP/10/00208
Site Address: Unit 3, Larchwood Business Centre, Larchwood Avenue, Havant

Proposal: Application for written approval that the developments has been carried out in accordance with Conditions 4, 6, 10, 11 and 18 relating to 05/54731/026

This decision relates to your application received on 27 May 2010, which was valid from 02 June 2010, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby REFUSES the submitted application.

The conditions in respect of which the application has been submitted are:

4 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 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 as part of such approved landscaping scheme which dies or is otherwise removed shall be replaced with another of the same species and size during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and L7 (L10) of the Havant Borough District Wide Local Plan 1996-2011.

6 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and D1 (D4) of the Havant Borough District Wide Local Plan 1996-2011.

10 The development shall not be brought into use until space for the loading, unloading and parking of vehicles including cycles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to policies and proposals T5 of the Hampshire County Structure Plan 1996-2011 (Review) and T9 (T17) of the Havant Borough District Wide Local Plan 1996-2011.

11 The landscaping scheme shall be completed within 6 months from the completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.
Reason: To ensure that the landscape scheme is completed in the interests of the appearance of development and having due regard to UB3 of the Hampshire County Structure Plan Review 1996 - 2011 and L7 (L10) of the Havant Borough District Wide Local Plan 1996-2011.

18 The means of access, including the pedestrian link to Purbrook Way, shall be constructed before the development hereby permitted is first brought into use and thereafter shall be maintained at all times.
Reason: In the interests of highway safety and providing adequate access and having due regard to policies and proposals T6 of the Hampshire County Structure Plan 1996-2011 (Review) and T5 (T11), T7 (T14) and D1 (D4) of the Havant Borough District Wide Local Plan 1996-2011.

Reasons for Refusal:

1. Conditions 4 and 6 had not been complied with insofar as the agreed details were submitted and/or approved in writing after development had commenced. Had the information been provided prior to commencement it would have been considered acceptable in meeting the requirements of the conditions.

2. The development is not in accordance with Condition 4 in that planting bed Q in front of Units 2 and 3 had been hardsurfaced. It cannot be ascertained if further replacement planting is required as the planting beds are overgrown.

3. The development is not in accordance with Condition 10 in that not all the car parking spaces have been retained and used solely for the parking, loading and unloading of vehicles.

Other Important Information

(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.

S Weaver

For Mrs J A Batchelor
Head of Development & Technical Services

22 June 2010

Our Ref: APP/10/00208