Havant
BOROUGH COUNCIL

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To:
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For: Mr Lund

THE TOWN AND COUNTRY PLANNING ACT 1990
Refusal of Planning Permission

Application Number: 09/72215/002
Site Address: 14 Fishermans Walk, Hayling Island, PO11 9QU
Proposal: Construction of 1No. 2 bed tourism related detached property, including ground floor car and boat storage facility, and utilising existing access to Eastoke Avenue.

Further to your application received on 25 March 2009 which was valid from 30 June 2009 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse planning permission are:

1 The development in the manner proposed at this site, which lies within Flood Zone 3 and which is defined by Planning Policy Statement 25 as having a high probability of flooding, would fail the Sequential Test in that it would result in an unacceptable risk to life and property from tidal inundation, and it has not been demonstrated that there are no other reasonably available sites for this form of development which are at a lower risk of flooding. In particular:

(1) the proposed development does not have a safe means of access and/or egress in the event of flooding. Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event; and

(2) the site is currently not defended to the appropriate standard, taking into account climate change over the lifetime of the development, and no provision is made in the application to improve the existing defences to the required standard.

As such, the proposal would be contrary to the provisions of Planning Policy Statement 25 and saved Policy F1 of the Havant Borough District Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework.

The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Hampshire County Council Transport Policy, is contrary to the Council's policy on contributions towards transport infrastructure which, in accordance with Planning Policy Guidance Note 13, seeks to ensure that the provision is made from new development towards improvements to the transport infrastructure. The proposal is therefore contrary to saved Policies T10 and IMP1 of the Havant Borough District Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework.

In coming to its decision the Council considered plans and other documents submitted with your application and the saved policies of the Havant Borough District Wide Local Plan 1996-2011, forming part of the Havant Borough Local Development Framework.

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.

Mrs J A Batchelor
Head of Development & Technical Services

25 August 2009

Our Ref: 09/72215/002