



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 Hooper
Southern Water
Southern House
Yeoman Road
Worthing, West Sussex
BN13 3NX

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

Application Number: APP/11/00947

Site Address: 100 Fishery Lane, Hayling Island, PO11 9NR

Proposal: Replacement of existing below ground gravity outfall pipe and construction of a new reinforced concrete outfall structure. End of structure to be marked with a navigation warning marker.

Further to your application received on 18 April 2011, which was valid from 28 July 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 in connection with 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 hereby permitted shall be carried out in accordance with the following approved plans:

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SAI-5001/37/01 Location Plan
SAI-5001/37/02 New Longitudinal Section
SAI-5001/37/03 Outfall details (Single Outfall)
SAI-5001/37/05 Location Plan_Working Area
SAI-5001/37/06 Location Plan showing Conservation Areas
Fishery Lane CSO - location and photos
Ecological Assessment Report

Our Ref: APP/11/00947

Reason: - To ensure provision of a satisfactory development.

- 3 The proposed work shall be timed and undertaken to minimise disturbance to overwintering birds. No percussive piling or works with heavy machinery, pneumatic drills, diggers, dumper trucks and lorries, shall be undertaken between 1 November to 31 March inclusive.
Reason: To minimise disturbance to wildlife within the adjacent area which is subject to international and national nature conservation designations and having due regard to Policies CS11 and CS12 of the Havant Borough Core Strategy which form part of the Local Development Framework and Planning Policy Statement 9.
- 4 No equipment, materials or machinery shall be stored or disposed of within the adjacent Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and Special Protection Area (SPA).
Reason: To protect the nature conservation and landscape interest of the adjacent area which is subject to international and national nature conservation designations and a designated Area of Outstanding Natural Beauty having due regard to Policies CS11 and CS12 of the Havant Borough Core Strategy which form part of the Local Development Framework and Planning Policy Statement 9.
- 5 The work hereby permitted shall be undertaken in accordance with the submitted Ecological Assessment Report prepared by Mott MacDonald dated April 2011, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To protect the nature conservation and landscape interest of the adjacent area which is subject to international and national nature conservation designations and a designated Area of Outstanding Natural Beauty having due regard to Policies CS11 and CS12 of the Havant Borough Core Strategy which form part of the Local Development Framework and Planning Policy Statement 9.

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 Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS12	Chichester Harbour Area of Outstanding Natural Beauty (AONB)
CS13	Green Infrastructure
CS15	Flood and Coastal Erosion
CS16	High Quality Design

National Policies

PPS 1	(Delivering Sustainable Development)
PPS 9	(Biodiversity and Geological Conservation)
PPS25	(Development and Flood Risk)

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 and the effect on protected species. 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) The proposed works would be carried out very close to Havant Footpath No 511.

Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Rights of Way Officer, to not less than its minimum width, on the completion of the works.

There must be no surface alterations to the right of way, **nor any excavations or any works carried out which affect the surface of the right of way**, without prior permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980.

Nothing connected with the development or its future use should have an adverse effect on the right of way, **which must remain available for public use at all times.**

In addition, no builders or contractors vehicles, machinery, equipment, materials or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

Mr Chris Murray
Service Manager (Planning Development)

04 October 2011