

To:
Mr J Nazareth
7 Warren Close
Hayling Island
Hants
PO11 0HP

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: APP/10/00623

Site Address: 7 Warren Close, Hayling Island, PO11 0HP

Proposal: Extension of and new boundary walling and raised patio (part retrospective).

Further to your application received on 10 September 2010 which was valid from 23 September 2010 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 your application, as amended by plans received on 15 November 2010.

(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 Within 3 months of the date of this notice of permission, both side boundary walls shall be finished in accordance with finishing treatment (such as render or similar treatment) and colour, details of which shall first be submitted to and agreed in writing by the Local Planning Authority.

Details of finishing treatment and colour of the dwarf wall and doors to northern face of the raised patio area shall also be submitted to and agreed in writing by the Local Planning Authority prior to the substantial construction of this wall.

Both the side boundary walls, dwarf wall and doors shall not be varied in the future unless the Local Planning Authority gives prior written approval for any such variation.

Reason: In the interests of the visual amenity and character of the area, and in particular so that colour and finishing treatment of the boundary treatments is sympathetic to the appearance and character of the surrounding landscape, including the setting of the coastal zone, in order to accord with Policy D1 of the Havant Borough Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- 3 This permission shall relate to the development as amended by amended plan drawings numbered 4, 5 & 6, which were received by the Local Planning Authority on 15th November 2010. Therefore:

a) the wall on the west side boundary of the rear garden (which is described on amended plan drawing 5 as the side elevation north west boundary) shall not exceed 3 metres in height for a horizontal distance of 7 metres measured from the rear corner of the house as shown in the drawing, (hereinafter 'the 7 metre point') and shall, at the aforementioned 7 metre point, reduce in height so that for a further horizontal distance of 4 metres, the wall does not exceed 2.2 metres in height

and

b) the wall on the east side boundary of the rear garden (which is described on amended plan drawing 6 as the side elevation) shall not exceed 3 metres in height for a horizontal distance of 7 metres measured from the rear corner of the house as shown in the drawing, (hereinafter 'the 7 metre point') and shall, at the aforementioned 7 metre point, reduce in height so that for a further horizontal distance of 5.1 metres, the wall does not exceed 2.1 metres in height .

The existing portions of both walls which exceed these specified heights shall be demolished down to the heights specified at a) and b) above within 2 months of the date of this notice of permission.

Reason: In the interests of the visual amenity and character of the area, and in particular so that the boundary treatments hereby approved do not overly exceed in height the previous boundary treatments at the site, in order to accord with Policy D1 of the Havant Borough Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

- 4 Within 3 months of the date of this notice of permission details of additional planting to be undertaken alongside and/or close to the boundary walls shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the distribution, position, size and species of plants, to be planted and/or retained, 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 plant or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to the informal character of the area, which is characterised by vegetation including informal boundary vegetation, in accordance with policies D1 and L6, of the Havant Borough District Wide Local Plan 1996-2011, which comprises part of the Havant Borough Local Development Framework and Planning Policy Statement 1.

- 5 No further development shall be carried out until a Method Statement setting out measures to prevent the transfer of construction related materials into the adjacent SINC has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in full accordance with such details as are thus approved by the Authority.

Reason: To safeguard the nature conservation interests of the nearby designated site and having due regard to Policy NC4 of the Havant Borough District Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework.

- 6 No percussive piling or works with heavy machinery (including pneumatic drills, diggers, dumper trucks and lorries) shall be carried out within the waterfowl over-wintering period from the 1st October to 31 March inclusive and best practise shall be applied for the operation of machinery to reduce any unnecessary noise. Clearance of trees and shrubs should avoid the bird breeding season March to August inclusive.

Reason: In the interests of nature conservation interests and to minimise disturbance to over wintering and nesting birds and having due regard to Policies NC2 and NC4 of the Havant Borough District Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework.

Other Important Information:

In reaching its decision the Council has had regard to the saved policies of the Havant Borough District Wide Local Plan 1996-2011, forming part of the Havant Borough Local Development Framework:-

Havant Borough District Wide Local Plan 1996-2011

- D1 (High Quality Design)
- L6 (Conservation and Protection of Existing Natural Features)
- NC2 (Sites of Special Scientific Interest)
- NC4 (Sites of Importance for Nature Conservation and Local Nature Reserves)

National Policies

- PPS 1 (Delivering Sustainable Development)
- PPS 9 (Biodiversity and Geological Conservation)

The Council considers, having regard to the objectives of these policies and proposals, 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 visual amenities, the effect on the neighbouring properties and nature conservation interests. 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.



Julia Potter
Executive Head of Planning and Built
Environment

15 December 2010