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BOROUGH COUNCIL

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To:
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Discharge of Conditions Application

Application Number: APP/11/01251

Site Address: 34 The Kench, Ferry Road, Hayling Island, PO11 0DF

Proposal: Discharge of Condition No/s 4, 6, 7, 8, 10 and 11 of Planning Permission APP/11/00272.

This decision relates to your application received on 14 July 2011, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission APP/11/00272.

The conditions in respect of which information has been submitted are:

- 4 Notwithstanding any information contained in the current application, no development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the floor of the proposed building and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenities of the area and having due regard to the provisions of CS16 of the Havant Borough Core Strategy 2011, which forms part of the Local Development Framework and Planning Policy Statement 1, to ensure that detailed levels for the site are controlled as changes in levels may affect the impact of the development.

The details of levels set out in the Supporting Statement dated the 8th July 2011 are agreed as meeting the informational requirements of this condition and are considered to achieve a graduation in heights between the proposed building and those existing to the west and east. This is in accordance with Policies DM9 and CS16 of the Havant Borough Core Strategy 2011.

- 6 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced, with particular emphasis to the site frontages 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, specie and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

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The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree 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 policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

The landscaping details set out in the Supporting Statement dated the 8th July 2011, drawing 1006/08 received 14 July 2011 as supplemented by the applicants email dated the 4 August 2011 (increasing the number and density of clematis plants to be used), are agreed as meeting the informational requirements of this condition. This includes plants appropriate to the maritime character of the area and is in accordance with Policies DM8, DM9 and CS16 of the Havant Borough Core Strategy 2011.

- 7 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the details subsequently approved by the Authority.

Reason: To safeguard the amenities of the locality and having due regard to Planning Policy Statement 1.

The fencing details set out in Supporting Statement dated the 8th July 2011 are agreed as meeting the informational requirements of this condition. This comprises palisade fencing which in combination with the landscape planting is appropriate to the maritime character of the area and is in accordance with Policies DM9 and CS16 of the Havant Borough Core Strategy 2011.

- 8 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2010 and received 16 March 2011 and the following mitigation measures detailed within the FRA:

- Finished floor levels must be set at a minimum of 5.5m above Ordnance Datum (AOD), as in section 4.6 (page 13) of the FRA.

Reason: To reduce the risk of flooding to the proposed development and future occupants and having due regard to the provisions of Planning Policy Statement 25.

Finished floor level of 5.5m as set out in the Supporting Statement dated the 8th July 2011 are in accordance with the requirements of this condition regarding the management of flood risk. This is in accordance with Policy CS15 of the Havant Borough Core Strategy 2011 and PPS25.

- 10 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 1.

- 11 The development hereby permitted shall not be commenced until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The Certificate shall demonstrate that the development will attain a minimum standard of Level 3 in accordance with the Code. The development shall be carried out only in accordance with the details the subject of the Certificate.

Reason: To ensure that the development is carried out in accordance with policy CS14 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 22.

The submitted Interim Certificate No. STRO004925-DS-20117132843845 is agreed as meeting the informational requirements of this condition in accordance with Policy CS14 of the Havant Borough Core Strategy 2011.

- (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

08 September 2011