



To:
D Don
McAndrew Martin
One Links House
Fairway Business Park
Dundas Lane
Portsmouth
PO3 5BL

THE TOWN AND COUNTRY PLANNING ACT 1990
Discharge of Conditions Application

Application Number: APP/10/00191

Site Address: 74 Rails Lane, Hayling Island, PO11 9LP

Proposal: Discharge of Condition No/s 1-10 of Planning Permission 08/50289/003.

This decision relates to your application received on 25 May 2010 which was valid from 25 May 2010, 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 Condition(s) of Planning Permission 08/50289/003.

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

- 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.

Planning Permission was granted 04 June 2008 therefore work must commence by the 04 June 2011. The work commenced on the 25th June 2010 therefore this condition can be discharged.

- 2 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials have been submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The construction is recorded by Building Control as having commenced on the 25th May 2010, the same date as when the information was submitted to the Local Planning Authority, therefore this condition cannot be discharged.

- 3 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 ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The construction is recorded by Building Control as having commenced on the 25th May 2010, the same date as when the information was submitted to the Local Planning Authority, therefore this condition cannot be discharged.

- 4 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to Planning Policy Statements 1 and 3 and policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The construction is recorded by Building Control as having commenced on the 25th May 2010, the same date as when the information was submitted to the Local Planning Authority, therefore this condition cannot be discharged.

- 5 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 screen walls, 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 installation of all screening provision as thus approved by the Authority. At all times thereafter all of that screening provision shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to Planning Policy Statements 1 and 3 and policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The construction is recorded by Building Control as having commenced on the 25th May 2010, the same date as when the information was submitted to Local Planning Authority, therefore this condition cannot be discharged.

- 6 The windows at 1st floor level in the east and west elevations of the building, since marked 'X'

on the plans hereby approved, shall:-

- (i) at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscurity no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

This is an ongoing condition that does not need to be discharged.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no additional windows/doors or other openings shall be constructed within the south elevation without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

This is an ongoing condition that does not need to be discharged.

- 8 No development hereby permitted shall commence until plans showing the provision of a disabled access ramp have been submitted to and approved in writing by the Local Planning Authority. Thereafter such access shall be retained.

Reason: To ensure that the new dwelling is accessible for those with disabilities and have due regard to Planning Policy Statement 1 and policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The construction is recorded by Building Control as having commenced on the 25th May 2010, the same date as when the information was submitted to the Local Planning Authority, therefore this condition cannot be discharged.

- 9 The development shall not be brought into use until a minimum of 2 parking spaces have been provided within the curtilage of the site and thereafter all of those spaces kept available for such purposes.

Reason: In the interests of highway safety and having due regard to policies T5 of the Hampshire County Structure Plan 1996-2011 (Review) and T9 of the Havant Borough District Wide Local Plan 1996-2011.

Two car parking spaces have been provided prior to being sold (and occupied) in January, therefore this condition can be discharged.

- 10 The dwelling hereby approved shall not be occupied until the solar panels on the southern roof slope have been installed.

Reason: To ensure that the new dwelling maximises the southerly aspect and to comply with the Supplement to Planning Policy Statement 1 and policy D1 of the Havant Borough District Wide Local Plan 1996-2011.

The solar panels have been installed prior to being sold (and occupied) in January, therefore this condition can be discharged.

- (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/pes.
- (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

11 January 2011