



To:
Mr G A Bain
Maple Cottage
Otterbourne Road
Shawford
Winchester, Hants
SO21 2DG

THE TOWN AND COUNTRY PLANNING ACT 1990
Discharge of Conditions Application

Application Number: APP/10/00495

Site Address: Great Northney Barn, St Peters Road, Hayling Island

Proposal: Discharge of Condition No.s 2-19 of Planning Permission 09/73851/000.

This decision relates to your application received on 06 August 2010 which was valid from 16 August 2010, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby PARTIALLY APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission 09/73851/000.

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

APPROVED CONDITIONS

- 2 The conversion of the barn and construction of the double garage 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 saved Policies C3, D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 5 and 7.

The proposed materials and finishes are considered appropriate to the character and appearance of the building. The tile is a good match to the existing roof.

- 3 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 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, species 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 saved Policies D1, L6, L7 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

The proposed landscaping is considered acceptable and should enhance the setting of the barn.

- 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 commence until the 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 saved Policies D1, L7 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

The proposed hardsurfacing materials are considered acceptable in terms of the character and appearance of the area.

- 5 No development hereby permitted shall commence until plans and particulars specifying the height of the retained garden wall along the common boundary with the property 'Appletrees', Northney Lane including any coping design and materials 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 any alteration of the wall as is 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 occupiers of neighbouring property and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

The boundary wall will remain at its existing height and repaired as necessary, this is considered acceptable.

- 6 The development hereby permitted shall be carried out in full accordance with the Tree Report and Site Specific Arboricultural Method Statement by Gifford Tree Service submitted in relation to this development.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to saved Policies D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

This condition requires the development to be carried out in accordance with the Tree Report and Site Specific Arboricultural Method Statement and the applicants confirmed that this will be the case a formal submission is not required in relation to this condition.

- 7 No development hereby permitted nor any related site clearance shall commence until a specification of measures to be undertaken to prevent and remedy damage to existing boundary walls to be retained within or adjoining the site through implementation of the same has been submitted to and approved in writing by the Local Planning Authority. All preventative measures forming part of such approved

specification shall be undertaken and fully adhered to at all times when such implementation is in progress. Any such damage which does nevertheless occur shall be remedied in full accordance with such specification.

Reason: In the interests of the character and appearance of the area and of the amenities of adjoining residents having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 1.

The boundary walls are to be protected during development by fencing and the condition requires repair if damage nevertheless takes place, this is considered acceptable.

- 8 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to saved Policies D1, T9 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Guidance 13.

The details submitted in relation to construction parking and turning are considered acceptable.

- 9 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework together with Planning Policy Statement 1 and Planning Policy Guidance 13.

The details in relation to construction material storage arrangements are considered appropriate.

- 10 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure permitted by Part 1, Classes A/D/E/G/H of the 1995 Order, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: In order to protect the special character of the building and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statements 1 and 5.

These conditions impose ongoing restrictions but not the submission of details.

- 11 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no alteration to the roof of the dwelling hereby approved including the addition of windows permitted by Part 1, Classes B/C of the 1995 Order, shall be constructed without the prior written approval of the Local Planning Authority.

Reason: In order to protect the special character of the building and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 1 and 5.

This condition imposes ongoing restrictions but not the submission of details.

- 12 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 building without the prior written approval of the Local Planning Authority.

Reason: In order to protect the special character of the building and the amenities of the occupiers of nearby properties and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statements 1 and 5.

This condition imposes ongoing restrictions but not the submission of details.

- 14 Demolition, clearance, excavation, road or construction works shall take place only between the hours of 0800 and 1800 hours on Mondays to Saturdays and not at all on Sundays and all recognised public holidays.

Reason: To protect the amenity of adjoining residents and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

Ongoing requirements that do not require submission of details.

- 15 The building shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

Ongoing requirements that do not require submission of details.

- 16 Before any work is undertaken in pursuance of this Permission to demolish any part of the building, the applicant shall take such steps to carry out such works as shall during the progress of the works permitted by this Permission secure the safety and stability of that part of the building which is to be retained. Such steps and works shall where necessary include in relation to any part of the building to be retained measures to strengthen any wall or vertical surface; to support any floor, roof or horizontal surface; and to provide protection for the building against the weather during the progress of the works.

Reason: In the interests of the preservation of that part of the building which is to be retained and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 1 and 5.

Ongoing requirements that do not require submission of details.

- 17 No development hereby permitted shall commence until elevations and sections at a scale of 1:20 of the proposed windows, including rooflights, structural glass balustrade to gallery and doors have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the special character of the building and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 1 and 5.

The submitted details are considered acceptable.

- 18 No development hereby permitted shall commence until a timber frame repair schedule has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the special character of the building and having due regard to saved Policies D1 and HE10 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statements 1 and 5.

The timber frame repair schedule is considered acceptable.

- 19 No development hereby permitted shall commence until a Natural England Protected Species Licence has been obtained. The mitigation proposals set out in Section 6 of the submitted survey report shall be implemented via the licence method statement. Any subsequent amendments to the agreed methods shall be approved in writing by the Local Planning Authority before implementation. **Reason:** To avoid harm to bats and to secure the long term viability of the local bat population having due regard to saved Policy NC5 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 9.

This condition requires that a Natural England Protected Species Licence has been obtained. A copy of the licence has been submitted and the condition can be discharged.

REFUSED CONDITION

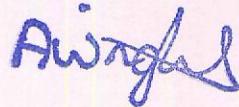
- 13 The occupation of the building hereby permitted shall not commence until the existing access to the side of the barn building from St Peters Road has been closed, the drop kerb removed and the area landscaped in accordance with a landscaping scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscaping shall be maintained in accordance with the approved scheme.

Reason: In the interests of the character and appearance of the area and highway safety and having due regard to saved Policies D1 and T7 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, together with Planning Policy Statement 1 and Planning Policy Guidance 13.

This condition is a prior to occupation condition. The applicant has stated that *'contact will be made with highways to replace the drop kerb and any additional landscaping to take place if required.'* as details are not currently available this condition cannot be discharged at this time.

- (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.
- (4) The applicant is advised that conditions 3, 10, 11, 12, 14, 15 and 16 impose ongoing requirements.



Julia Potter
Executive Head of Planning and Built
Environment

03 February 2011