Havant BOROUGH COUNCIL

Civic Offices
Havant
Hampshire PO9 2AX

Tel (023)9247 4174
Fax(023)9244 6588
DX50005 Havant
www.havant.gov.uk

To:
Mr P Rowe
PROwe Planning Solutions
Melton Lodge
Rusper Road
Newdigate Surrey
RH5 5BX

For: Mr L Madgwick

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: 10/74070/000
Site Address: Land, East of Hollybank Cottage, Long Copse Lane, Emsworth
Proposal: Change of use of land and erection of stable block with tack room, entrance gate, landscaping and associated access/ground works. (Part Retrospective.)

Further to your application received on 13 January 2010, which was valid from 15 April 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 supplemented by additional information received on 05 May 2010; and

(ii) The following conditions:

Conditions:

1 All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site by the erection of a 1.2 m minimum height chestnut paling fence to BS 1722 Part 4 securely mounted on 1.2 m minimum height timber posts driven firmly into the ground along a line to be agreed in writing with the Local Planning Authority. Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Local Planning Authority.
Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows and having due regard to saved Policies D1, L6 and L7 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 7.

2 Notwithstanding the information submitted, no building or engineering operations associated with the construction of the stable block, infilling of the existing ditch or removal of existing hard surfacing material shall commence on the site until details of all works to or affecting trees on or adjoining the site shall have been submitted to and approved in writing by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of BS 3998 1989 (Recommendations for Tree Work).
Reason: To ensure the continuity of amenity value afforded by the trees in question 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, and Planning Policy Statements 1 and 7.

3 Construction of the stable block hereby permitted shall not commence until plans showing, in relation to the existing trees and other vegetation proposed to be retained, the layout of all surface water drainage and any other underground services proposed to serve that development have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.
Reason: To safeguard against undue damage to existing trees and/or other vegetation at and in the vicinity of the site having regard to saved Policies D1, L6 and L7 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 7.

4 Construction of the stable block hereby permitted shall not commence until a fully detailed landscape and planting scheme for the site, including a plan at a scale of 1:200 or larger, and a timetable for all new planting, has been submitted to and approved in writing by the Planning Authority. The works shall be carried out in accordance with the approved details, and any trees or plants that are planted or retained as part of such approved scheme which die or are otherwise removed within the first 5 years shall be replaced with others of the same species and size in the same position during the first available planting season.
Reason: In the interests of the visual amenities of the locality because the submitted plans are not sufficiently detailed, and having due regard to saved Policies D1, L6 and L7 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 7.

5 Construction of the stable block hereby permitted shall not commence until samples and details of all external facing and roofing materials have been submitted to and approved in writing 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 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.

6 Construction of the stable block hereby permitted shall not commence until details of the measures to dispose of manure and other waste have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented on commencement of the use of the stable block and shall be retained thereafter.
Reason: To ensure that the amenity of the neighbouring property (Hollybank Cottage) is not detrimentally affected by the use of the site and having regard to saved Policies D1, L6 and L7 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 7.

7 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.

8 No burning of materials shall take place anywhere on the site.
Reason: To protect the health of trees to be retained in the interests of residential amenity and having due regard to saved Policies D1, PC1 and L6 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 7.

9 The development hereby permitted shall be used only as private, non-commercial, stabling and associated grazing. It shall not be used for any other purpose whatsoever including livery, equestrian tuition or commercial leisure rides or any other equestrian business.
Reason: To prevent the stables from being used for commercial purposes to the detriment of the character and amenities of the locality and having regard to saved Policies D1, L6 and L7 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 7.

10 The stable block hereby approved shall comprise no more than 3 stables and 1 tack room as shown on approved Drawing No. PRR1.
Reason: To avoid an over intensive form of development in the interests of residential amenity and visual amenity 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 and Planning Policy Statements 1 and 7.

11 No structures, jumps, horse boxes, or other equestrian vehicles or equipment shall be kept on the land unless otherwise agreed by prior written approval by the Local Planning Authority.
Reason: To protect the visual character and amenities of the area and having due regard to saved Policies D1, L6 and L7 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 and 7.

12 No external illumination shall be installed or used at the site without the prior written approval at the Local Planning Authority.
Reason: To protect the visual character and amenities of the area and having due regard to saved Policies D1, L6 and L7 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 7.

13 Within one month of the date of this permission, a detailed timetable, plan and method statement for the infilling of the ditch and removal of the spoil/soil and hardstanding as proposed in the application, together with details of re-instatement of the land to its former grassed condition, shall be submitted to the Local Planning Authority for approval. Construction of the stable block hereby permitted shall not commence until these details have been approved in writing by the Local Planning Authority. The implementation of these works shall be completed in full accordance with the details and timetable as are thus approved by the Local Planning Authority.
Reason: In the interests of clarity and the visual amenities of the locality and having due regard to saved policies 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 and 7.

14 Within one month of the date of this permission, a plan showing all areas of hardstanding at a scale of 1:200 or larger shall be submitted to the Local Planning Authority for approval. Construction of the stable block hereby permitted shall not commence until these details have been approved in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the locality because the submitted plans are not sufficiently detailed, and having due regard to saved Policies D1, L6 and L7 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 7.

15 Notwithstanding anything contained in the current application nor the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no additional hardstanding, hardsurface, manege or other similar surfaced area shall be created without the prior written approval of the Local Planning Authority.
Reason: In the interests of clarity and visual amenities of the locality and having due regard to saved Policies 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 and 7.

16 The entrance gates shall at all times be set back at least 8 metres from the site boundary.
Reason: In the interests of highway safety and to accord the plans with saved Policy T7 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 7.

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)
L7	(New Landscape Works)
PC1	(Control of Potentially Polluting Uses)
T9	(Provision of Vehicle Parking and Turning Facilities)
T7	(Criteria for Access to Development)

National Policies

PPS1	(Delivering Sustainable Development)
PPS7	(Sustainable Development in Rural Areas)
PPS23	(Planning and Pollution Control)
PPG17	(Planning for Open Space, Sport and Recreation)

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 visual effect, residential amenities and the effect on surrounding trees. 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.

Mrs J A Batchelor
Head of Development & Technical Services

21 July 2010

Our Ref: 10/74070/000