

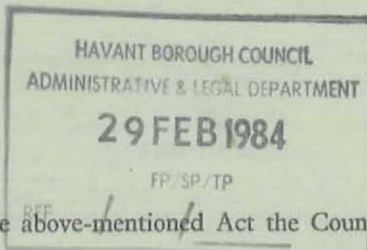
HAMPSHIRE
BOROUGH OF HAVANT
TOWN AND COUNTRY PLANNING ACT, 1971

Form 13.

Box: 241

To:— Mr. P. Hedger,
"Laburnums",
St. Peters Road,
HAYLING ISLAND.

Reference No.: 18285/7



In pursuance of their powers under the above-mentioned Act the Council, as the local planning authority, REFUSE to permit

6 no. loose boxes and 1 no. tack room.
"Laburnums", St. Peters Road, Hayling Island.

in accordance with your application received on 21st December, 1983,

The reason(s) for the Council's decision to refuse permission for this development is/are:—

1. The proposal represents the introduction of a commercial use which by reason of its nature and the proposed extent would be detrimental to the amenities of nearby residential properties.
2. The proposal would result in disturbance and a loss of amenity to adjacent residential premises by reason of smell, noise and flies.
3. On the basis of the limited information available to the Local Planning Authority it is not considered that the proposed development could be undertaken in a satisfactory manner.
4. Adequate provision is not made on the site for the parking and turning of vehicles.

N.B.—See notes overleaf.

Civic Offices,
Civic Centre Road,
Havant, PO9 2AX.
Telephone: Havant (0705) 474174.

DEPUTY Director of Technical Services.

Date 24 FEB 1984

All enquiries relating to this refusal should be made of the
Planning Officer, Civic Offices, Civic Centre Road, Havant, PO9 2AX. Tel.: Havant 474174.

NOTIFICATION

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval subjects to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act, 1971, within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him. (The statutory requirements are those set out in Section 36(7) of the Town and Country Planning Act, 1971, namely Sections 29(1), 30(1), 67 and 74 of the Act).

(2) In cases where a Government Department has expressed views on the proposals which are incorporated in the reasons for refusal of conditions and the applicant wishes to lodge an appeal against such decision then a representative from that Government Department will attend any Planning Inquiry and be available to give evidence if the appellant asks for the presence of such a witness at the Inquiry. In such cases the appellant should notify the Council at the address given on the front of this form without delay. The representative would not be liable to cross-examination on questions of Ministerial policy but only on matters of fact and expert opinion.

(3) If permission to develop the land is granted subject to conditions whether by the local Planning Authority or by the Secretary of the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.

(4) In certain circumstances, a claim may be made against the local planning authority for compensation where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

(5) The applicant is recommended to retain this form with the title deeds of the property.