

Mr P Walker
182 Seafront
Hayling Island
Portsmouth, Hampshire
PO11 9AN

Case Officer: Sue Yates
Direct Dial: 01730 234224
Fax no: 01730 234348
Our Ref: 52058
Your Ref:
Date: 15 September 2009
email: sue.yates@easthants.gov.uk

Dear Mr Walker

Proposal: CHANGE OF USE TO B8 OPEN STORAGE ON LAND ADJACENT TO AND ASSOCIATED WITH UNIT 2 HAM BARN FARM, FARNHAM ROAD, LISS, HANTS.

Site Address: Poultry Houses north of Ham Barn Farm, Farnham Road, Liss, GU33 6LB

I am pleased to enclose the Notice of the Council's formal decision in relation to the above application. **Before proceeding please read the following important information which affects this Notice.**

All the conditions of the Notice are legally binding. Failure to comply may invalidate the permission and result in the Council taking action against you. Some conditions may require further details or samples to be submitted to us for approval. Other conditions may contain timescales or stages against which compliance must be obtained and before works are commenced. Most categories of permission also require a fee for each request for approval of condition/s. If you are unclear about the procedures, the fee required or how to pay, then please contact us.

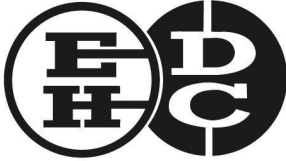
Before the development or change in the use is started please complete the tear-off section below. This should be returned to Planning Compliance who will then check the details of the consent. Failure to do so could result in difficulties or delays when the property is sold.

Yours sincerely

Daryl Phillips
Head of Planning Services

Return to: 52058
Planning Compliance
Planning Development Services Name: _____
East Hampshire District Council Address: _____
Penns Place, Petersfield _____
Hants GU31 4EX Tel No: _____
I anticipate that the works/use will begin on _____
Signed: _____ Date: _____

EAST HAMPSHIRE



Partners

www.easthants.gov.uk

East Hampshire District Council

Penns Place, Petersfield,
Hampshire, GU31 4EX

Telephone (01730) 266551

Minicom (01730) 234103

DX100403 Petersfield

info@easthants.gov.uk



2005-2006
Affordable Housing
2006-2007
Waste and Recycling

For: Mr G Fothergill

c/o Mr P Walker

182 Seafront

Hayling Island

Portsmouth

Hampshire

PO11 9AN

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

NOTICE OF PERMISSION: 52058

Proposal: CHANGE OF USE TO B8 OPEN STORAGE ON LAND ADJACENT TO AND ASSOCIATED WITH UNIT 2 HAM BARN FARM, FARNHAM ROAD, LISS, HANTS.

Site Address: Poultry Houses north of Ham Barn Farm, Farnham Road, Liss, GU33 6LB (Greatham Parish)

The Planning Authority GRANTS Planning Permission in accordance with your application, plans and details submitted therewith, which was registered on 21 July, 2009, subject also to the following conditions:-

- 1 The development hereby permitted shall be begun **before the expiration of three years** from the date of this planning permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990
- 2 **No storage shall start on site until** a fully detailed landscape and planting scheme for the north boundary of the site has been submitted to and approved in writing by the Planning Authority. The works shall be carried out in accordance with the approved details in the **first planting season after practical completion**, whichever is earlier, unless otherwise first agreed in writing by the Planning Authority.
Any trees or plants which, within a **period of 5 years** after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Planning Authority.
Reason - In the interests of the amenities of the locality and those of neighbouring properties.

The following plans and specifications were considered when making the above decision:

design and access statement

8 no. photographs

location plan 1:2500

layout plan 1:1000

block plan 1:500

Any variation or departure from the approved plans will require the prior approval of the Planning Authority before works commence.

A handwritten signature in black ink, appearing to read 'Daryl Phillips', with a stylized flourish at the end.

Daryl Phillips

Head of Planning Services

Date: 15 September 2009

Supplementary Information

These are advice notes to the applicant and are not part of the planning conditions.

The Council has granted permission because:

The temporary storage of this hazardous waste would be in accordance with health and safety regulations and COSHH regulations. The site is well screened from the road and there are no immediate neighbours. The development is in accordance with the relevant policies of the East Hampshire District Local Plan: Second Review.

It is therefore considered that subject to compliance with the attached conditions and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

The applicant is advised that there is a fee for the discharge of conditions relating to this application. A single fee will apply to each batch of conditions submitted for discharge at the same time. The information to discharge a condition will not be accepted by the Council without the appropriate fee. The schedule of fees can be found on the Council's website.

The applicant is advised that there may be a need to comply with the requirements of the Party Wall etc Act 1996 before starting works on site. The Act relates to work which involves:

- work on an existing wall shared with another property
- building on the boundary with a neighbouring property
- work involving excavating near a boundary

The Party Wall etc Act is not enforced or administered by the Council but you should understand your obligations to notify adjoining owners and be aware of the circumstances under which a dispute can arise. For further information on the Party Wall Act 1996 there is an explanatory booklet available at the Planning Portal: www.planningportal.gov.uk

The following Planning Policies were considered when making the above decision:-

East Hampshire District Local Plan: Second Review

C1 - Area of Outstanding Natural Beauty

C3 - Nature Conservation - SINC

IB3 - Industrial or Business Development in the Countryside

Building Regulations

This decision is not an approval under the Building Regulations. It is your responsibility to make any necessary applications. If in doubt, you are advised to contact the Council's Building Control Section on 01730 234207 or fax 01730 234210.

You are also advised that this decision does not imply that satisfactory access for the Fire Brigade can be provided, as required by the Hampshire Act 1983.

NOTIFICATION
Planning permission/refusals

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

1. If you want to appeal – For householder development you must appeal within three months of the date of this notice, for all other development you must appeal within six months of the date of this notice, using a form which you can get from **The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, telephone 0117 372 8000 or at www.planninginspectorate.gov.uk/forms**.
2. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use his power unless there are special circumstances that excuse the delay in giving notice of appeal.
3. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
4. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decisions on directions given by the Secretary of State.

Purchase Notice

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted.

5. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. The applicant is recommended to retain this form with the title deed of the property.

Notes Specific to any Grant of Planning Permission

Any grant of permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act 1990 otherwise than under Sections 69-76 or which may be required under any other Acts including any Bylaws, Orders or Regulations made under such other Acts.

7. Applicants are reminded that any grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:- a) in the case of a footpath or bridleway, for an Authority under Section 257 of the Town and Country Planning Act 1990; b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990.
8. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade.
9. If this permission relates to buildings or premises to which the public are to be admitted or to offices, shops and railways premises or factories then your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970, Disabled Persons Act 1981, Building Regulations Part M and the Disability Discriminations Act 1995.

IMPORTANT - Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provision of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken. If you want to depart in any way from approved development, you must seek the agreement of the Council before carrying out any work.