

Mr Clive Fagg  
Clive Fagg Planning  
9 Dairy Lane  
Hose  
Melton Mowbray  
LE14 4JW

For: Forsa Energy Gas Holdings Ltd

---

**The Town and Country Planning (Development Management Procedure) (England)  
Order 2015  
Grant of Planning Permission**

---

**Application Number:** APP/24/00237

**Site Address:** Land at Hermitage Park, Harts Farm Way, Havant

**Proposal:** Proposed gas fuelled capacity mechanism embedded generation plant to support the National Grid. A resubmission of previously approved applications (APP/21/00809) in order to secure changes to the site layout and technology following transfer of ownership of the site.

Further to your application received on 19 March 2024 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 regard to your application; and
- (ii) The following conditions:

**Conditions:**

- 1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - APPENDIX A1 FE-01-481  
Elevation Building - APPENDIX A10 FE-01-600  
Elevations Security Column - APPENDIX A11 FE-01-601  
Elevations Palisade Fence - APPENDIX A12 FE-01-602

Our Ref: APP/24/00237

Site Layout Plan - APPENDIX A2 FE-01-593  
 Elevations - APPENDIX A3 FE-01-594  
 Elevations Containerised Engines - APPENDIX A4 FE-01-595  
 Elevations Transformer - APPENDIX A5 FE-01-596  
 Elevations DNO Building - APPENDIX A6 FE-01-597  
 Elevations Switchroom Container - APPENDIX A7 FE-01-597  
 Elevations Gas Kiosk - APPENDIX A8 FE-01-598  
 Elevations Oil Tanks - APPENDIX A9 FE-01-599  
 Covering Letter  
 Noise Impact Assessment - APPENDIX B  
 Air Quality Assessment - APPENDIX C  
 Preliminary Ecological Appraisal - APPENDIX D1 REV 3  
 Shadow Habitat Regulations Assessment - APPENDIX D2  
 Havant Visual Assessment - APPENDIX E1  
 Visualisation - APPENDIX E2  
 Visualisation - APPENDIX E3  
 Flood Risk Assessment - APPENDIX F - rev 3  
 Outline Construction Environmental Management Plan - APPENDIX G  
 Construction Traffic Management Plan - APPENDIX H

**Reason:** To ensure provision of a satisfactory development.

- 3 Prior to commencement of development on site, details of the tree protection measures for trees off site on the western boundary in accordance with British Standard 5837:2012 "Trees in relation to design, demolition and construction" shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to commencement of development and thereafter retained in the approved position.

**Reason:** In the interest of tree protection and with due regard to policies CS16 and CS11 of the Havant Borough Council Local Plan (Core Strategy) 2011 and National Planning Policy. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 4 Prior to occupation, details of soft landscaping between the proposal and Harts Farm Way will be submitted to and approved in writing by the Local Planning Authority to assist in the screening of the site and enhance green infrastructure to the west.

**Reason:** To ensure provision, establishment and maintenance of a reasonable standard of landscape having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy.

- 5 The proposed development approved shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment at Section 4.3 unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that flood risk has been appropriately addressed having due regard to policies CS15 and CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Prior to the commencement of development activities, a Landscape & Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with the ecological avoidance, mitigation, enhancement and management measures as detailed in the Ecological Assessment (The Ecology Co-op, May 2024) unless otherwise agreed in writing by the Local Planning Authority. It shall include, but not necessarily be restricted to: full details of all ecological avoidance and mitigation measures, to include timings, methods and

responsibilities; full details of all ecological compensation and enhancement measures, including location, area, composition, establishment and ongoing management, monitoring and responsibilities.

**Reason:** To provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

- 7 The development hereby permitted shall not commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the steps and procedures that will be implemented to avoid or mitigate construction impacts on protected species and habitats. The CEMP as a minimum shall provide details of:
- Storage of Construction materials/chemical and equipment
  - Parking of construction vehicles · Measures to ensure dust suppression
  - Construction waste disposal
  - Measures to minimise noise and vibration impacts to protected species and habitats.

The construction phase shall be carried out fully in accordance with the CEMP as approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protected species and habitats having due regard to the Habitats Regulations, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act 1981 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

#### **Other Important Information:**

- (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 6571.
- (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.co.uk](http://www.planningportal.co.uk)
- (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 Plaza or by telephoning 023 9244 6015.
- (4) Southern Gas Networks - Overbuild Advisory Note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work  
<https://www.sgn.co.uk/damage-prevention>
- Further information can also be found here  
<https://www.sgn.co.uk/help-and-advice/digging-safely>

- (5) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit,

- (6) Any tree pruning must be carried out in accordance with British Standard 3998: 2010 "Tree Work-Recommendations".

- (7) Advice to Local Planning Authority and Applicant

## Guidance to assess future flood risk

Planning practice guidance provides advice on what is considered to be the lifetime of the development in the context of flood risk and coastal change (see ref ID:

7-006-20220825). The Environment Agency guidance 'Flood risk assessments: climate change allowances' provides allowances for future sea level rise, wave height and wind speed to help planners, developers and their advisors to understand likely impact of climate change on coastal flood risk. It also provides peak river flow and peak rainfall intensity allowances to help planners understand likely impact of climate change on river and surface water flood risk.

## Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.  
To get help during a flood, visit <https://www.gov.uk/help-during-flood>.  
For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

## Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Please do not hesitate to contact me using the contact details shown below should

you have any queries regarding the above information.

*Alex Robinson*

Alex Robinson  
Executive Head of Place

26 July 2024

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL  
PLANNING AUTHORITY REFUSE PLANNING PERMISSION  
OR GRANT IT SUBJECT TO CONDITIONS**

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

**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 under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at:** <https://www.gov.uk/appeal-householder-planning-decision> for householder applications; <https://www.gov.uk/appeal-planning-decision> for full applications; <https://www.gov.uk/planning-inspectorate> for anything else.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

# **IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS**

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

**023 9244 6571**

# Southern Gas advisory note

## In June 2021 SGN issued a comprehensive advisory note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linerearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone: 0800 912 1722 / Email: [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work  
<https://www.sgn.co.uk/damage-prevention>
- Further information can also be found here  
<https://www.sgn.co.uk/help-and-advice/digging-safely>

SGN personnel will contact you accordingly.