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Our Ref: APP/23/00665
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Ask For: Mr D Eaves
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18 December 2024

**Town and Country Planning (Development Management Procedure) (England) Order 2015
Discharge of Conditions Application**

Application Number: APP/23/00665

Site Address: Land on the east side of Helmsley House, Bartons Road, and west of Normandy Way, Havant

Description: Erection of a 78 bed older persons care home (Use class C2) together with construction of new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure.(26.02.24). Request to discharge condition 15 (05.04.24). Request to discharge conditions 3,4,7,9,13,14,18,20,21 and 23 (24.07.24).Request to discharge condition 6 (28.08.24). Request to Discharge Conditions 5 & 17 (11/10/2024).

This decision relates to your request to discharge conditions which was valid from 24 July 2024.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Condition of Planning Permission APP/23/00665.

The condition in respect of which information has been submitted is:

Condition 20:

The development hereby permitted shall not commence unless the Council has received the Notice of Purchase in accordance with the legal agreement between the Council, South Downs National Park Authority and Andrew Sellick of Gawthorpe Estate dated 20th December 2023 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

Reason: To demonstrate that suitable mitigation has been secured in relation to the effect that nutrients from the development has on European protected sites. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Details submitted:

Allocation Agreement Dated 20th December 2023 – 1059 Bartons Road

Appendix 1 – Plan of Warnford Park Mitigation Land Phase 1

Appendix 2 - Detailed Plan of Warnford Park Mitigation Land - Brackley Investments (1059 Bartons Rd)

Appendix 3 - Statement of Historic Land Use and Assessment of Nitrate Mitigation Values – Phase 1 – revised 20th April 2022

Appendix 4 – Nitrate Mitigation Schedule - Evidence of Historic Land Use (APPENDIX 4) - revised 20th April 2022

Appendix 5 – Nitrate Mitigation Schedule - Summary of Contractual Arrangements (APPENDIX 5) - revised 20th April 2022

Appendix 6 – Nitrate Mitigation Budget – Revised 20th April 2022

Notice of Purchase – Andrew Sellick – Brackley Investments Limited Ref: 1059 Bartons Road, Havant, Hampshire (APP/23/00665) Letter Wilson Wraight dated 30th September 2024

Reasons for approval

The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

- (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) 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 Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

Alex Robinson

Alex Robinson

Executive Head of Place

Date: 18 December 2024