

Mr King
Mission Town Planning
42 Constitution Hill Road
Parkstone
Poole
BH14 0QD

For: C/O Agent
A Data Ltd

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

Application Number: APP/22/01039

Site Address: 36 New Lane, Havant, PO9 2JL

Proposal: Construction of 6no. industrial units, within Use Classes B2, B8 and E(g), following demolition of existing buildings, to incorporate, access, parking, landscaping, and associated works.

Further to your application received on 28 October 2022 (which was valid from 15 December 2022) 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:

Location Plan Drawing No. 22.015_HGP_XX_00_DR_A_0001 Rev P2

Proposed Site Plan Drawing No. 22.015_HGP_XX_00_DR_A_0011 Rev P6

Units 1-3 Floor Plan and Main Elevation Drawing No.

22.015_HGP_XX_00_DR_A_0012 Rev P3

Units 1-3 Elevations and Section Drawing No. 22.015_HGP_XX_00_DR_A_0013 Rev P3

Units 4-6 Floor Plan and Main Elevation Drawing No. 22.015_HGP_XX_00_DR_0014

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Rev P2
 Units 4-6 Elevations and Section Drawing No. 22.015_HGP_XX_00_DR_A_0015 Rev P2
 Proposed Site Sections Drawing No. 22.015_HGP_XX_00_DR_A_0016 Rev P3
 Swept Path Analysis - Articulated Vehicle Drawing No. ITB18160-GA-002 Rev B
 Landscape Plan Drawing No. M425-200 Rev P1
 Flood Risk Assessment & Drainage Strategy Report Ref: R100 Fifth Issue August 2023
 Planning Statement Mission Town Planning Consultancy October 2022 uploaded 7th August 2023
 Design and Access Statement Ref: 22.015 Rev P2
 Peer Review of SPEL Stormceptor/Purceptor performance against the British Water Code of Practice for SPEL Stormwater Issue 1 28 January 2021
 Arboricultural Impact Assessment Report Reference Number: 221209-1.0-NLH-AIA-AN Rev 1.0 Treework Environmental Practice
 Tree Protection Plan Drawing No. 221208-1.0-NLH-TPP-NC
 Environmental Noise Assessment Project No 2221292 Sharps Redmore November 2022
 BREEAM 2018 Pre-Assessment Report - Issue Planning 2 Watkins Payne September 2022
 Transport Assessment i-Transport Ref: SJ/SM/SPH/ITB18160 dated 30 September 2022
 Framework Travel Plan i-Transport Ref: SJ/SM/SPH ITB18160-002 29 September 2022
 Preliminary Ecological Appraisal Technical note Issue No. 1 23rd September 2022

Also considered for Information Only:

DRAFT Proposed Levels Strategy Plan Drawing No. 102

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of:

- (a) provision of boundary hoarding;
- (b) hours of operation;
- (c) means to control dust and emissions to air;
- (d) means to control noise and vibration;

have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Portsmouth Water. The CMP shall be in accordance with the Greater London Authorities Supplementary Planning Guidance 'The Control of Dust and Emissions during Construction and Demolition'. The development shall be constructed in accordance with the approved CMP.

Reason: To ensure that the proposed development does not have a significant adverse impact on the amenities of nearby residential properties and to minimise the impacts on local air quality having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

Reason: In the interest of highway safety and having due regard to policies CS20, DM10 and DM11 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted including demolition shall not commence unless and until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment & Drainage Strategy Report, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment & Drainage Strategy Report.
 - b. Winter groundwater monitoring and infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
 - c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Reason: To ensure that the development is acceptable in relation to flood risk and drainage having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2011.

- 6 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum points have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the development has an acceptable impact on the character and appearance of the area having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A site walk-over survey &/or sufficient desk-based research to identify & summarise;
 - Relevant previous uses of the site,
 - Potentially significant features and contaminants associated with those uses
 - Uncertainties relating to previous use or associated potential contaminants

- A preliminary conceptual site model identifying relevant sources, exposure pathways and receptors, and;
 - Potentially unacceptable risks arising from contamination at the site.
- 2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.
 - 3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - appropriately considered remedial objectives,
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
 - clearly defined proposals for mitigation of the identified risks.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework. The proposal relates to the redevelopment of an existing industrial site with a likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above a secondary superficial aquifer which may be in continuity with the River Lavant. The site is additionally underlain by a principal chalk and associated SPZ1c (at depth). Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, and the integrity of the proposed buildings and services, these receptors could potentially be impacted by contamination present on this site.

- 8 No development shall start on site until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Planning Authority in consultation with Portsmouth Water detailing all pollution mitigation measures to be adopted during the construction phase. This shall include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages.

Reason: Fugitive emissions from the site during construction could pose a significant threat to groundwater and therefore the local public water supply source and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No above ground construction shall take place unless and until details of the provision of 19 long term and 9 short term cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The long term cycle parking shall be provided for each unit in a secure manner. The buildings shall not be occupied unless and until cycle parking has been provided in accordance with the approved details. The approved cycle parking shall thereafter be retained and maintained in accordance with the approved details.
Reason: To provide non car based travel options in the interests of sustainability having due regard to Policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD July 2016 and the National Planning Policy Framework.
- 10 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 The development shall not be brought into use unless and until details of the provision of Electric Vehicle (EV) charging points have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the EV charging points shall be provided on the basis of a minimum of 10% of parking spaces and with a minimum of 20% of parking spaces passively equipped.
The charging points shall be installed prior to development being brought into use and thereafter retained and maintained in accordance with the approved details.
Reason: In the interests of sustainability and air quality having due regard to policies CS14 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 Prior to the development being brought into use an Occupational Phase Employment and Skills Plan shall be submitted to and approved in writing by the Local Authority which shall provide the following details:
• An end user HR contact for recruitment for direct employees
• An inception meeting with the Economic Development Officer to detail the programme for launch recruitment and beyond initial occupation;
• Provision for a follow up meeting to be attended by the Borough Council including members of the end-user's PR team;
• Provision of details of the agencies/contractors that are being partnered with;
• Details of the marketing of direct employment opportunities, including specific reference to the need to target Havant residents, including those in the 18-24 category and those in Leigh Park and the immediate area.
Reason: In the interests of providing employment opportunities at the site in accordance with policy CS3 of Havant Borough Local Plan (Core Strategy) 2011.
- 13 Before any part of the development is occupied, the highway works shown on the drawings hereby approved and described in the supporting information shall have been completed in accordance with those drawings.
Reason: To provide safe vehicular access to the site having due regard to policies CS20, DM11 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 14 Details for the long term maintenance arrangements for the surface water drainage

system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the units hereby approved. The submitted details shall include;

- a. Maintenance schedules for each drainage feature type and ownership
- b. Details of protection measures

Reason: To ensure the management and maintenance of the long term surface water drainage scheme having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with Condition 7 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 183-185 of the National Planning Policy Framework. The proposal relates to the redevelopment of an existing industrial site with a likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above a secondary superficial aquifer which may be in continuity with the River Lavant. The site is additionally underlain by a principal chalk and associated SPZ1c (at depth). Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, and the integrity of the proposed buildings and services, these receptors could potentially be impacted by contamination present on this site.

- 17 Within 6 months the development first becoming occupied (or such other date as may be agreed in writing by the Local Planning Authority), written documentary evidence proving that the development has achieved at minimum 'Very Good' against the BREEAM Standard (or equivalent if not available) in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development contributes to sustainable construction having due regard to policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 Tree protection measures will be undertaken in accordance with the submitted plan 'Arboricultural Impact Assessment (Reference 221209-1.0-NLH-AIA-AN Rev 1.0) and the Tree Protection Plan (Reference 221208-1.0-NLH-TPP-NC). Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority.
Reason: To safeguard the continued health and presence of such existing trees and protect the amenities of the locality and having due regard to policies CS11 and DM8 of the Havant Borough (Core Strategy) 2011 and the National Planning Policy Framework.
- 19 A scheme of soft landscaping shall be undertaken in accordance with Landscape Plan (Reference M425-200 Revision P1). Any variations to the details of the documents and plans must only be undertaken after the proposed variations have been agreed in writing by the Local Planning Authority. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.
Reason: To ensure a satisfactory appearance, which represents an important amenity feature in accordance with policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework
- 20 Prior to the first occupation of the buildings hereby approved details of the species mix of the 'species rich lawn' shown on drawing No. M425-200 Rev P1 and its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The approved planting details shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason: In the interests of the biodiversity/ecology of the site having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 21 Development shall proceed in accordance with the ecological avoidance measures as detailed in the Preliminary Ecological Appraisal Technical Note Issue No. 1 (Delta-Simmons, September 2022) unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 22 The rating level of the noise determined by the cumulative sound emissions of all items of plant shall be at least 5 dBA lower than the existing background noise level at any given time of operation. The noise levels shall be measured or predicted 1m externally to any window at the nearest residential façade. Measurements and assessment shall be made according to British Standard 4142:2014.

Reason: To obtain required sound insulation and prevent noise nuisance having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and

the National Planning Policy Framework.

- 23 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used for the following use classes B2, B8 and E(g); and for no other purposes.

Reason: To accord with the terms of the application, in the interests of amenity, highways and parking and having due regard to Policies CS16 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 No article of any description shall be manufactured, assembled, altered, repaired or stored outside the building(s) hereby approved.

Reason: In the interests of the amenity of the area and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 Lighting shall be provided to conform to BS 5489:2020 or BS EN 12464.

Reason: To ensure that adequate levels of lighting are provided in the interests of safety having due regard to policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Note: Please see related informative for further information on lighting.

- 27 Should piling be proposed at this location that has the potential to penetrate the full depth of the Clay cover at this location a piling risk assessment and method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works shall be submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water.

Reason: The proposed site is situated in a sensitive groundwater catchment and there is a potential risk associated with groundworks in this area having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 28 If, during development, contamination not previously identified is found to be present at the site then the local planning authority must be notified immediately. No further development (unless otherwise agreed in writing with the local planning authority in consultation with Portsmouth Water) shall be undertaken in that phase until the developer has submitted and had approved a site investigation, risk assessment and remediation strategy report, detailing how to mitigate the contamination identified. The remediation strategy approved by the local planning authority shall be implemented in full before development in that phase recommences.

Reason: To ensure that risks from land contamination to drinking water supplies are remediated and having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 29 No deep-bore soakaways shall be used at this site unless and until an adequate hydrogeological risk assessment demonstrating how the risk to groundwater would be mitigated in the proposed design has been submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water. Any deep bore soakaway thereafter provided shall be constructed in accordance with the approved details.

Reason: To ensure that risks from land contamination to drinking water supplies are remediated having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Note:

Portsmouth Water have advised as follows:

Portsmouth Water will only agree to the use of deep pit based systems (including boreholes) for surface water disposal if the developer can show that all of the following apply:

- there are no other feasible disposal options such as shallow infiltration systems (for surface water) that can be operated in accordance with current British Standards;*
- the system is no deeper than is required to obtain sufficient soakage;*
- pollution control measures are in place;*
- risk assessment demonstrates that no unacceptable discharge to groundwater will take place, in particular that inputs of hazardous substances to groundwater will be prevented; and*
- there are sufficient mitigating factors or measures to compensate for the increased risk arising from the use of deep structures.*

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
- (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.

- (1) 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

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>

- (2) 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.

- (3) The applicant is advised of the Consultation Response received from Southern Water dated 10th January 2023 which can be viewed on the Councils website at the following address:
https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_254548

Your attention is particularly drawn to the following Southern Water requested informative:

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

- (4) The applicant must assess the impact of any lighting which could impact on residents living within the proximity. The lighting impact assessment should predict lighting levels including spillage outside the site boundary. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as amended).
- (5) The applicants are advised that the access alterations would need to be approved under a separate Section 278 process with Hampshire County Council (The Highways Authority) including pedestrian crossing tactile paving requirements.

Alex Robinson

Alex Robinson
Executive Head of Place

11 September 2023

**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) 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

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.