

To:
Dr Lyons
WYG
The Pavilion
Botleigh Grange Office Campus
Hedge End
SO30 2AF

For: The Trustees of The GHM Jackson 1972
Settlement

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

Application Number: APP/20/00441

Site Address: Land west of, Hulbert Road, Havant

Proposal: Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant.

Further to your application received on 09 June 2020, which was valid from 06 August 2020, Havant Borough Council, as Local Planning Authority, **Grants Outline 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 General

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

- (a) The expiration of two years from the date of this permission; or
- (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - the appearance; landscaping; layout; and scale.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

3 **Plans**

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

Plans

Site Location Plan 11/10/21

Proposed Site Access Drawing No. A096474-SK01 Rev C

Proposed footway Drawing No. A096474-SK02 Rev C

Proposed footway Drawing No. A096474-SK03 Rev B

Swept Path Analysis Drawing No. A096474-SK04 Rev A

Forward visibility Drawing No. A096474-SK05 Rev A

Tree Protection Plan 16030-4

Reason: - To ensure provision of a satisfactory development.

NB The decision also took account of the following documents and plans:

Concept Masterplan Drawing No. CMP-01 Rev E

Application Form

Planning Design & Access Statement May 2020

Barrell's Manual for managing trees on development sites.

Residential/Dwelling Units – Supplementary information template

European Site avoidance and mitigation checklist, email dated 27/5/21 from

jamie@meonsprings.com

EIA Screening Request Letter 18/5/20

Utilities Plan 25/03/2

Sewer records

Southern Water Sewer Map

Preliminary Tree Survey Plan 2019

Flood Risk Assessment and Preliminary Drainage Strategy April 2020

Lighting Assessment April 2020

Constraints Plan 26/03/20

Topographical Survey Drawing No. WYG001 A

Topographical Survey Drawing No. WYG001-003

Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 July 2020

Documents

Barrell's Arboricultural assessment & method statement dated 27/5/21 and tree plans.

Noise Assessment DEC 2020

Noise response from applicant dated 18/3/21, addendum received June 2021

Air Quality Assessment Oct 2020

Phase 1 Geoenvironmental Assessment Desk Top Study A096474 July 2020

Action Plan

Ecological Appraisal Dec 2019

Reptile Report Dec 2019

Bat Activity Surveys Dec 2019 & March 2021

Dormouse Reports Jan 2020 & March 2021

Transport Assessment April 2020

Framework Travel Plan May 2021

- 4 The building line of the housing development to the west of the site shall be no closer than 37m from the A3(M) kerbside.
Reason: In the interests of the air quality and amenity of future residents having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 5 No housing shall exceed two storey in height across the entire site, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the residential amenity of housing will not be impacted upon by any external noise levels, having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 6 Any reserved matters application shall have regard to the Crime Prevention Through Environmental Design principles, with particular reference to:
The design and layout;
The presence of good natural surveillance of the public realm and defensible spaces (especially about the dwellings);
Appropriate level of lighting; and
Appropriate connectivity and permeability within the development.
Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 The development of the site shall provide a range of dwelling types and sizes to meet an identified local housing need, with 35% of the overall housing mix both market and affordable) to be two bedroom homes, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To meet an identified local housing need having regard to Policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 **Pre-commencement**
No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) 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: In the interests of the character and amenities of the area having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Barrell's Arboricultural Assessment & Method Statement dated 27/5/21 and the Tree Protection Plans shall be installed and agreed at a pre-commencement meeting with the Council's Arboricultural Officer and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.
Reason: To safeguard the continued health and presence of such existing vegetation and trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Prior to the commencement of development activities, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be in accordance with those detailed within the Ecological Appraisal (WYG, December 2019, the Dormouse Survey report (WYG, March 2021) and the Bat Survey report (WYG, March 2021) unless otherwise agreed in writing by the Local Planning Authority. The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the location, composition and ongoing management of all compensatory or enhancement habitat and; location, type and number of all bat/bird boxes; details of any lighting used during construction. All ecological compensation/enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.
Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 11 Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS11 of the Havant Borough Core Strategy March 2011.
- 12 Prior to commencement of development, detailed designs of speed reduction measures on Hulbert Road shall be submitted to, and approved in writing, by the Local Planning Authority. The agreed reduction measures on Hulbert Road shall be implemented to certificate of completion standard prior to occupation of any part of the development hereby approved.
Reason: In the interest of highway safety and having regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 Prior to the commencement of construction of the proposed bund, geotechnical submissions (in accordance with DMRB Standard CD622) relevant to the construction of the earth bund (as set out in principle in the drawing number SK02 included in the Noise Assessment document dated December 2020) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with and requiring certification by Highways England).
Reason: To mitigate any adverse impact from the development on the A3(M). To ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and in accordance with Policy DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: WYG Flood Risk & Drainage Assessment (FRDA) (ref. A096474, dated April 2020), has been submitted to 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.
 - b) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - c) 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.
 - d) Evidence that urban creep has been included within the calculations.
 - 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.
 - g) Evidence that the existing highway ditch connects to the watercourse and confirmation of ownership and approval to discharge to the ditch or watercourse through third party land.
- The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network.
- Reason:** To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework; and To mitigate any adverse impact from the development on the A3(M) and to ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980; to satisfy the reasonable requirements of road safety; and in accordance with Policy DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 15 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use until the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority
- Reason:** To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 Prior to development commencing, in the event of piling or other deep foundations for the site using penetrative methods, full details of such piling or penetrative methods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason:** To ensure that the proposed piling or other deep foundation in soils affected by contamination does not harm groundwater resources. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014 and the National

- 17 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any 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 may comprise separate reports as appropriate, but shall be undertaken by competent persons, and unless specifically excluded in writing by the Local Planning Authority shall include;
- 1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; 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 identified receptors.
 - 2) The results of an appropriate risk assessment based upon (1), 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.
 - 3) 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:** Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants, controlled waters or ecological receptors. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014 and paragraphs 183 - 185 of the National Planning Policy Framework.
- 18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.
- Reason:** Contamination may be present at the site that has not been or will not be identified by the site investigations required by the above condition which may be encountered during construction. If allowed to remain at the site, contamination could pose an unacceptable risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014 and paragraphs 174, 183-185 of the National Planning Policy Framework.
- 19 No development or any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.
- Reason:** To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough

- 20 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 should include construction access, 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: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 21 No development shall commence unless and until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in order to recognise, characterise and record any archaeological features and deposits that may exist here. The assessment should initially take the form of trial trenches that are within the footprints of the proposed houses, garages, access roads and service trenches.
Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 22 **Above ground**
Prior to any above ground works details of the lighting proposed to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The design of the lighting scheme shall comply with BS 5489-1:2020 and discharge any liabilities attached to that standard. The lighting shall, prior to occupation of any of the residential units hereby approved, be carried out in accordance with the approved details and maintained thereafter.
Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 23 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) 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 Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 24 No above ground construction works shall take place unless and until details specifying the Energy Efficiency of the residential development in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved specification.
Reason: To ensure the energy efficiency of the residential development in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Pre-occupation

Prior to occupation of any residential unit hereby approved, confirmation in writing shall be submitted to the Local Planning Authority that:

- (a) the acoustic mitigation measures employed with regard to the building envelope, including fenestration and ventilation, for all residential units meets BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms; and
- (b) in respect of external areas that are used for personal amenity space, such as gardens and patios, noise levels in these areas must not exceed 55 dB LAeq, 16 hour.

Note: To secure compliance with this condition, post validation testing would need to be undertaken by a competent person to determine compliance with the noise impact assessment as provided by WYG Noise assessment, dated December 2020, 4th issue. Such testing shall be achieved using at least 3 sample dwellings, nearest to the measurement positions LT1 & LT2. This must include a top storey apartment or house adjacent the A3M and an apartment or dwelling adjacent the Hulbert Road.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

26

Prior to occupation, an Overheating Assessment in accordance with CIBSE TM59 (2017) shall be submitted to and approved in writing by the Local Planning Authority in respect of any residential properties required to keep windows closed to mitigate noise from road traffic sources (especially overnight), to demonstrate that indoor temperatures would be acceptable in the absence of open windows. Any scheme/s or measures to mitigate overheating shall be included with the Acoustic Design Statement or in the approved plans for the development. The Overheating Assessment shall be implemented strictly in accordance with the approved details, prior to the occupation of any of the properties the subject of the scheme.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external traffic noise levels, and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

27

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained, details of which shall be submitted to the Local Planning Authority.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

28

No part of the development shall be first occupied anywhere on the site until the road(s) serving that dwelling have been laid to at least base course.

Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

29

Prior to the occupation of the development full details of the Electrical Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The Charging Points shall be installed in accordance with the approved details prior to the occupation of each individual dwelling and retained at all times thereafter.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 30 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 dwellings.
The submitted details shall include;
a) Maintenance schedules for each drainage feature type and ownership
b) Details of protection measure.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 31 Prior to any phase of development being occupied, and pursuant to Condition 17, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and verified 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 to demonstrate that the site remediation criteria have been met.
Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014 and paragraphs 174, 183-185 of the National Planning Policy Framework.
- 32 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 and future occupiers of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 33 Following completion of archaeological fieldwork pursuant to Condition 21 a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 34 The development hereby permitted shall not be occupied until:
(a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;
and
(b) All measures necessary to meet the approved water efficiency calculation have been installed.
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on

the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

35 **Post occupancy**

At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

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 6573.
- (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.gov.uk/pcs.
- (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 Civic Offices or by telephoning 023 9244 6015.
- (4) Your attention is drawn to the provisions of Section 12 of the Hampshire Act 1983, relating to access for the Fire Brigade. A copy of the Act may be inspected at the Planning and Development Reception at the Civic Offices.
- (5) Before undertaking any work which affects a public highway (including a footpath) you must obtain specific written approval from the Head of Technical Services, Havant Borough Council, Civic Offices, Civic Centre Road, Havant PO9 2AX (tel. no (023)9244 6428/9). This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or the construction of new boundary walls and foundations immediately alongside the public highway.

(6) You are advised that consent may be required from Southern Water Services Ltd to build in the vicinity of public sewer. You can inspect a copy of the Southern Water Services Maps of public sewers, which are held by Technical Services at the Civic Offices to determine the proximity of any public sewer to the proposed development. If you are in any doubt or need information regarding the procedure for obtaining consent from Southern Water Services Ltd, you should seek further advice from the Development Control Manager, Southern Water Services Ltd (01962 714585).

(7) 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.

(8) Subject to detailed design, this development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and Highways England (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement or agreements, under Section 278 and Section 38 of the Highways Act, with Highways England and the Local Highway Authority.

(9) The applicant should contact the Countryside Access Team at Hampshire County Council to discuss the Temporary Closure of the footpath. The applicant should also be aware of the following requirements:

Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

- i. Any damage caused to the surface of the Public Right of Way will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.

There must be no surface alterations to a public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980.

(10) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 1st February 2023 which requires:

Affordable Housing

Nutrient Mitigation Requirements

Solent Recreation Mitigation Strategy Contribution (based on Reserved Matters bedroom numbers)

SUDs – including SUDs Bond, Management and Maintenance

Children's Play Area

Common Parts Management and Maintenance

Health Contribution

Community Officer contribution

Our Ref: APP/20/00441

Provision of Public Open Space
Permissive Paths and Roads
Highway Works
Travel Plan Requirements
Monitoring Fee

Neeru Kareer

Neeru Kareer
Executive Head of Place (Interim)

02 February 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