

Houghton, Michelle

From: Stuart Magowan [REDACTED]
Sent: 19 April 2021 13:20
To: Holmes, Jon
Cc: [REDACTED]
Subject: FW: 23246 Norton Height 2 Lovedean Application Number 54139/003
Attachments: 54139_001-Decision_Notice-1116609.pdf; APP_21_00243-CONSULTEE_RESPONSE_-_SOUTHERN_WATER-1476545.pdf; 54139_003-CONSULTEE_COMMENT_-_FLOOD_AND_WATER_MANAGEMENT-1128673.pdf; S106 Approval Letter_08-03-2021.pdf

Hi Jon

I have received a copy of the Planning Consultation responses to you from Hampshire County Council as Lead Local Flood Authority copy attached, objecting to the discharge of Drainage Conditions 4 we respond as follows:

Objection from Hampshire County Council

The objection from Hampshire County Council as Lead Local Flood Authority confirms they have no objection to the discharge rate but noting Southern Water must agree to the discharge rates.

From Hampshire letter *"While we have agreed to the proposed discharge rates, Southern Water **must** be consulted at this stage since failure to secure this agreement is likely to necessitate in the need to review the drainage proposals for the application, which may have implications for the drainage proposals, proposed quantum and layout of the proposed development.*

*Bearing in mind the importance of this, we **request** fully written agreement from Southern Water for the proposals including the proposed discharge rates and connections.*

Providing the proposed discharge rates and connections are fully agreed, the general principles of the surface water drainage proposals are considered acceptable subject to the following planning condition:

1. The drainage system shall be constructed in accordance with the approved documents. Surface water discharge to the public sewer network shall be limited to the discharge rates agreed with Southern Water. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

*Providing the proposed discharge rates and connections are fully agreed, the County Council as the Lead Local Flood Authority would have **no objection** for conditions 4, 5 & 16 of outline planning permission 54139/001 to be discharged"*

We have attached the Outline Planning Decision notice for ease of reference and confirm neither drainage Condition 4 nor 5 requires Southern Water's approval to the discharge rates or connections.

Following the Ofwat ruling in 2018 sewerage undertakers have an obligation to provide capacity where a direct connection into the existing public sewer is technically achievable, regardless of whether this is a discharging of surface water to surface water or foul water network or foul water to a foul water network. It is therefore Southern Water's responsibility to ensure there is adequate capacity within their sewer network. In their role as the Statutory Sewage Undertaker they are obligated to undertake suitable upgrades through investment using funds from the infrastructure charges which they now apply to all new development.

In accordance with the 2018 Ofwat ruling and S106 of the Water Industry Act (1991) Southern Water are unable to refuse a connection to the public sewer, regardless of whether it is foul or surface water, where the internal diameter of the new connecting pipework is no larger than the internal diameter of their existing network, and the connecting pipework meets the adoptable standard, all of which will be met by the proposals.

In addition to 2018 Ofwat ruling referenced above, the developer also has a right to connect to the public sewer under S106 of the Water Industry Act (1991) which states:

Subject to the provisions of this section—

(a) the owner or occupier of any premises, or

(b) the owner of any private sewer which drains premises, shall be entitled to have his drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water and surface water from those premises or that private sewer.

We note Southern Water have not objected to the discharge of conditions application in their response to you dated 12 April 2021, copy attached.

Our Client is working with Southern Water to assist wherever it is viable to do so and in agreeing timings including in relation to the timings of final connections for both foul and surface water to assist Southern Water in providing any upgrades or modifications to the public foul water sewer system that they may require to facilitate the development. I have attached a copy of the S106 approval for the connection to public sewer in Lovedean Lane which whilst not a confirmation of a discharge of conditions or capacity does show we are working with Southern Water on these items.

We trust Hampshire County Council as Lead Local Flood Authority will remove their objection to the discharge of conditions.

If you have any queries please do not hesitate to contact me.

Regards

Stuart

Stuart Magowan

stuart@civil.co.uk

01273 424424

07787 127661



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As an ISO 9001 : 2008 certified company, we invite you to reply to this email with any feedback (positive or negative) that you would like to share. Any response will be reviewed by the directors and quality assurance department.

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Mr Quarrell
Bargate Homes & The English Province of the
Congregation of Our Lady of Charity
C/O The New Barn
Vicarage Farm Business Park
Winchester Road
Fair Oak
SO50 7HD

Case Officer: Jon Holmes
Direct Dial: 01730 234243
Our Ref: 54139/001
Your Ref:
Date: 04 February 2021
email: jon.holmes@easthants.gov.uk

Dear Mr Quarrell

Proposal: Outline application - Residential development of up to 56 dwellings, open space, landscaping, access, the demolition of 149 Lovedean Lane and associated works (part of application site within Havant Borough Council) (Access only to be considered)

Site Address: Reserve Housing Site, Lovedean Lane, Horndean, Waterlooville

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

All the conditions of the Notice are legally binding, failure to comply may invalidate the permission and result in the Council taking action against you. Please check the Notice to see if there are any conditions which require discharge/approval before works commence. Some conditions may require further details or samples to be submitted for approval. If this is the case a **fee of £116 is payable with the request for discharge/approval**. If you are unclear about the procedures, the fee required or how to pay, then please contact our Customer Service Centre 01730 234246. The fee can be paid by cheque made payable to EHDC or phone 01730 234246, in either case please quote the **planning no: 54139/001, site address and "fee payment for discharge of planning conditions"**.

Before the development or change in the use is started **please complete the tear-off section below** and return to Planning Compliance who will then check the details of the consent, **no fee required**. Failure to do so could result in difficulties or delays when the property is sold. Please also note that once work has commenced on site, developers should apply for addresses to the East Hampshire District Council street naming and numbering department.

Yours sincerely



Simon Jenkins Director of Regeneration and Place

No fee required with the return of this slip. Please return to:

54139/001

Planning Compliance

Name: _____

East Hampshire District Council

Address: _____

Penns Place, Petersfield

Hants GU31 4EX

Email/Tel No: _____

I anticipate that the works/use will begin on _____

Signed: _____

Date: _____

Reference No: 54139/001

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Bargate Homes & The English Province of the Congregation of Our Lady of Charity
C/O The New Barn
Vicarage Farm Business Park
Winchester Road
Fair Oak
SO50 7HD

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

NOTICE OF OUTLINE PERMISSION: 54139/001

- Proposal:** Outline application - Residential development of up to 56 dwellings, open space, landscaping, access, the demolition of 149 Lovedean Lane and associated works (part of application site within Havant Borough Council) (Access only to be considered)
- Site Address:** Reserve Housing Site, Lovedean Lane, Horndean, Waterlooville (Horndean Parish)

The Planning Authority GRANTS Outline Planning Permission in accordance with your application, plans and details submitted therewith, which was registered on 5 June, 2020, subject also to the following conditions:-

- 1 Applications for the approval of the matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates **shall be begun not later than** whichever is the later of the following dates:-
 - (i) **three years** from the date of this permission; or
 - (ii) **two years** from the final approval of the said 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 provisions of Section 92(2) of the Town and Country Planning Act, 1990.
- 2 No development shall start on site until plans and particulars showing details relating to appearance, landscaping, layout, and scale of the development shall be submitted to, and approved by the Planning Authority. These details shall comprise the 'reserved matters' and shall be submitted within the time constraints referred to in Condition 1 above before any development is commenced.

Reason - To comply with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or any Order revoking and re-enacting that Order).

- 3 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; all measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter;
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority and shall be implemented in full in accordance with an agreed timetable.

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 for 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, policies CP22 and CP27 of the East Hampshire District Local Plan: Joint Core Strategy 2014.

- 4 No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: 23246, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
 - b. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
 - c. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.

The drainage features should have the same reference that the submitted drainage layout.

d. Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.

The development shall be carried out in accordance with the approved details.

Reason - To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

- 5 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 measures.

Reason - To ensure appropriate maintenance and management arrangements are in place for all drainage features.

- 6 The development hereby permitted shall not be commenced until such time as a ground foundation scheme has been submitted to and approved in writing by, the Local Planning Authority.

Reason - To ensure groundwater and associated public water supply abstractions are protected.

- 7 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. The remediation strategy 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 water pollution from previously unidentified contamination sources at the development site.

- 8 **No development shall commence on site until** the following details have been submitted to, and approved in writing by, the Local Planning Authority:-
- (a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
 - (b) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise agreed in writing by the Local Planning Authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site.
 - and (unless otherwise first agreed in writing by the Local Planning Authority)
 - (c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The

scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages. The above reports should be completed by a competent person, as stipulated in the National Planning Policy Framework, Annex 2, and site works should be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS10175:2011 Investigation of potentially contaminated sites - Code of practice.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite. 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.

9 Before any part of the development is first occupied or brought into use

(unless otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the Local Planning Authority.

The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 10** Prior to the commencement of any development activities a site-wide ecological mitigation, compensation and enhancement plan shall be submitted to, and agreed in writing by, the Local Planning Authority. Such details shall be in accordance with the outline mitigation, compensation and enhancement measures detailed within the Ecological Survey (EcoSupport, January 2020). Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To provide ecological protection and enhancement in accordance with Conservation Regulations 2017, Wildlife & Countryside Act 1981, NERC Act 2006, NPPF and Policy CP21 of the East Hampshire District Local Plan: Joint Core Strategy.

- 11** No development shall start on site, including any works of demolition, until a site specific Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan

shall be adhered to throughout the demolition and construction phases of the development. The Plan shall include the following details for the operation of the site during both the demolition and construction phases:

- A programme of and phasing of demolition and construction work;
- The vehicle parking arrangements for site operatives, contractors and visitors;
- The arrangements and timings for deliveries and soil removal vehicles;
- Access and egress for plant and machinery;
- Details of wheel washing facilities and their use;
- Measures to control the emission of dust and dirt during construction;
- Protection of pedestrian routes within and adjoining the site;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- Location of temporary site buildings, compounds, construction material, spoil heaps and plant storage areas;
- Provision for the storage and collection of waste from the development; and
- Measures to control the emission of noise and vibration including methods for piling of foundations and noise mitigation measures.
- Details of pollution control measures to be adopted including means of surface water management during construction.

Reason - In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality.

- 12 The development hereby permitted shall not be brought into use until the access, including the footway and/or verge crossing shall be constructed and lines of sight of 2.4 metres by 59 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plan shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason - To provide satisfactory access with sufficient levels of visibility in the interests of highway safety.

- 13 All works hereby permitted shall be carried out in strict accordance with the Arboricultural Assessment & Method Statement (Barrell Tree Consultancy, May, 2020).

Reason - To ensure that trees adjoining the site are adequately protected from damage to their health.

- 14 Notwithstanding any indication of materials that may have been given in the application or in the absence of such information, no development above slab level shall take place on site until samples / details including manufacturers details of all the materials to be used for external facing and roofing for the development hereby approved have been submitted to, and approved in writing by, the Local Planning Authority. The development works shall be carried out in accordance with the approved details.

Reason - To ensure that the materials used in the construction of the approved development harmonise with the surroundings.

- 15 The scale of the dwellings hereby approved shall be a maximum of two storeys in height.

Reason - To ensure that the scale of the dwellings is compatible with the area, in the interests of the character and appearance of the area.

- 16 No development shall commence on site until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason - To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 17 Prior to the occupation of each dwelling, the areas shown for the parking of vehicles (including garages and those areas marked out on the plans as being unallocated) shall have been made available, surfaced and marked out. The parking areas shall then be permanently retained and reserved for that purpose at all times.

Reason - To make provision for off street parking for the purpose of highway safety.

- 18 No part of the development hereby approved shall be occupied until details for the on site provision of bin & cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. Each dwelling shall not be occupied until the bin & cycle storage of that unit has been constructed in accordance with the approved details and thereafter retained and kept available.

Reason - To ensure the adequate provision of on site facilities.

- 19 No development shall commence on site until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority to demonstrate that the built development hereby permitted incorporates measures that provides at least 10% of energy demand from decentralised and renewable or low carbon energy sources.

Prior to the first occupation of each dwelling, a verification report and completion certificate shall be submitted in writing to the Local Planning Authority confirming that the particular dwelling has been constructed in accordance with the approved scheme.

The developer shall nominate a competent person for the purpose of assessing and providing the above required report and certificate to confirm that the completed works incorporate such measures as to provide these requirements. The measures shall thereafter be retained and maintained to the agreed specification for the lifetime of the development.

Reason - To ensure that the development incorporates necessary mitigation

and adaptation measures with regard to climate change. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 20 Prior to the installation of any external lighting (excluding domestic curtilages), a detailed lighting strategy shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include the siting, height, lamp fittings and luminance of the proposed lighting. The lighting shall be installed in accordance with the approved details and retained to the agreed specification thereafter.

Reason - In the interests of ecology and in order to protect the character of the area.

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

Application form
Design & access statement
Flood risk assessment
Desk study report
Ecological survey
Archaeological desk based assessment
Arboricultural assessment & method statement
Manual for managing trees on development sites
Transport assessment
Report to inform habitats regulations assessment (stage 1 & 2)
Planning statement
Landscape & visual impact assessment
P1638.01 Rev C - illustrative masterplan
BAR1087-11 Rev A - illustrative landscape masterplan
19350-BT3 - tree protection plan
P1638.08 Rev B - location plan

Reason - To ensure provision of a satisfactory development

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

Application form
Design & access statement
Flood risk assessment
Desk study report
Ecological survey

Reference No: 54139/001

Archaeological desk based assessment
Arboricultural assessment & method statement
Manual for managing trees on development sites
Transport assessment
Report to inform habitats regulations assessment (stage 1 & 2)
Planning statement
Landscape & visual impact assessment
P1638.01 Rev C - illustrative masterplan
BAR1087-11 Rev A - illustrative landscape masterplan
19350-BT3 - tree protection plan
P1638.08 Rev B - location plan

A handwritten signature in blue ink, appearing to read 'S Jenkins', with a stylized flourish underneath.

Simon Jenkins
Director of Regeneration and Place
Date: 04 February 2021

Supplementary Information

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

- 1 The applicant is advised that the development the subject of this outline consent is liable to the East Hampshire District CIL Charging Schedule which became a material planning consideration on 8th April 2016. On approval of the last reserved matter arising from this outline consent, this development will be liable to pay the Council's CIL upon commencement of development. For further information, please see the CIL pages online, here:
<http://www.easthants.gov.uk/planning-policy/developers-contributions>
- 2 Please note that this permission is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.
- 3 All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to Environmental Health. An investigation and risk assessment should then be undertaken by competent persons and in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings, to include a remediation statement, should then be forwarded to the Local Planning Authority for appraisal. Following completion of remedial measures a verification report should be prepared that demonstrates the effectiveness of the remediation carried out. It is recommended that no part of the development be occupied until all remedial and validation works are complete and a Completion Certificate has been issued. This would ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.
- 4 For further information on recommended surface water drainage techniques, the applicant is directed to Hampshire County Council website:
www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems.htm
- 5 In accordance with paragraphs 38 and 39 of the NPPF East Hampshire District Council (EHDC) 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,
 - updating applicant/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was provided with pre-application advice and the applicant was updated of any issues after the initial site visit.

The applicant is advised that there may be a need to comply with the requirements of the Party Wall

etc Act 1996 before starting works on site. The Act relates to work which involves:

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

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

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

East Hampshire District Local Plan: Joint Core Strategy

CP1 - Presumption in favour of sustainable development

CP2 - Spatial Strategy

CP10 - Spatial strategy for housing

CP11 - Housing tenure, type and mix

CP13 - Affordable housing on residential development sites

CP18 - Provision of open space, sport and recreation and built facilities

CP20 - Landscape

CP21 - Biodiversity

CP22 - Internationally designated sites

CP24 - Sustainable construction

CP25 - Flood Risk

CP26 - Water resources/ water quality

CP27 - Pollution

CP28 - Green Infrastructure

CP29 - Design

CP30 - Historic Environment

CP31 - Transport

CP32 - Infrastructure

East Hampshire District Local Plan: Second Review (2006)

H2 - Reserve Site Allocations

H3 - Residential Development within Settlement Policy Boundaries

C6 - Tree Preservation

Building Regulations

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

NOTIFICATION

Planning permission/refusals

Appeals to the Secretary of State

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

1. If you want to appeal – For householder development and minor commercial you must appeal within 12 weeks of the date of this notice, for all other development you must appeal within six months of the date of this notice. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: **0303 444 5000**. 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 that excuse the delay in giving notice of appeal.
2. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
3. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decisions on directions given by the Secretary of State.
4. As from 6 April 2010 if an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.
5. 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 <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>
6. 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.

Purchase Notice

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

7. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

8. The applicant is recommended to retain this form with the title deed of the property.

Notes Specific to any Grant of Planning Permission

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

9. Applicants are reminded that any grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:- a) in the case of a footpath or bridleway, for an Authority under Section 257 of the Town and Country Planning Act 1990; b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990.

10. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade.

11. If this permission relates to buildings or premises to which the public are to be admitted or to offices, shops and railways premises or factories then your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970, Disabled Persons Act 1981, Building Regulations Part M and the Disability Discriminations Act 1995.

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



Hampshire County Council

*Economy, Transport and Environment Department
Elizabeth II Court West, The Castle
Winchester, Hampshire SO23 8UD*

Tel: 0300 555 1375 (General Enquiries)
0300 555 1388 (Roads and Transport)
0300 555 1389 (Recycling Waste & Planning)
Textphone 0300 555 1390
Fax 01962 847055
www.hants.gov.uk

<i>Enquiries to</i>	Santiago Manzanero	<i>My reference</i>	SWM/2021/0190
<i>Direct Line</i>	0370 779 8301	<i>Your reference</i>	54139/003
<i>Date</i>	26 March 2021	<i>Email</i>	SWM.consultee@hants.gov.uk

Dear Sir/Madam,

Reserved Matters application pursuant to outline permission 54139/001 for the development of 43 dwellings details of appearance, landscaping, layout and scale. Including the discharge of conditions 4,5,8,10,11,16,18 and 19 pursuant to 54139/001 at Reserve Housing Site, Lovedean Lane, Horndean, Waterlooville.

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application in our role as statutory consultee on surface water drainage for major developments.

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

The County Council has reviewed the following documents relating to the above application:

- Technical Note – Discharge of Planning Conditions; Project Number: 232246; dated: 16 February 2021.
- Flood Risk Assessment; Project Number: 23246; dated: 08th September 2020.
- Proposed Drainage Strategy Sheet 1 & 2; Drawing No: 201/202 C/D; dated: Dec 2020.
- Proposed Drainage Maintenance Plan Sheet 1 & 2; Drawing No: 211/202 B/C; dated: Jan 2021.
- Construction Details Sheet 1 & 2; Drawing No: 501/502; dated: Jan 2021.

*Director of Economy, Transport and Environment
Stuart Jarvis BSc DipTP FCIHT MRTPI*

- SW Drainage Southern System CAUSEWAY calculations; dated: 28/01/2021.
- SW Drainage Northern System CAUSEWAY calculations; dated: 29/01/2021.

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through permeable paving and storage crates tanks. Additionally, surface water will be discharged to the public surface water network beneath Lovedean Lane (2.0l/s) and James Copse Road (5.0l/s). This is acceptable in principle since it was proposed and agreed with the outline planning permission 54139/001.

However, there is not information within the planning website which demonstrate that Southern Water has agreed to the proposed discharge rates and connections. This was also requested in our formal response dated 16th June 2020 as a pre-commencement planning condition.

While we have agreed to the proposed discharge rates, Southern Water **must** be consulted at this stage since failure to secure this agreement is likely to necessitate in the need to review the drainage proposals for the application, which may have implications for the drainage proposals, proposed quantum and layout of the proposed development.

Bearing in mind the importance of this, we **request** fully written agreement from Southern Water for the proposals including the proposed discharge rates and connections.

Providing the proposed discharge rates and connections are fully agreed, the general principles of the surface water drainage proposals are considered acceptable subject to the following planning condition:

1. The drainage system shall be constructed in accordance with the approved documents. Surface water discharge to the public sewer network shall be limited to the discharge rates agreed with Southern Water. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Providing the proposed discharge rates and connections are fully agreed, the County Council as the Lead Local Flood Authority would have **no objection** for conditions 4, 5 & 16 of outline planning permission 54139/001 to be discharged

We would also recommend that the applicant is directed to our website <http://www3.hants.gov.uk/flooding/hampshireflooding/drainagesystems.htm> for further information on recommended surface water drainage techniques.

Please note that Hampshire County Council as Lead Local Flood Authority will not comment on the fluvial systems as these are outside our remit.

As a statutory consultee, the County Council has a duty to respond to consultations within **21 days**. The 21-day period will not begin until we have received sufficient information to enable us to provide a meaningful response. Please ensure all data is sent to us via the relevant Local Planning Authority.

For guidance on providing the correct information, please review the checklist and associated guidance document available on our [website](#).

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

A black rectangular box redacting the signature of the official.

Flood and Water Management Team
Economy, Transport & Environment Department,
Hampshire County Council, 1st Floor, Ell Court West,
The Castle, Winchester, Hampshire SO23 8UD
Web: <http://www3.hants.gov.uk/flooding/watercourses.htm>

General guidance for the application

It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the Local Planning Authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

For SuDS systems to be adopted by Hampshire Highways it is recommended that you visit the website at:

<https://www.hants.gov.uk/transport/developers/constructionstandards> for guidance on which drainage features would be suitable for adoption.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

Works in relation to ordinary watercourses

*PLEASE NOTE: If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. **This consent is required as a separate permission to planning.***

Information on ordinary watercourse consenting can be found at the following link <http://www3.hants.gov.uk/flooding/hampshireflooding/watercourses.htm>

It is strongly recommended that this information is reviewed before Land Drainage consent application is made.

*For guidance on providing the correct information, we recommend you use our **Ordinary Watercourse Consents Pre-application service** and help avoid delays occurring at the formal application stage. A Pre-application service for Ordinary Watercourse Consents is available, allowing consents to go through in a smoother, often more timely manner. For full information please visit:*

<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/WatercoursePreApplication>



Department of Planning and Development
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hampshire
PO9 2AX

Your ref
APP/21/00243

Our ref
PLAN-038519

Date
12/04/2021

Contact
Tel 0330 303 0119

Dear Sir/Madam,

Proposal: Reserved matters for the construction of 43 dwellings pursuant to outline permission 54139/001 (East Hampshire District Council) and APP/20/00455 (Havant Borough Council). Details of appearance, landscaping, layout and scale. Including the discharge of conditions 4,5,8,10,11,16,18 and 19 pursuant to 54139/001 and conditions 4,6,9,11,12,17 and 19 pursuant to APP/20/00455.

Site: APP/21/00243: - Land at Cottage Farm, Lovedean Lane, Waterloooville.

Thank you for your letter dated 24/03/2021.

Southern Water does not recommend conditions 4 and 6 pursuant to APP/20/00455.

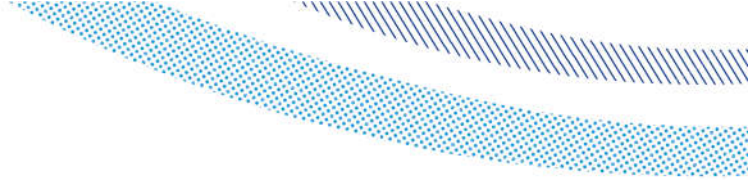
Southern Water would have no objections to the surface water drainage. No discharge of surface water from the site shall be discharged into the public surface water system until offsite drainage works to provide sufficient capacity within surface water network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

Southern Water would have no comments to make with regards to other conditions being subject of consultation.

All other comments in our previous response dated 21/12/2020 and 17/07/2020 remain unchanged and valid.

For Southern Water Planning Webpage please click the below link:

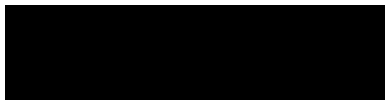
southernwater.co.uk/developing-building/planning-your-development



For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Yours faithfully,



Joff Edevane
Growth Planning Lead
Business Channels



Mr Paul Reynolds
The Civil Engineering Practice
Unit 11
Tungsten Building
George Street
Fishersgate
West Sussex
BN41 1RA

Your ref

Our ref
DS_CPS-120863

Date
22 February 2021

Contact
Tel 0330 303 0119

Dear Mr Reynolds,

Application to Connect to the Public Sewerage System - Section 106 Water Industry Act 1991.
Location: Lovedean Lane, Horndean, Waterlooville, Hampshire, PO8 9XL.

We refer to your application to connect to the public surface water sewer at the above location. We are pleased to advise that your proposal, as shown on your drawing 201 Revision A dated 29/01/2021, is approved subject to:

This review is for the purpose of approval to permit communication to be made to the public sewer, under Section 106 of the Water Industry Act 1991. **It is to the means and mode of construction only.**

S106 approval does not confirm that public sewer network capacity is available for the proposed development. The availability of capacity may be assessed through the Pre-planning enquiry process.

This letter should not be considered as approval by Southern Water to the discharge of any relevant Planning Conditions relating to drainage. This is a separate matter which will be reviewed under a consultation from the Planning Authority.

If connection is to be made through land under the ownership of other Parties, then you are advised to obtain the Landowners consent before carrying out any works.

In approving this application, it is assumed that you have obtained any necessary Building Regulations Approval and /or Highway Authority Road Opening License.

This approval is given based on the information provided in support of this application and the assumption of the final discharge point being to the public surface water sewer. If this is different, then this approval becomes invalid.



If as noted above, there is any change in the approved connection point, then you must provide us with revised drawings and details and obtain our approval for the changes prior to the connection being made.

Connection to an existing manhole and the arrangement of pipe junctions within any new manholes should be in accordance with the new Design and Construction Guidance manual ("the Code") and Southern Water's guidance documentation.

water.org.uk/sewerage-sector-guidance-approved-documents/

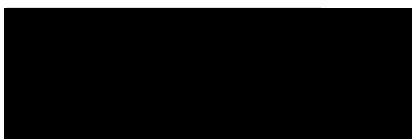
We refer you to Southern Water Health and Safety Advisory that can be viewed in the Developer and Builders section of the Southern Water website as the link below:

southernwater.co.uk/developing-building/health-and-safety

This approval is given on the basis that you will review this Advisory and take the necessary actions concerning Health and Safety.

Please contact Mick Vince our Assistant Adoption Manager for this area on 07803 259227 giving at least two full working days' notice, for a mutually convenient date and time for the inspection of the works to be arranged.

Yours sincerely,



Ashley Marshman
Head of Business Channels
Business Channels