

Ms Watts
Lichfields
Apex Plaza
Forbury Road
Reading
RG1 1AX

For: Conrad Energy (Developments) Ltd

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

Application Number: APP/20/00833

Site Address: Power Generation Facility, Southmoor Lane, Havant, PO9 1JW

Proposal: Erection of a flexible power generation facility with associated ancillary infrastructure, access and boundary treatment

Further to your application received on 15 September 2020 Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

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

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

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

Site Location Plan Drawing No. LGN-AB-01 Rev A
Site Plan Drawing No. LGN-PSP-02 Rev H
Proposed Elevations Drawing No. LGN-EP-01 Rev A
Specification Drawing No. LGN-SPN-01 Rev A
Specification Drawing No. LGN-SPN-02 Rev A
Specification Drawing No. LGN-SPN-03 Rev A

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Air Quality Assessment Ref: 3815-3r3 Dated 23rd November 2020
Arboricultural Report Dated December 2020 Ref 200637-PD-11
Noise Impact Assessment of an Electric Generating Facility Nova Acoustics dated
12th November 2020 Version 1
Preliminary Ecological Appraisal Including Extended Phase 1 Habitat Assessment,
Bat Scoping Assessment TMA July 2020 Ref: 200637-ED-01a
Site Plan vehicle tracking Drawing No. LGN-VT-01 Rev A
Site Plan vehicle tracking Drawing No. LGN-VT-01 Rev A (Aerial photo)
Information with regard to vehicular movements received 27th November 2020
Planning Design and Access Statement September 2020

Listed For Information Only:

Indicative Landscape Masterplan Figure 1 Ref P0474

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall be carried out fully in accordance with the Arboricultural Report- Tree report for planning purposes December 2020 Ref: 200637-PD-11 including the Arboricultural Method Statement / Tree Protection Plan within the report (Drawing No. 200637-P-12 Rev A).

Reason: In the interests of retaining a tree belt important to the character and appearance of the area and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development hereby permitted shall be commenced until a detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works. The details shall include compensatory tree planting.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Development hereby permitted shall proceed in strict accordance with the Preliminary Ecological Appraisal (TMA, July 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function and thereafter retained and maintained.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework 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 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.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 Plaza or by telephoning 023 9244 6015.
- (4) 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 sought and were provided with pre-application advice,
 - You were updated about issues after the initial site visit.
- (5) The applicants attention is drawn to the comments of the Coastal Engineer in relation to future flood risk:

The site is currently located within the Environment Agency's Flood Zone 1 and is therefore considered to be at low risk (less than 1 in 1000 year /0.1% annual probability) of experiencing an extreme tidal flood event. However, from 2085, the site is predicted to be increasingly affected by the effects of climate change and located within Flood Zone 2 (0.1% annual probability). From 2115 the site is predicted to be within Flood Zone 2 and Flood Zone 3 (1 in 200 year /0.5% annual probability of experiencing an extreme tidal flood event).

For information, the present day 1:200-year extreme tidal flood level for Langstone Harbour is 3.3 mAOD, increasing to 4.4 mAOD by 2115 (design tide level).

In order to reduce this risk, we recommend the applicant considers incorporating

flood resilient measures into the development.

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings - Flood Resilient Construction", which can be downloaded from the following website:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

- (6) The applicant's attention is drawn to the comments of the Environment Agency in relation to the possible need for an Environmental Permit:

Advice to Applicant

Environmental Permit

Please note that this development may require an environmental permit, a variation of an existing permit or an exception from an environmental permit from us.

Further information can be found on the gov.uk website-

<https://www.gov.uk/topic/environmental-management/environmental-permits>

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

The Applicant must ensure that the operations at the site are in accordance with the Environmental Permitting (England and Wales) Regulations 2016. The Applicant is advised to contact the National Customer Contact Centre on 03708 506 506

(Monday to

Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

Please note that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.

- (7) The applicant is advised of comments of Hampshire County Council as mineral and waste planning authority in relation to the safeguarded site Budds Farm Wastewater Treatment Plant. You are advised to contact that authority in relation to any appropriate mitigation requirements at planning.policy@hants.gov.uk

- (8) The applicant is advised of the comments of the Council's Properties Team:

Comments

HBC are freeholder owner of the site and lease the site under the terms of a business tenancy.

Our tenant will require landlord's consent to sub-underlet and depending on the specifics of the

power generation facility project may, under the terms of the lease, require consent for alterations

and a variation to their user clause.

- (9) The applicants are advised that the site lies within the consultation buffer for a High Pressure Gas Pipeline. You are advised to contact Southern Gas in relation to any development requirements and to take account of Health and Safety requirements.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

15 January 2021

TOWN AND COUNTRY PLANNING ACT 1990

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/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 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.](#)

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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