

To:
Mr J Quarrell
Bargate Homes
The English Province of the Congregation
of Our Lady of Charity of the Good Shepherd
C/o The New Barn, Vicarage Farm Bus. Park
Winchester Road, Fair Oak
SO50 7HD

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

Application Number: APP/20/00455

Site Address: Land at Cottage Farm, 149 Lovedean Lane, Waterloooville

Proposal: Outline application (with all matters reserved except for access) for the construction of up to 56No dwellings, open space, landscaping, access, the demolition of 149 Lovedean Lane and associated works (part of application site within Havant Borough Council).

Further to your application received on 10 June 2020, which was valid from 26 June 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 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - 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.
- 2 Applications for the approval of the matters referred to in Condition 1 above 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

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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.

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

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 - illustrative landscape masterplan
19350-BT3 - tree protection plan
P1638.08 Rev B - location plan

Reason: - To ensure provision of a satisfactory development.

- 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 to 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 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.

- 5 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 waste 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.

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, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

- 6 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 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.

- 7 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, this condition is therefore necessary 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.

- 8 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. This condition is therefore necessary 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.

- 9 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 having due regard to policies and proposals CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 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 having due regard to policies and proposals CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 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 CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 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.

Reason - In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 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 in accordance with policy CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

- 14 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 in accordance with policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 .

- 15 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 having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 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 having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 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 having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 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 in accordance with having due regard to policies CS11 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 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 onsite facilities in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and

- 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. in accordance with policies CS16 and 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) The applicant is advised that the development the subject of this outline consent is liable to the Community Infrastructure Levy (CIL) Schedule which became a material planning consideration on 1st August 2013. 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, see the CIL pages online at www.havant.gov.uk
- (9) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 3rd February 2021 which requires:
- o 40 % Affordable housing based on a tenure split of 70% affordable rent / 30% shared ownership (EHDC);
 - o Financial contribution towards a Community Project Worker (EHDC);
 - o Open space provision;
 - o Off site transport improvements in the vicinity of the site (pedestrian improvements to pavements to encourage walking and crossing points);
 - o Management and maintenance of drainage features and communal areas.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

04 February 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