

Mr Galloway
Peter Galloway Architects
17A Langstone Road
Havant
PO9 1RA

For: Mr Heather
P&N Development & Investments Ltd

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

Application Number: APP/20/00935

Site Address: 11 East Street, Havant, PO9 1AB

Proposal: Erection of 6No. 3bed dwellings, with 4 No. car parking spaces.

Further to your application received on 07 October 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:

Plans

Location Plan Drawing No. 20/04/L01 Rev A
Site Survey Drawing No. 20/04/S01
Block Plan Drawing No. 20/04/B01 Rev A
Site Plan Drawing No. 20/04/P01 Rev C
General Arrangement - Plans (Floor Plans and Sections) Drawing No. 20/04/P02 Rev B
Elevations Drawing No. 20/04/P03 Rev D
Site Plan - Daylight Impact on No.13 East Street Drawing No. 20/04/P10 Rev B
Relationships with No.13 East Street Drawing No. 20/04/P11 Rev A
Contractors Working Area Drawing No. 20/04/C01 Rev A
Setting Out Drawing No. 20/04/Comprehensive
Demolitions (already carried out) Drawing No. 20/04/Dem01 Rev A
Details of Landscaping & Hard Surfacing Drawing No. 19/01/LS03 Rev C
Drainage General Arrangement Drawing No. 414601.10P2
Drainage Details Drawing No. 414601.11P2
Existing Run Off Tank Design
Proposed Run Off Tank Design

Documents

Design Statement
Addendum to Design, Access & Heritage Statement Appendix A.04
Heritage Statement August 2020
Written Scheme of Investigation for Archaeological evaluation Version 2 - 15/11/2019
Southampton City Council Archaeology Unit
Hydraulic Calculations Rev A
Nitrogen Nutrient Assessment Ref 20097 22/8/2020
Nitrogen Assessment / Nitrogen Budget Calculation
Enims Bat Survey EC1039-05b September 2020
Materials Drawing No. 20/04/M01

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall not commence unless and until details of measures to divert and/or protect public sewers/water mains have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved measures.

Reason: To ensure that drainage infrastructure is appropriately protected having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. These details shall include means of surface water run off disposal as well as acceptable discharge points, rates and volumes. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core

- 5 That no development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.
Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework..
- 6 That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.
Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework..
- 7 No development (other than demolition) shall commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.
Reason: To safeguard the amenities of the locality and in the interests of ecology and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 8 No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:
(a) A programme of and phasing of demolition (if any) and construction work;
(b) The provision of long term facilities for contractor parking;
(c) The arrangements for deliveries associated with all construction works;
(d) Methods and phasing of construction works;
(e) Access and egress for plant and machinery;
(f) Protection of pedestrian routes during construction including to properties fronting North Street which are understood to have a right of access over the land;
(g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
(h) Pollution mitigation measures to be adopted during the construction phase - including management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure that water resources are not put at risk from leaks or spillages;
(i) Specific outline of the means of surface water management during development.
Demolition and construction work shall only take place in accordance with the approved method statement.
Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality and to avoid potential threats to groundwater and the local water supply sources in accordance with policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 No development hereby permitted shall be commenced until a more 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 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, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 10 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 11 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum points have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: In the interest of the character and appearance of the development and neighbours residential amenities having due regard to policies CS11 and CS16 together with the National Planning Policy Framework.
- 12 No development shall take place until a Land Contamination Desk Study has been carried out identifying the previous land uses and a qualitative risk assessment presenting the potential sources, pathways and receptors and their linkages.
Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 Notwithstanding what is shown on the approved drawings, or submitted with the application, no above ground construction shall commence until full details, including samples and details of all external materials and finishes have been submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework.

- 14 No above ground construction shall start until manufacturers details of the proposed windows (including roof light windows) and external doors have been submitted and approved in writing by the local planning authority. The details to comprise:-
a) a 1:20 plan, section and elevation shown in relation to the opening into which it is to be set,
b) full size glazing bar section,
c) the method of opening and external finishes.
All work shall be carried out in full accordance with such approval and be retained thereafter.
Reason: To ensure the detailing is appropriate to this key site within the St Faiths Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 15 Details of the siting and design of any proposed external meter boxes / metal ducting / flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground construction development. The development shall thereafter be carried out in accordance with the approved details.
Reason: To protect the character and appearance of the conservation area having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 No above ground construction shall commence until full details, of the proposed solar panels/Photo voltaic Cells to be provided have been submitted to and approved in writing by the Local Planning Authority. This shall include elevations and sections to show how they will be installed and manufacturers details. The Solar Panels/Photo voltaic Cells shall be installed as approved prior to the occupation of the dwellings hereby permitted.
Reason: To accord with the application details and in the interests of sustainable energy having due regard to policy CS14 of Havant Borough Local Plan (Core Strategy) 2011, policy E12 Havant Borough Local Plan Submission Version and the National Planning Policy Framework.
- 17 No development above ground level shall be commenced unless and until details of security gates to be provided for the pedestrian walkway as shown on drawing No.20/04/P01 have been submitted to and approved in writing by the Local Planning Authority. The approved gate shall be provided on site prior to occupation of the development and thereafter retained and maintained in accordance with the approved details.
Reason: In the interests of security and to prevent antisocial behaviour having due regard to policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 18 No dwellings shall be occupied until the following drainage details have been submitted to and approved in writing by the Local Planning Authority:
A) Details of consent from the Sewerage Authority for a connection to the public sewer for the development.
B) Details for the long-term maintenance arrangements for the surface water drainage system. The details shall include;
i) Maintenance schedules for each drainage feature type and ownership.

ii) Details of protection measures

The development shall be implemented in accordance with the approved details.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriately mitigated and having due regard to policies and proposals CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 The development hereby permitted shall not be occupied until:
- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.
- Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Submission Version Havant Borough Local Plan.
- 20 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.
- Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Submission Version Havant Borough Local Plan.
- 21 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, including any works to the boundary with No.13 East Street (which may require a separate Listed Building Consent if the works are not authorised by an extant Consent) have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter

be retained.

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

- 22 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose. Parking shall be allocated to units 1-4 on the basis of one space per unit unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 23 The development hereby permitted shall not be occupied unless and until cycle parking is provided for residents and visitors as shown on Drawing No.20/04/P01 Rev C. The cycle parking shall thereafter be retained and maintained as approved.

Reason: In the interest of sustainable transport options and having due regard to policy DM13 of Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD 2016 and the National Planning Policy Framework.

- 24 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 Development shall proceed in accordance with the measures set out in Section 4 of the Enims Preliminary Roost Assessment & Bat Roost Survey Report (September 2020).

Reason: In the interests of biodiversity and having due regard to Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 The proposed site is situated in a sensitive groundwater catchment and there are potential significant risks associated with groundworks in this area. No piling shall take place unless and until full details of any proposed piling have been submitted to and approved in writing by the Local Planning Authority in consultation with Portsmouth Water.

The submitted details shall include:

- details of whether any piles would terminate within the Clay cover;
- If the piles penetrate the full depth of the Clay cover, a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works).

Any approved piling shall thereafter be carried out fully in accordance with the approved details.

Reason- Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways and having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 27 The south elevation windows to unit 1 and the north elevation windows to unit 6 shall:-

(i) consist of at least two lights divided horizontally with only the top light capable of being opened, such that they are fixed shut below 1.7m from finished floor level and shall be maintained in that condition at all times; and

(ii) at all times be and remain glazed entirely with obscure glass below 1.7m from finished floor level, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 28 Nothing in this permission shall authorise the removal of any rights of access crossing the site including routes to the rear of premises fronting North Street.

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

- 29 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, means of enclosure, windows or outbuildings shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the character and appearance of this high density development and to retain external amenity space having due regard to policies CS11 and CS16, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

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.

- (1) 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.

- (2) This permission was subject to a contribution of £4,250.30 towards the Solent Recreation Mitigation Strategy, in accordance with Policy DM24 of the Allocations Plan. Further details of the Strategy can be viewed at <http://www.birdaware.org/strategy>., together with a contribution of £5,827.50 to ensure Nutrient Neutral Development.

- (3) The applicant is advised of the Consultation Response from Southern Water dated 21st December 2020 which sets out detailed requirements in relation to the development. This can be viewed on the Councils Website at the following address: https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_249241

- (4) The applicants attention is drawn to the Consultation Response from Portsmouth Water dated 26th November 2020 which can be viewed on the Councils website at the following address: https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_249241

- (5) The application indicates the retention of a bay tree to the rear of unit 1. The tree will need to be retained as a result of the development and its retention shall be shown on the Landscaping Plan. Works to the tree located within the Conservation Area would require consent from Havant Borough Council.

Simon Jenkins

Simon Jenkins

Director of Regeneration and Place

26 March 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.](#)

Our Ref: APP/20/00935

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