

Mr Galloway
Peter Galloway Architect
17A Langstone Road
Havant
PO9 1AQ

For: Mr Heather
JNP Developments & Investments Ltd

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

Application Number: APP/20/00933

Site Address: 9 East Street, Havant, PO9 1AA

Proposal: Demolition of existing retail unit (no. 9 East Street) and construction of 10 no. supported living units, use Class C2

Further to your application received on 07 October 2020, which was valid from 21 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:

20/03/PO1A - Site plan

20/03/L01 - Location Plan

20/03/LS01 Rev:A - Landscaping plans

20/03/LS02 - Landscape plans

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20/03/B01 - Block Plan

20/03/P02 Rev:B - Proposed floor plans

20/03/P03 - Proposed elevations

20/03/P04 - Building sections

414601.10P2 - DRAINAGE ARRANGEMENT

414601.10P2 - HYDRAULIC CALCULATIONS

414601.11P2 - DRAINAGE DETAILS

20/04/Comprehensive -Car parking layout

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby approved shall be used for supported living units only (Class C2) and for no other purpose in the Schedule to The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason: In the interests of the amenities of occupiers of neighbouring dwellings and to control the form of development Supported living, class C2 use, in accordance with policies CS9 and CS16 of the Havant Borough Council Local Plan (Core Strategy) 2011.

- 4 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;
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

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 in accordance with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work 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 and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

- 7 Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme including where 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 and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No piling shall take place until a piling 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) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works are in a sensitive groundwater catchment and there are potentially significant risks associated with groundworks in this area. Piling has the potential to impact on the drinking water source and therefore the applicant is advised to contact Portsmouth Water to discuss the details of the piling method statement and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 In the event that public sewers are found at any time when carrying out the approved development which were not previously identified, development shall STOP until details of the measures which will be undertaken to protect the public sewer have been submitted to and approved in writing by the Local Planning Authority. Following approval, such measures shall be implemented on site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate protection of infrastructure having due regard to Havant Borough Local Plan (Core Strategy) policies CS19 and DM10 and the National Planning Policy Framework.

- 10 The demolition hereby granted as part of this permission shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. The redevelopment shall commence within one month

following the completion of the demolition work, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with Section 17(3) of the Act and to prevent premature demolition of the building and the creation of a "gap site" which will be prejudicial to the character and amenities of the 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.

- 11 Notwithstanding what is shown on the approved drawings, or submitted with the application, no work 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.

- 12 No development shall commence until a 1m² sample panel of flintwork has been constructed for inspection and approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: The laying and coursing of flintwork is a craft skill requiring the engagement of suitable operatives to ensure an appropriate standard of finish on this key site within 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.

- 13 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 development. All work shall be carried out in full accordance with such approval and be retained thereafter.

Reason: To protect the character and appearance of the conservation area in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 No development (other than works of demolition) shall commence until further details of all proposed doors and windows have been submitted to and approved in writing by the Local Planning Authority. The door and window details to be submitted shall include:

- 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, and
- d) manufacturers' details.

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 No development (other than demolition) hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site (including the pedestrian right of way at the rear 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 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 traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 The parking, cycle 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.

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.

- 18 Notwithstanding the information shown on the submitted plans, no development hereby permitted shall be commenced until details of landscaping and street furniture including seating and railings 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.

- 19 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National

20 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.

21 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.

- 22 Development shall proceed in accordance with the Preliminary Roost Assessment & Bat Roost Survey Report (Enims, September 2020) unless otherwise agreed in writing by the Local Planning Authority. The new building shall incorporate a minimum of two nest boxes for common swift, installed at a height and location agreed by an ecologist. All ecological enhancement measures shall be retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 23 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.

- 24 The drainage system shall be constructed in accordance with the Drainage General Arrangement ref: 414601.10P2. The Surface water discharge to the public sewer network shall be limited to 6.42 l/s, unless otherwise agreed in writing by the Local Planning Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

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 CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 25 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 CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 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.
- (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 were updated about issues after the initial site visit.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

26 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](#).

Our Ref: APP/20/00933

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