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03 December 2015

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**Town and Country Planning (Development Management Procedure) (England) Order 2015  
Discharge of Conditions Application**

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**Application Number:** APP/15/00999

**Site Address:** Manor Farm and Copseys Nursery, Hallett Road, Havant

**Description:** Discharge of Condition Nos. 2, 3, 4, 5, 7, 8, 9, 14, 15, 17, 22, 23 and 24 of Planning Permission APP/14/00767 for erection of 35No. dwellings, comprising 6No. 2 bed, 11No. 3 bed and 18No. 4 bed houses, community building and allotments with associated access, parking, landscaping, open space and works.)

This decision relates to your request to discharge conditions which was valid from 10/09/2015.

**Havant Borough Council as Local Planning Authority hereby REFUSES the submitted application as not meeting the information requirements of the following Conditions of Planning Permission APP/14/00767.**

The conditions in respect of which information has been submitted are:

**Condition 2:**

Construction of the dwellings and community building hereby permitted shall be carried out in accordance with the materials indicated on the submitted Materials Layout Plan Drawing No. P974/RP/03 Rev L.

**Reason:** In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

**Details:**

Materials Layout P974/RP/03 Rev M

**Reasons for refusal:**

This is a compliance condition requiring the development to be carried out with the materials specified in Drawing No. P974/RP/03 Rev L which was submitted in relation to planning permission APP/14/00767. It is noted that it is now intended that a different schedule of materials is used. Whilst there is no objection to the alternative materials proposed the condition cannot be discharged.

**Condition 4:**

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 (including semi-permeable materials) have first been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use 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 CS16, and DM8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework 2012.

**Details:**

Proposed Layout - Surface Surfaces 301

Community Centre - Surface Finishes 1301

**Reasons for refusal:**

Further details of the materials proposed for the Block Carriageway and Paths are required for consideration via a separate discharge of condition application.

**Condition 5:**

Construction of the dwellings hereby permitted shall not commence above slab level until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been first submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until completion of the installation of all its screening provision as is thus approved by the Local Planning Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.

**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 2012.

**Details:**

Externals Layout Sheet 1 of 2 P974/EXT/01 Rev M

Externals Layout Sheet 2 of 2 P974/EXT/02 Rev L

**Reasons for refusal:**

Details of brick finishes for walls and boundary treatment around the Community Centre and car park are required.

**Condition 9:**

No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewerage disposal proposed to serve the same, the treatment of existing water courses and ditches and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have first been submitted to and approved in writing by the Local Planning Authority. No dwelling or building shall be occupied until completion of the implementation of its 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 Strategy) 2011 and National Planning Policy Framework 2012.

**Details:**

Engineering Layout 4884:01 Rev E  
Engineering Layout 4884:02 Rev D  
Engineering Layout 4884:03 Rev D  
Community Centre Proposed Drainage and Levels 1201  
Community Centre Construction Details - Private Drainage 1502

**Reasons for refusal:**

The Local Planning Authority is not at this stage satisfied that the development is adequately served in terms of foul drainage requirements. Southern Water have objected to the discharge of this condition (copy sent to you by email dated 5th November 2015 ). It is recommend that the issues raised are discussed directly with Southern Water and amended details submitted for consideration with any SW comments in a further discharge of Conditions application.

**Condition 17:**

In addition to the landscaping shown on the submitted plans the community building hereby permitted shall not be brought into use unless and until additional landscaping has been provided to the northern site boundary adjacent to the community building in accordance with a planting scheme to be submitted to and approved in writing by the Local Planning Authority. 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 Core Strategy 2011 and National Planning Policy Framework March 2012.

**Details:**

Landscape Proposals BSH 18623 19 A

**Reasons for refusal:**

Strengthened appropriate native hedge planting on the northern site boundary together with a timing schedule for the works are required to acceptably address the requirements of this condition. A separate discharge of condition application will be required.

**Condition 23:**

No development hereby permitted shall commence until such time as a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the dwellings are occupied and thereafter managed and maintained in accordance with the approved details. These details shall include:

- i. Information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site and the measures taken, including petrol/oil interceptors, to prevent pollution of the receiving surface waters;
- ii. Calculations to demonstrate that the capacity of the attenuation pond is adequate and may exceed the needs of sustainable drainage; and
- iii. a timetable for its implementation of i. above; and
- iv. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

**Reason:** To prevent the increased risk of flooding and to improve and protect water quality, habitat and amenity and ensure future maintenance and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework.

**Details:**

Planning levels and drainage strategy 5043:P01  
MJA Consulting letter received 10th September 2015  
SUDS Management & Maintenance Plan Rev A  
Flood Risk Assessment Rev I Ref 13/0105/4527  
MJA Attenuation Ponds Calculations  
Micro Drainage - Calculations  
MJA letters dated 1st March 2013, 19th March 2013 and 3rd April 2013

**Reasons for refusal:**

The submitted details do not demonstrate that surface water drainage requirements are satisfactorily addressed. Both Southern Water and the Environment Agency (consultation responses sent to you on the 5th November 2015 ) object to the discharge of this condition at the present time. It is recommended that the concerns raised are addressed and a further discharge of condition application be submitted as soon as possible.

The following conditions in relating to planning permission APP/14/00767 have previously been discharged:

Conditions 3, 7, 8, 14, 15 and 24 (Decision Notice dated 5th November 2015).

A separate decision will be issued in relation to Condition No.22.

*Andrew Biltcliffe*

Andrew Biltcliffe  
Executive Planning Service Manager  
Date: 03 December 2015