Havant
BOROUGH COUNCIL

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To:
Mrs Fox
Critchley Architecture And Design (CAAD) Ltd
The Old Brewery
15E South Street
Havant
PO9 1BU

For: Mr Kane
Harris & Kane Ltd

The Town and Country Planning (Development Management Procedure) (England) Order 2015
Approval of Reserved Matters

Application Number: APP/22/01207
Site Address: Land Rear of 70-76 West Street, Havant, PO9 1LN
Proposal: Application for Approval of Reserved Matters (Access, Appearance, Landscaping and Layout and Scale) pursuant to Outline Planning Permission ref. APP/19/00542 for backland development of 4 No. One bedroom cottages. Partial Discharge of Conditions 7 (Construction Management Plan), 8 (Contamination), 16 (Ecological Enhancements), Condition 18 (Traffic Control) and discharge of Condition 19 (Means of Enclosure).

(A) Reserved Matters Decision

Further to your application received on 14 December 2022 (which was valid from 11 October 2023) Havant Borough Council, as Local Planning Authority, **Grants Approval for the Reserved Matters submitted pursuant to Condition(s) 1 and 2 of Outline Planning Permission APP/19/00542** in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

(i) The conditions imposed on the Outline Planning Permission APP/19/00542 dated 13th November 2020.

(ii) The plans and other documents submitted with your application; and

(iii) The following additional conditions:

Conditions:

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

Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024
Highway Technical Note Nick Culhane uploaded 9th May 2024
Traffic Management Plan Drawing No. NJC-004
Swept Path Tracking Drawing No. NJC-002 Rev A
Location and Block Plans Drawing No. 17023-141 uploaded 30th October 2023
Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023
Proposed Floor Plans and Elevations Drawing No. 17023-450 Rev A
Proposed Context Elevations Drawing No. 17023-550 Rev A
Proposed Elevations - Traffic Lights Drawing No. 17023-551 Rev A
Proposed Bike Sheds Drawing No. 17023-561
Environmental Desk Study and Preliminary Risk Assessment Apple Environmental November 2022 uploaded 30th October 2023
Schedule of Materials October 2023

Reason: To ensure provision of a satisfactory development.

2 Development shall proceed in accordance with the ecological enhancement measures as detailed in section 2 of the Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, Policy CS 11 of the Havant Borough (Core Strategy) March 2011 and the National Planning Policy Framework.

3 The dwellings the subject of this Reserved Matters application shall not be occupied unless and until the 'No Parking' and 'Give way to on comming vehicles' signage shown on Drawing No. NJC-004 has been provided on site in the positions shown. The signage shall thereafter be retained and maintained.

Reason: To ensure acceptable manoeuvrability on site and in the interest of highway safety having due regard to policies DM11 and DM13 of the Havant Borough Local Plan(Core Strategy) 2011 and the National Planning Policy Framework.

Reserved Matters Informatives - 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.gvo.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 Development Control Service at the Civic Offices 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.

(5) The applicant is advised of the following requirements highlighted by Hampshire County Council (the Highways Authority):

Whilst the principle of introducing traffic signals has been accepted the provision of the private signal head above the footway will however, require a further approval from the Highway Authority through a licence application with regard to the positioning of the proposed signal equipment to the West Street frontage over the extent of highway (footway).

(6) The applicant is advised of the following comments from Southern Water in relation to the Outline Consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https:/lbeta.southernwater.co.uk/infrastructure-charges.

(7) The applicant is advised of the following requirements of the Environment Agency highlighted in relation to the Outline Permission:

<u>Advice to Applicant</u>
In addition to any other permission(s) that the applicant may have already obtained, the applicant will require an Environmental Permit for Flood Risk Activities as the proposed development lies within the 8 metre byelaw width of the Brockhampton Stream "main river" to the northern boundary of the development site.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit
to be obtained for any activities which will take place:

- *on or within 8 metres of a main river (16 metres if tidal)*
- *on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)*
- *on or within 16 metres of a sea defence*
- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.*

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03702 422
549. The applicant should not assume that a permit will automatically be forthcoming
once planning permission has been granted, and we advise them to consult with us at
the earliest opportunity.

(8) The applicant is advised of the Consultation Response received from the Council's Environmental Control Officer dated 31st March 2023 in relation to Conditions 7 and 8 to guide further submissions and which can be viewed on the Council's website via the following address:
https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_254860

(B) Discharge of Conditions Decision

In addition the following Conditions of Planning Permission APP/19/00542 can be discharged / part discharged:

Partial Discharge of Conditions 7 (Construction Management Plan), 8 (Contamination), 16 (Ecological Enhancements), Condition 18 (Traffic Control) and discharge of Condition 19 (Means of Enclosure).

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Condition of Planning Permission APP/19/00542.

Condition 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 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.

Details Submitted:
Ecological Enhancement Plans 17023-161 C uploaded 30th October 2023
Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024

Reasons for approval
The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

The following conditions are part discharged:

Condition 7
No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall cover:-

(a) Procedures & logistics for managing deliveries at the site, including parking, loading, materials handover and transport to secure storage areas, and the means of minimising the risk of release of fuel and other materials capable of causing harm to health or the environment;

(b) Provisions for the segregation & storage of wastes destined for both disposal & for recycling, and details on the procedures and logistics for collection and transport from the site;

(c) Measures to ensure safe pedestrian movement on the public highway & footpaths;

(d) The means of minimising dust, smoke and fume emissions from the site during construction works, including minimising dust emissions from vehicles transporting materials or waste from the site;

(e) The means of preventing track-out of mud & spoil on to the highway, and preventing runoff from the site adversely impacting adjacent surface waters;

(f) The means of minimising noise and vibration arising from construction processes;

(g) Details of the training of site operatives to follow the Construction Management Plan requirements; and

(h) Details in relation to measures for surface water management during development.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties and the public realm more generally, and prevent pollution of nearby surface waters. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use - or safety - of the public highway. This condition is imposed having due regard to policies DM10 (Havant Borough Local Plan (Core Strategy) 2011), and the general environmental principles embodied within the National Planning Policy Framework.

Details Submitted:
Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024
Highway Technical Note Nick Culhane uploaded 9th May 2024

Extent of Discharge:
The condition is part discharged in relation to the following parts only: (a), (c), (d), (e) and (f).

Condition 8
Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority and notwithstanding any assessment provided with the planning application), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically

excluded in writing by the Local Planning Authority, shall include;

1) A site walk-over survey & / or sufficient desk-based research to identify;
· All relevant previous uses of the site
· Potentially significant contaminants associated with those uses
· Uncertainties relating to previous use or associated potential contaminants · A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
· A summary of potentially unacceptable risks arising from contamination at the site.

2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;
· appropriately considered remedial objectives,
· an appraisal of remedial & / or risk mitigation options, having due regard to sustainability, and;
· clearly defined proposals for mitigation of the identified risks.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
All elements shall be adhered to unless agreed in writing by the Local Planning Authority.
Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework. Contamination may be present at the site as a result of both previous land uses, activities and multiple prior phases of construction and demolition. Contamination could pose a risk to future occupiers, and to local surface waters.

Details Submitted:
Environmental Desk Study and Preliminary Risk Assessment Apple Environmental November 2022 uploaded 30th October 2023

Extent of Discharge:
This condition is part discharged in relation to Part 1 only.

Condition 16

No above ground development shall commence unless and until details of ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwellings and maintained in accordance with the approved details.
Reason: In the interests of biodiversity and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Details Submitted:
Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024
Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023

Extent of Discharge:
This condition is discharged in relation to the details of ecological enhancements. The condition cannot be fully discharged until the enhancements have been implemented prior to occupation.

Condition 18

The development hereby permitted shall not be occupied prior to the submission of details to and their approval in writing by the Local Planning Authority in relation to traffic control measures with regard to the 'tunnel' through the existing building. The traffic control system shall thereafter be carried out prior to occupation and maintained in accordance with the approved details thereafter.
Reason: To ensure safe access to the site having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD July 2016 and the National Planning Policy Framework.

Details Submitted:
Reserved Matters Supporting Statement December 2022 V4 May 2024 uploaded 9th May 2024
Highway Technical Note Nick Culhane uploaded 9th May 2024
Traffic Management Plan Drawing No. NJC-004
Swept Path Tracking Drawing No. NJC-002 Rev A
Ecological Enhancements Plan Drawing No. 17023-161 Rev C uploaded 30th October 2023
Proposed Elevations - Traffic Lights Drawing No. 17023-551 Rev A

Extent of Discharge:
This condition is discharged in relation to the details of the traffic control measures. This condition cannot be fully discharged until the traffic control system has been carried out prior to occupation.

Discharge of Conditions Informatives - 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) 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 Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

Alex Robinson

Alex Robinson
Executive Head of Place

19 July 2024

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/appeal-householder-planning-decision for householder applications; https://www.gov.uk/appeal-planning-decision for full applications; https://www.gov.uk/planning-inspectorate for anything else.

- 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/22/01207

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

Southern Gas advisory note

In June 2021 SGN issued a comprehensive advisory note

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at https://www.linesearchbeforeudig.co.uk/ to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone: 0800 912 1722 / Email: plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work
  https://www.sgn.co.uk/damage-prevention

- Further information can also be found here
  https://www.sgn.co.uk/help-and-advice/digging-safely

SGN personnel will contact you accordingly.