

To:
Mr Vallins
Foreman Homes
1 Station Industrial Park
Duncan Road
Park Gate
Fareham
SO31 1BX

For: Vivid Housing Ltd

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

Application Number: APP/22/00829

Site Address: Former Dairy Crest Depot, Dunsbury Way, Havant

Proposal: Application for Approval of Reserved Matters (Appearance, Layout, Landscaping and Scale) pursuant to Outline Planning Permission ref. APP/18/01109, for the erection of 74 dwellings, together with communal amenity space, drainage, parking and associated infrastructure, landscape, ancillary and site preparation works, with access off Fulflood Road.

Further to your application received on 18 August 2022 Havant Borough Council, as Local Planning Authority, **Grants Approval for the Reserved Matters submitted pursuant to Condition 3 of Outline Planning Permission APP/18/01109** 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 dated 31st March 2021
- (ii) The following additional conditions:

Conditions:

1 GENERAL

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

Plans

Site Plan - Drawing No. 22.003.02 Rev Q

Boundary Treatment Plan - Drawing No. 22 003 08 Rev H

Elevations - North & West - Drawing No. 22 003 05 Rev E

Our Ref: APP/22/00829

Elevations - South & East - Drawing No.22 003 06 Rev E
 Floor Plan - Ground Floor - Drawing No. 22 003 03 Rev D
 Floor Plan - First to Third Floor - Drawing No. 22 003 04 Rev D
 Landscape Proposals - Drawing No.838/01 Rev C
 Lighting Plan dated 24/5/23 – Drawing No. LD/VIV/DWH-CP Rev 1.0
 Tree Protection Plan – Drawing No. 22042-3
 Delivery Vehicle and Car Swept Path Analysis - Drawing No.056.0049-0005 Rev PO2

 Fire Tender and Car Swept Path Analysis - Drawing No.056.0049.0003. Rev PO3
 Fire Tender Internal Tracking - Drawing No.056.0049-004 Rev PO2
 Visibility Splays - Drawing No.056.0049-0001 Rev PO4
 Pantechicon Swept Path Analysis - Drawing No.056.0049-0006 Rev PO2
 Proposed Level Strategy – Drawing No. 1100 Rev PO5

Documents

Planning Application Form
 Arboricultural Assessment and Method Statement, Barrell Tree Consultancy 9 June 2023
 Biodiversity Net Gain Assessment, (Ecosupport,5/8/2022)
 CIL Form 2 - Assumption of Liability
 CIL Form 10 - Mandatory Social Housing Relief Claim Form
 Cover Letter dated 5/8/2022
 Design and Access Statement, HGP Architects, July 2022
 European Sites Avoidance & Mitigation Checklist
 Flood Risk Assessment and Drainage Strategy, Ridge dated July 2022
 Landscape Design and Management Statement, Draffin Associates Ltd, dated 28/6/22
 Manual for Managing Trees on Development, Barrell Tree Consultancy 2020
 Nutrient Budget Calculator dated 16/2/2023
 Updated European Site Avoidance and Mitigation Checklist
 Occupancy Calculator 16/2/23
 Planning Statement
 Residential Car Park Lighting - Lumen Designers dated 24.5.23
 Road Safety Audit Stage 1, 2 March 2023
 Schedule of Accommodation
 Site Investigation Report, Ridge April 2020
 Site Investigation Report, Ridge July 2021
 Sound Insulation Assessment - 4 August 2022
 Occupancy Calculator dated 16/2/2023
 Update from Agent uploaded 19/10/2022

Reason: - To ensure provision of a satisfactory development.

- 2 The development hereby permitted shall be undertaken in accordance with the Arboricultural assessment and method statement (9.6.23 22042-AA3-PB) and the Tree Protection Plan (22042-3).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The approved line of site splay as shown within drawing 056.0049-001 Rev P04 shall be kept free of any obstruction exceeding 0.6m in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Our Ref: APP/22/00829

Reason: In the interest of highway safety having due regard to policies DM12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 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.

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.

5 **PRECOMMENCEMENT**

Prior to the commencement of the development, except for demolition works, further details of soft landscaping to supplement that shown on Drawing 22/003/02 Rev Q [Site Plan] and 838/01 Rev C [Landscaping Plan] shall be submitted to and agreed in writing by the Local Planning Authority. The further plans shall include provision of a hedge for the full length of the southern boundary, to the rear of the footway, parking spaces and the parking court to provide a clear visual barrier as shown indicatively in Drawing 22/003/02 Rev Q. All approved landscaping works shall, as detailed in the Landscape Design and Management Statement dated 28.6.22, be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in the interests of highway safety having due regard to policies CS16, DM8 and DM 13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 **No part of the development shall commence**, except demolition, until such time as the details of the highway works along Fulford Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-0001 Rev 4 has been approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interest of highway safety having due regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 **Prior to the commencement** of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme for mitigation of risks arising from ground contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme may comprise separate reports as appropriate, but shall be prepared by competent persons and unless specifically excluded in writing by the Local

Planning Authority, shall include;

1) A Remediation Method Statement based on the proposals outlined within the Ridge & Partners Report Ref: 5012199-RDG-XX-ST-DOC-C-00SIR02 (July 2021) and;

2) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Method Statement (1) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, 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, Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site &/or to the quality of controlled waters in the vicinity of the site.

- 8 **Prior to the commencement** of the development, except for demolition works, the final details of the drainage strategy and levels at the site access shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved levels and drainage strategy shall thereafter be implemented in accordance with the approved plans prior to first occupation of the development.

Reason: In the interest of highway safety having due regard to Policies CS16 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 9 **Prior to the commencement** of the development, except for demolition works, the final street lighting strategy shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved street lighting strategy shall thereafter be implemented in accordance with the approved plans prior to the first occupation of the development.

Reason: In the interest of highway safety having due regard to Policies CS16 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

10 **ABOVE GROUND**

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

11 **PRIOR TO OCCUPATION**

The highway works along Fulflood Road as shown in principle in drawing 22.003.02 Rev N and drawing 056.0049-001 Rev 4 shall be completed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority **prior to first occupation of the development.**

Reason: In the interest of highway safety having due regard having due regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The surface water and foul sewerage system shall be constructed in accordance with the Flood Risk Assessment and Drainage Strategy dated July 2022 and the Drainage Technical (Drainage Technical Note - 172 1028) dated November 2022 and the data shown in Section 4. EA COMMENTS & RESPONSE and completed **prior to first occupation of the development.** Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority and the Environment Agency. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure adequate surface water drainage provision and to mitigate flood risk having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 13 **Prior to the occupation** of any relevant part of the permitted development, any verification report required in accordance with condition 7 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

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, Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers.

- 14 **Prior to occupation** the lighting for the outdoor car parking area shall be carried out in accordance with the approved Residential Car Park Lighting Report and the approved drawing No. LD/VIV/DWH-CP, Rev 1.0. The design of the approved lighting scheme shall comply with BS EN 548901-2020 Maintained Lighting Levels for Outdoor Car Parks. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the Havant Borough Local Plan (Core Strategy) 2011, Policies CS8 and CS16 and the National Planning Policy Framework

- 15 **Prior to first occupation** of the development hereby permitted the emergency and rescue plan for managing flood risk for residents, shall be submitted to and approved in writing to the Local Planning Authority. The approved scheme shall be implemented before the occupation of the development hereby approved.
- Reason:** In the interest of the safety of the residents and to accord with Policy CS15 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 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 Development Control 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) **Southern Gas Networks - Overbuild 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>

- (8) 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 sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit

- (9) Advice to Applicant from Environment Agency

Environmental Permit

It is noted in the surface water drainage statement (Section 7.2. in the FRA) that there will be a discharge of surface water to main river, this will require an environmental permit.

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)

Our Ref: APP/22/00829

- 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-activitiesenvironmental-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. Please do not hesitate to contact me using the contact details shown below should you

have any queries regarding the above information.

(10) Southern Water's Informative

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer asset within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. Please note: - The 225 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.

- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. - No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer. - All existing infrastructure should be protected during the course of construction works. Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf. Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse. We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Alex Robinson

Alex Robinson
Executive Head of Place

26 February 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/22/00829

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.linerearchbeforeudig.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.