

Mr Bone
PWP Architects Ltd
61 South Street
Havant
PO9 1BZ

For: LRH Homes

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

Application Number: APP/19/00003

Site Address: Belmont Castle Rest Home, 18-20 Portsdown Hill Road, Havant, PO9 3JY

Proposal: Construction of a detached part 2, part 3 storey building in the grounds of existing nursing home, to enable increase in bedroom numbers to 88 (an increase of 48 beds) with associated car parking.

Further to your application received on 02 January 2019, which was valid from 07 January 2019, 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:
Site Location & Block Plan 4055-1100 Rev C
Proposed Undercroft Layout 4055-1260 Rev G
Proposed Lower Ground Floor Layout 4055-1270 Rev G
Proposed Upper Ground Floor Layout 4055-1280 Rev G
Proposed Roof Layout 4055-1290 Rev C
Proposed North Elevation 4055-1320 Rev B
Proposed East Elevation 4055-1340 Rev B
Proposed West Elevation 4055-1350 Rev B
Proposed South Elevation 4055-1370 Rev B
Proposed Section A-A 4055-1400 Rev B
Proposed Drainage Layout 4055-1500 Rev B
Sketch Perspective Views 4055 1600 Rev A
Planting Plan 2018-0101 Rev A
Ecourban Ltd Arboricultural Implications Assessment and Method Statement dated 14 September 2018
Motion Transport Statement Rev A dated 17/10/2018
Reason: - To ensure provision of a satisfactory development.
- 3 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), an assessment of the nature and extent of contamination at the site 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;
o All relevant previous uses of the site
o Potentially significant contaminants associated with those uses
o Uncertainties relating to previous use or associated potential contaminants
o A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
o 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;
o appropriately considered remedial objectives,
o an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
o 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,

contamination may be present at the site in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 3 above 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 in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

- 5 Prior to the commencement of development details and drawings of the tracking of all vehicle sizes likely to enter and leave the site during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The space approved for this purpose shall be reserved and kept available throughout the construction period.

Reason: In the interests of highway safety and having due regard to Policies CS16 and CS20 of the Havant Borough Local (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Prior to the commencement of development details of the foundation design for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include as a minimum:

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling, if any; and
- d) details of materials to be removed or imported to site.

In the event that piling is the proposed foundation solution, 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.

The development shall thereafter be carried out in accordance with the approved plans.

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. Therefore, piling has the potential to impact on the underlying groundwater and the Havant and Bedhampton Springs public water supply. This is 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.

- 7 Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, setting out the arrangements for storage of hazardous materials, chemicals or hydrocarbons on site and all 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 water resources are not put at risk from leaks or spillages.
The development shall thereafter be carried out 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. Therefore, piling has the potential to impact on the underlying groundwater and the Havant and Bedhampton Springs public water supply. This is 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.
- 8 The development shall be carried out in strict accordance with the Ecourban Ltd Arboricultural Implications Assessment and Method Statement dated 14 September 2018, and all tree and ground protection measures shall be implemented as set out in Section 5 of that report, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the continued health and presence of such existing vegetation and protect 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.
- 9 No above ground construction shall take place until details, including labelled samples (manufacturer, type and where it is to be used) of all external materials (including new external terrace materials), have been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 10 No above ground construction shall take place until a 1m square panel of brickwork shall be prepared for, and approved in writing by the Local Planning Authority. The panel shall adequately demonstrate the brick bond and finish for the mortar. The approved sample panel shall provide the benchmark for all subsequent work.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 11 Notwithstanding the approved plans, no above ground construction shall take place until detailed drawings of the windows and doors have been submitted to, and approved in writing by the Local Planning Authority. The details to comprise: -
a) Plans to clearly identify the window and door in question and its location within the building.
b) 1:20 elevation and plan; 1:5 section and full-size glazing bar detail. The details to include the position of the window within the opening (depth of reveal)
c) The materials used, method of opening and finishes.
The works shall be carried out in full accordance with such approval and be retained thereafter.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 12 Details of the siting and design of any proposed external meter boxes/metal ducting/flues/guttering shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground development taking place. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 13 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.
Reason: To protect both the occupants of the site in question and any other nearby residential properties from light disturbance / pollution, and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 14 The development hereby approved shall not be occupied until a plan and particulars specifying the provision to be made within the site for cycle parking to support the increased occupation of the care home have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be made available prior to the occupation of the new bedrooms, and shall thereafter be retained and used solely for those purposes.
Reason: In the interests of providing sustainable travel options and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 15 The landscaping scheme hereby approved, as shown on Planting Plan Drawing Number 2018 - 0101 Rev A shall be completed prior to first occupation of the development, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced

during the next planting season with species of the same type, size and location.

Reason: To ensure that the landscape scheme is completed in the interests of the appearance of the development and character and amenities of the area, and having due regard to Policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and amenity and having due regard to Policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 The development hereby approved shall be occupied by EMI (Elderly Mentally Infirm) patients only.

Reason: To accord with the terms of the application submitted and to ensure that the development remains in accordance with the Habitats Regulations Assessment and Appropriate Assessment undertaken in respect of it, and having due regard to requirements under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), Article 6 (3) of the Habitats Directive and having due regard to the Council's duties under Section 40(1) of the NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 18 No on-site staff living accommodation shall be provided in the development hereby approved.

Reason: To accord with the terms of the application submitted and to ensure that the development remains in accordance with the Habitats Regulations Assessment and Appropriate Assessment undertaken in respect of it, and having due regard to requirements under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), Article 6 (3) of the Habitats Directive and having due regard to the Council's duties under Section 40(1) of the NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 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, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 20 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained 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, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011

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

- (2) You must consider the timing and type of tree work operations to avoid causing disturbance to any nesting or breeding birds or bat roosts that may be present within trees in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Before any felling of trees, tree surgery, or ground clearance commences, a thorough external inspection of the tree should be undertaken. If any protected species are identified during the inspection, you should refer to Natural England's Protected Species Standing and seek the advice of a qualified ecologist in how to proceed. Details are available via the main enquiry line 0300 060 3900 or at:

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/advice.aspx>

Disturbance to nesting birds during the months between April and September should be avoided.

The following factors increase the probability of trees being used by roosting bats:

- Located in ancient woodland or parkland
- Large trees with complex growth form
- Species that typically form cavities, such as beech, willow or ash
- Visible damage caused by rot, wind, woodpeckers, lightning strike etc.
- Loose bark providing cavities

If nesting birds or bat roosts have been disturbed (and therefore a breach of the above-mentioned legislation has taken place), you should report the matter to the Police immediately, as a wildlife crime may have been committed.

- (3) The plan of the kitchen does not include any specific detail - as mentioned in my previous email, should planning permission be granted you are advised to contact the Food & Safety Team with detailed proposals for the premises. The proposals should include matters such as lighting and ventilation, food storage, washing facilities including dishwashers, sinks and wash hand basins, plus any provision for staff such as changing facilities.
- (4) You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08.00 - 13.00. This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
- (5) You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

Our Ref: APP/19/00003

This is in order to protect the occupants of nearby residential properties from smoke pollution.

- (6) You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.

- (7) Before undertaking any work which affects a public highway (including a footpath) you must obtain specific written approval from the Highways Authority, Hampshire County Council, The Castle, Winchester SO23 8UJ - <https://www.hants.gov.uk/transport>
This requirement applies not only to the creation of new vehicle access involving excavation within a footway, verge or carriageway, but also to the stopping of existing access(es), the connection to existing or new foul and surface water sewer involving excavation within the public highway or the construction of new boundary walls and foundations immediately alongside the public highway.

Simon Rowberry

Simon Rowberry
Executive Head of Place (Interim)

29 July 2022

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/19/00003

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