

Miss Rachel Ballam
Barratt David Wilson Homes
Tollbar House
Tollbar Way
Hedge End
Southampton SO30 2UH

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

Application Number: APP/21/00605

Site Address: Land at Forty Acres Farm, Havant Road, Havant

Proposal: Re-plan part of the residential area of the site to facilitate an additional 34 new homes within the development area to create a total 147 dwellings, inclusive of the additional 34 units.

Further to your application received on 04 June 2021, which was valid from 08 July 2021, 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:

Planning

Application Form
CIL Assumption of Liability Form
CIL Additional Information Form
Planning Design & Access Statement
Affordable Housing Statement
Statement of Community Involvement
Design and access statement

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Planning statement
Heritage statement
Air quality Assessment – October 2018
ARCHAEOLOGICAL Written Scheme of Investigation LP3190L-WSI-v1.3
ARCHAEOLOGICAL Desk Based assessment April 2018
Bat report April 2018
Biodiversity Action Plan
CONTAMINATED LAND REVIEW J16120/db/c08
EARTHWORKS STRATEGY AND MATERIALS MANAGEMENT -J16120 October 2019
GROUND INVESTIGATION REPORT J16120/db/c03
Mitigation Area Creation, Management and Monitoring Strategy A108712
Extended Phase 1 Habitat Survey – April 2018
Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 – May 2021
Winter Bird Mitigation Strategy April 2018
Noise constraints plan R8192-3 Rev 0
Noise assessment – August 2019
Transport note – Uplift technical note
Revised Transport Assessment – June 2019
Travel plan June 2019
Landscape Maintenance and Management Plan Revision 03 25 April 2018
Flood risk assessment – May 2021 TRS/BSO/E4409/17864
Utilities Statement May 2021 AC/BSO/E4519/17867

Architect's Plans

Proposed site layout 201
Proposed site layout coloured 202
Proposed residential site layout plan 203 Rev B
Boundary Treatment Plan 204
Affordable layout plan 205
Affordable Cell plan 206
SHARED DRIVEWAYS PLAN 207
Storey height plan 208
Bin and cycle storage plan 209
Chimney location plan 210
Electric vehicle charge plan 211
Materials plan 212
Proposed street scenes 213 Rev:P1
Elevations of dwellings contained within Housetype Booklet – July 2021

Landscape and trees

Landscape proposal sheet 1 of 9 Rev: Q
Landscape proposal sheet 2 of 9 Rev: Q
Landscape proposal sheet 3 of 9 Rev: Q
Landscape proposal sheet 4 of 9 Rev: Q
Landscape proposal sheet 5 of 9 Rev: Q
Landscape proposal sheet 6 of 9 Rev: Q
Landscape proposal sheet 7 of 9 Rev: Q
Landscape proposal sheet 8 of 9 Rev: Q
Landscape proposal sheet 9 of 9 Rev: Q
ARBORICULTURAL ASSESSMENT AND METHOD STATEMENT - 16270-AA4-CA
MANUAL FOR MANAGING TREES - V2.1
Tree protection plan 16270-6

Highways, drainage and levels

REPLAN REFUSE VEHICLE SWEPT PATH ANALYSIS BSO-E4519-053 B
REPLAN FIRE TENDER SWEPT PATH ANALYSIS BSO-E4519-054 B
REPLAN HIGHWAY LAYOUT REVIEW BSO-E4519-055 B

REPLAN PEDESTRIAN VISIBILITY SPLAY ANALYSIS BSO-E4519-056 B
REPLAN LEVELS STRATEGY BSO-E4519-057 B
REPLAN DRAINAGE STRATEGY BSO-E4519-058 A
REPLAN SURFACE WATER CATCHMENT AREAS BSO-E4519-059 A
REPLAN EXCEEDANCE FLOW LAYOUT BSO-E4519-060 A
REPLAN INDICATIVE STREET LIGHTING LAYOUT BSO-E4519-061 A
EXTERNAL LEVELS LAYOUT BSO-E4519-504 Q

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of landscaping in the application no above ground construction works shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
- ii) Planting methods, tree pits & guying methods,
- iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) Manner and treatment of watercourses, ditches and banks,
- vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
- vii) Means of enclosure, in particular boundary walls and planting around properties and including their frontages, including any retaining structures, and measures to break up parking area
- viii) The type of street lighting including calculations, contour illumination plans and means to reduce light pollution
- ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, and to ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed to an appropriate standard to serve the development in accordance with policies DM10, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy 2011) and the National Planning Policy Framework.

- 4 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the Materials plan 212 and the particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 05 March 2020 in respect of Condition 4 of Planning Permission APP/18/00450; viz:
Physical samples of bricks, as follows:

Sunset Red Multi stock brick (Wienerberger)
Pembroke Red Multi stock brick (Wienerberger)
Nevada Buff feature brick (Wienerberger)
Staffordshire blue feature brick (Wienerberger)

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.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 5 of Planning Permission APP/18/00450; viz:
Landscape and Ecological Management Plan, March 2020
Mitigation Area Creation, Management and Monitoring Strategy and a Landscape and Ecological Management Plan (WYG, June 2020)

All mitigation and enhancement features shall be permanently retained and maintained. The development shall be carried in accordance with the approved details

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 Unless otherwise agreed in writing by the Local Planning Authority, the approved tree protective measures, including fencing and ground protection, as shown on Barrell Arboricultural assessment and method statement particulars ARBORICULTURAL ASSESSMENT AND METHOD STATEMENT - 16270-AA4-CA, MANUAL FOR MANAGING TREES - V2.1, Tree protection plan 16270-6 shall be installed.

No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16, of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 7 of Planning Permission APP/18/00450; viz:

Updated Mitigation Area Creation, Management and Monitoring Strategy and a Landscape and Ecological Management Plan (WYG, June 2020).

All mitigation and enhancement features shall be permanently retained and maintained. The development shall be carried in accordance with the approved details

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the

Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 8 of Planning Permission APP/18/00450; viz:

Construction Traffic & Construction Environmental Management Plan, March 2020

Landscape and Ecological Management Plan, March 2020

Mitigation Area Creation, Management and Monitoring Strategy and a Landscape and Ecological Management Plan (WYG, June 2020).

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 11 August 2020 in respect of Condition 10 of Planning Permission APP/18/00450; viz:

Earthworks Strategy and Materials Management Plan, Ref J16120 Issue No 4

Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.

- 10 Prior to the occupation of any relevant part of the permitted development, a report shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the works outlined within the Wilson Bailey 'Contaminated Land Review and Discussion' report Ref J16120/bd/c08 (17/01/2020) & Wilson Bailey Earthworks Strategy Design Statement & MMP Support Document Ref: J16120 (March 2020) have been satisfactorily completed. The report shall include results of sampling and monitoring carried out in accordance with the above-referenced documents, and must demonstrate that site acceptance criteria have been met.

Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework; to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.

- 11 No individual dwelling as being subject to high levels of noise, as indicated on plan SK05 of WYG Noise Assessment dated August 2019, shall be occupied unless and until mitigation has been installed and demonstrated through post validation testing to determine compliance with the noise impact assessment as provided by WYG in the Noise Assessment : August 2019). Such testing can be achieved using sample dwellings, as per the measurement positions.

This shall be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. the glazing and ventilation strategy mitigation measures outlined in the WYG Noise Assessment dated August 2019, shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the

Local Planning Authority's Discharge of Condition Notice dated 24 July 2020 in respect of Condition 15 of Planning Permission APP/18/00450; viz:
Construction Traffic & Construction Environmental Management Plan, February 2020
Plan no. BSO/E4519/475 – Existing Sewer Location and Interaction
Plan no. BSO/E4519/477 – Existing Sewer Longsection
Plans received 26.6.20
BSO/E4519/475 Existing sewer location and interaction - April 2019
BSO/E4519/477 Section through existing sewer - March 2020)

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 13 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 16 of Planning Permission APP/18/00450; viz:

Micro Drainage Calculations

16 x plans

Plan no. BSO/E4519/017 Rev G – Exceedance Flow Layout

Drainage General Arrangement plans Sheets 1-14 of 14

Plan no. BSO/E4519/465 – Drainage General Arrangement Sheet 15 of 15

Owners Manual Relating to Surface Water Drainage Maintenance, BSO/E4519

RCP Flood Risk Assessment, April 2018 (approved by permission APP/18/00450; unaltered)

RCP - INFORMATION_TO_ADDRESS_LLFA_COMMENTS-1378723.pdf (11/03/2020).

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.

- 14 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated 20th April 2018) as secured under condition 17 of permission APP/18/00450 and as updated by the Flood Risk assessment (dated May 2021) TRS/BSO/E4409/17864 and the following mitigation measures detailed within the FRA:

1. Existing ground levels are to be raised to a minimum of 4.4m above Ordnance Datum (AOD) for the extent indicated on drawing number BSO/E4519/029 B (Appendix G of the FRA).

2. Finished floor levels are set no lower than 4.7m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the Flood Risk Assessment (FRA) (dated 20th April 2018) and dated May 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in accordance with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Local Plan (Core Strategy) 2011.

- 15 No development shall be carried out within 3m of the high pressure gas pipeline and no piling or boreholes within 15m without the prior written consent of the Local Planning Authority in consultation with Southern Gas Networks.

Reason: To safeguard the amenities of the locality and or 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.

- 16 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 21 of Planning Permission APP/18/00450; viz:
Construction Traffic & Construction Environmental Management Plan, Construction Method Statement - Harbour Place Rev 5'. Received 27/3/20

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 car parking, servicing and other vehicular access arrangements shown on the approved plans to serve each individual dwelling hereby permitted shall be made fully available for use prior to that dwelling 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 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 23 of Planning Permission APP/18/00450; viz:
Written scheme of investigation, REf.LP3190L-WSI-v1.3, September 2019

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 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 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 Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 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 Havant Borough Local Plan.

- 22 Prior to the occupation of the development full details of the Electrical Vehicle Charging points, as shown on plan Electric vehicle charge plan 211 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. 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.

- 23 No dwelling hereby permitted shall be first occupied anywhere on the site until the road(s) serving that dwelling have been laid to at least base course.

Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the drainage system in accordance with the Flood Risk Assessment ref: TRS/BSO/E4409/17864.

Any revised details submitted must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in accordance with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk

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

- (5) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 23rd December 2021 which requires:
 1. Affordable Housing on site provision and in addition a financial contribution (to the value of 0.6 of a dwelling) for off-site provision.
 2. S106 monitoring fee
 3. Open Space, on site play, habitat mitigation zone, allotments and associated infrastructure should be provided by the developer and arrangements for maintenance incorporated in the Management Plan. Including measures to ensure that the open space is managed in a Nutrient Neutral manner
 5. Solent Recreation Mitigation Strategy contribution
 6. A contribution towards Health
 7. Wintering Bird Mitigation Area maintenance and management
 8. Permissive paths
 9. A contribution towards a Community worker
 10. Schedule Management company and management plan

- (6) Southern Water have advised:

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The sewers services at this location are the responsibility of Icosa Water Services Limited. There is an inset agreement/NAV agreement in place between Southern Water and Icosa Water Services Limited for the supply of sewerage services. The connection/ discharge points to the public network and agreed discharge flow rates must comply with inset/NAV agreements terms.

- (7) You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the buildings, is so positioned so as not to cause nuisance to neighbouring properties.
This is in order to protect the occupants of nearby residential dwellings from light pollution
- (8) 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
- (9) 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.
This is in order to protect the occupants of nearby residential properties from smoke pollution.
- (10) 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.
- (11) Network Rail strongly recommends the developer contacts Asset Protection Wessex AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with them to enable approval of detailed works. More information can also be obtained from their website at www.networkrail.co.uk/aspx/1538.aspx.

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- .. encroach onto Network Rail land
- .. affect the safety, operation or integrity of the company's railway and its infrastructure
- .. undermine its support zone
- .. damage the company's infrastructure
- .. place additional load on cuttings
- .. adversely affect any railway land or structure
- .. over-sail or encroach upon the air-space of any Network Rail land
- .. cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

- (12) The high pressure gas pipeline in the vicinity of the proposed development has a Building Proximity Distance (BPD). The building proximity distance (zone 1) is 3 metres either side of the pipeline. Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or boreholing must take place within 3 metres of the pipeline. Before commencing work on site you must contact the Southern Gas Networks Pipeline Maintenance Section.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

23 December 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.](#)

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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