

To:
Joanne Farrar
Atkins Global
Nova North
11 Bressenden Place
Westminster
London SW1E 5BY

For: Portsmouth Water

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

Application Number: APP/20/00991

Site Address: Pipeline from Proposed Reservoir Site, Middle Park Way to land adjacent to, West Street, Havant

Proposal: Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground).

Further to your application received on 02 November 2020 (which was valid from 27 November 2020) Havant Borough Council, as Local Planning Authority, **Grants Outline 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 five 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 No part of the development hereby approved in outline shall be commenced until an application or applications for written approval of the details of the route of the pipeline and the siting, scale and external appearance of the emergency drawdown discharge structure, and landscaping (hereinafter called "the reserved matters") have been submitted to and approved by the Local Planning Authority. Application(s) for

Our Ref: APP/20/00991

approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice; and Development must be begun not later than the expiration of 2 years from the final approval of reserved matters for the relevant phase, or, in the case of approval on different dates, the approval of the last such matter to be approved.

Reason: The application was submitted as part outline part full application in accordance with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.

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

Drawings

HTR-ATK-ZZ-ZZ-GS-Z-0140 Site Location Plan
HTR-ATK-PI-BR-DR-C-0009 Overall Plan and Route
HTR-ATK-PI-BR-DR-C-0021 Red Line Boundary Drawing (Ch0-1600)
HTR-ATK-PI-BR-DR-C-0022 Red Line Boundary Drawing (Ch1600-3200)
HTR-ATK-PI-BR-DR-C-0023 Red Line Boundary Drawing (Ch3200-4500)
HTR-ATK-PI-BR-DR-C-0014 Site Plan (Ch0-800)
HTR-ATK-PI-BR-DR-C-0015 Site Plan (Ch800-1600)
HTR-ATK-PI-BR-DR-C-0016 Site Plan (Ch1600-2400)
HTR-ATK-PI-BR-DR-C-0017 Site Plan (Ch2400-3200)
HTR-ATK-PI-BR-DR-C-0018 Site Plan (Ch3200-4000)
HTR-ATK-PI-BR-DR-C-0019 Site Plan (Ch4000-4564)
HTR-ATK-PI-BR-DR-C-0010 Typical Stream Crossing Detail
HTR-ATK-PI-BR-DR-C-0011 Typical Pipeline Construction Detail
HTR-ATK-PI-BR-DR-C-0012 Typical Under Track Crossing Detail
HTR-ATK-PI-BR-DR-C-0013 Hermitage Discharge Structure Detail
HTR-ATK-PI-BR-DR-C-0020 Typical Culvert Detail

Documents

Engineering and Design Report
Planning Statement
Development Specification
Environmental Statement (Volumes 1 - 4) including Non-Technical Summary. The Volume 4 Appendices include the following standalone reports:
Outline Construction Environmental Management Plan including Record of Environmental Actions and Commitments or REAC
(ES_Volume_4_Appendix_A2.1_OEMP)
Transport Assessment (ES_Volume_4_Appendix_A13.1_TA)
Flood Risk Assessment (ES_Volume_4_Appendix_A15.2_FRA)
Water Framework Directive Compliance Assessment
(ES_Volume_4_Appendix_A15.1_WFD)
Arboricultural Impact Assessment (ES_Volume_4_Appendix_A9.14_AIA)
HTR-ATK-RZ-RE-DR-L-113 Revised Tree Protection Plan Sheet 37 of 40 (revP01.1)
Design and Access Statement
Statement of Community Involvement
Outline Biodiversity Mitigation and Compensation Strategy
Article 4.7 Statement
ADDITIONAL INFORMATION SUBMITTED FEBRUARY 2021
A Summary of the Benefits of Havant Thicket Reservoir
HTR TNPS02 Traffic Distribution Sensitivity revision_V2.0 dated 25/01/2021
HTR TNPS03 Report on Northern Access Layout dated 29/01/2021
HTR Water Framework Directive Article 4.7 29/01/2021
ADDITIONAL INFORMATION SUBMITTED APRIL 2021
Access for Non Motorised Users - Technical Note dated 01/04/2021
Access Strategy, Rat Running and Construction Management - Technical Note dated

01/04/2021

Framework Construction Management Plan dated 31/03/2021

Article 4.7 Shortlisting Methodology dated 01/04/2021

Transport Assessment Addendum - Framework Travel Plan dated 01/04/2021

Implementation Plan for Off Site Biodiversity Mitigation and Compensation dated 01/04/2021

Reason: - To ensure provision of a satisfactory development.

- 4 Prior to the commencement of development, a detailed phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan and no variation shall be made without the prior written approval of the Local Planning Authority. Approval will not be given if, in the reasonable opinion of the Local Planning Authority, the proposed variation creates new environmental impacts which exceed the range or scale of those measured and assessed in the Environmental Statement (including the further information) and which the Local Planning Authority considers may require further or additional mitigation measures.

Reason: The Environmental Impact and merits of the proposed development have been assessed on this basis.

- 5 No phase of the development approved under Condition 4 shall commence until a phase specific Construction Environmental Management Plan for that parcel has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall be based upon, and be in broad accordance with, Volume 4 Appendix A2.1 of the application Environmental Statement (Outline Environmental Management Plan). It should demonstrate that the risk to controlled waters will be appropriately managed, and include both temporary and permanent construction features and detail information on locations of proposed techniques such as cofferdams, culverting and piping and the associated flood risks and mitigation measures. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties or within the public realm. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use- or safety- of the public highway. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework 2019.

- 6 No phase of the development approved under Condition 4 shall commence until a Construction Method Statement (CMS) for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties.

- 7 A) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Hampshire County Council as local highways authority). B) No phase of the development approved under Condition 4 shall commence until a phase specific CTMP for that parcel has been approved in writing by the local planning authority. The CTMP(s) shall include all commitments set out in the Framework CTMP, dated 31/03/2021, submitted with the planning applications and will include a Construction Traffic Management Strategy and Construction Worker Travel Plan. The CTMP shall include the following:

- Vehicle routing plans
- proposed programme and duration
- number of construction personnel including travel arrangements and

- mitigation where necessary
- alterations to the highway, including temporary and / or permanent, to enable construction
- details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage)
- traffic management details
- compounds and laydown area details
- highway condition surveys
- methods for managing the site to prevent mud onto the highway
- details of on-site contractor parking.

The CTMP shall be implemented in accordance with the approved details.

Reason: To ensure the safe and efficient operation of the highway network.

- 8 No phase of the development approved under Condition 4 shall commence until a phase specific Traffic management and construction measures for that parcel has been submitted to, and approved in writing by, the Local Planning Authority. This shall include the following:

- a) Vehicular, pedestrian and cyclist diversion plans
- b) Details of type of traffic management
- c) Details of highway reinstatement
- d) Construction methodology and details
- e) Material and spoil storage

The development shall be implemented in accordance with the approved details.

Reason: To ensure the safe and efficient operation of the highway network.

- 9 No construction on the pipeline site shall take place outside the hours of 08:30- 18:00 Monday to Friday, 09:00-13:00 on Saturday and no Sunday working, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, with the exception of specific works that shall have been agreed in writing with the Local Planning Authority in advance and shall include details of the task, the date and duration of works. No works shall take place on Bank or Public Holidays.

Reason: In the interests of the amenities of local residents.

- 10 No phase of the development approved under Condition 4 shall commence until a revised and updated assessment of potential noise and vibration arising during construction shall be prepared in accordance with BS 5228-1:2009+A1:2014. The assessments shall include likely eligibility for noise insulation or temporary re housing and shall be submitted to and approved in writing by the Local Planning Authority and construction carried out in accordance with the agreed recommendations.

Reason: To minimise potential noise impacts on nearby sensitive receptors.

- 11 Subject to Condition 10 [ABOVE], no night time working shall take place, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, unless otherwise in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. Night-time works to be carried out strictly in accordance with the approved scheme.

Reason: To avoid potentially significant impacts of noise and vibration upon residential receptors.

- 12 No phase of development approved under Condition 4 hereby approved shall commence until an Archaeological Management Plan (AMP) has been submitted to, and approved in writing by, the Local Planning Authority. The AMP will provide appropriately for all aspects of archaeological recording and will serve as an over-arching Written Scheme of Investigation for all archaeological works.

Reason: To record important archaeological features.

- 13 No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved, a written scheme for the programme of archaeological mitigation within that Development Phase area. The programme for archaeological mitigation shall then be implemented in accordance with the agreed written scheme. This condition may be discharged on an individual Development Phase basis or on a section by section basis.
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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.
- 14 No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved in writing, a Written Scheme for recording all historic assets within that Development Phase area. The recording of all historic assets shall then be implemented in accordance with the agreed scheme.
This condition may be discharged on an individual Development Phase basis or on a section by section basis.
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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.
- 15 Following completion of archaeological fieldwork within a Development Phase, 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 related to that Development Phase area and submitted to the Local Planning Authority. This condition may be discharged on an individual Development Phase basis or on a section by section basis.
Reason - To contribute to the knowledge and understanding of past uses and activities on site by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.
- 16 Any reserved matters application for layout or landscaping submitted pursuant to Conditions 2 and 4 shall include:
- a) The submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.
 - b) The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.
 - c) A landscaping reinstatement scheme for all open parts of the site, where loss occurs due the development, which shall include the planting and maintenance of a number of semi-mature native broad leaf trees (UK grown and sourced in line with current biosecurity guidelines) to be planted in a sustainable location as per the British Standard guidelines. The information 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) A timetable for implementation of the soft and hard landscaping works.

The scheme of Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed, within 10 years shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To preserve the amenity visual amenity of the locality.

- 17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. In line with paragraph 170 of the National Planning Policy Framework.

- 18 The development shall be carried out in accordance with the submitted flood risk assessment (ref HTR-ATK-XX-XX-RP-Z-0042, titled A15.2 Flood Risk Assessment Report, compiled by Atkins on behalf of Portsmouth Water Ltd dated 01/09/20) and the mitigation measures it details. These mitigation measures shall be fully implemented prior to operation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed throughout the FRA shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: o To reduce the risk of flooding to the proposed development and future occupants

o To ensure flood risk off site is not increased as a result of the proposed development in line with paragraph 163 of the National Planning Policy Framework.

- 19 No phase of the pipeline development approved under Condition 4 shall commence until a detailed scheme, to ensure the development will not increase the risk of flooding, has been submitted to, and approved in writing by, the local planning authority. Specifically, further details should be provided where relevant to that phase including:

o Detailed information on the proposed emergency drawdown discharge structure.

o Detailed information surrounding the proposed upgrading of the culverts, in order to not increase flood risk associated with the Emergency discharge and as detailed in table 4.2 and section 4.17 of the FRA

o Detailed information including the long term maintenance scheduled for the proposed development, including but not limited to the proposed pipeline and culverts.

o Detailed information for the crossing of watercourses where these are proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and its future users. This is in line with paragraph 163 of the National Planning Policy Framework.

- 20 Prior to construction of the development approved under Condition 4 above, an On-site Emergency Flood Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To ensure that residual flood risks on site are safely managed in accordance with the NPPF.

- 21 No phase of the development approved under Condition 4 shall commence until full details of all ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment) and on-going monitoring of mitigation measures required for each reserved matters application (including both ecological works directly related to that Development Phase reserved matters area and any works associated with that area but lying outside of the boundary of that area) shall be submitted for approval to the Local Planning Authority. Such details shall be in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020), the Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020) and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021. Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.
- 22 An Ecological Clerk of Works (ECoW) shall be appointed, to be full time on site during site preparation and clearance and during any works in sensitive areas, and to undertake regular monitoring visits throughout the construction programme.
Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.
- 23 The Pipeline development (APP/20/00991) shall not commence until the reservoir development (Havant reference APP/20/00990 and East Hampshire District Council reference 51680/001) has commenced.
Reason: In order to ensure coordination of development of the reservoir and pipeline development in accordance with policies CS18 and AL6 of the Havant Borough Local Plan (Allocations) July 2014.

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 Planning and Development 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) 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.
- (8) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 15/10/21 which requires:
- 1.Site Management Plan in terms of roles and responsibilities of site management and maintenance, and how this links and integrates with Staunton Country Park, which is owned by Hampshire County Council and Havant Thicket woodland, which is owned by Forestry England. Including how anti-social behaviour will be managed.
- 2.Off-site Biodiversity Mitigation and Compensation Strategy- to include:
- a)Creation of 80 hectares of new wood pasture and neutral grassland habitat
 - b)Up to 72 hectares of habitat restoration in Southleigh Forest
 - c)Compensation and enhancement package for the loss of 3.7km of ephemeral stream, which will provide on-site and off-site mitigation and compensation, totalling up to 5.5km of watercourse improvement.
 - d)Capital Grant Scheme to fund biodiversity enhancements to the value of £1.2 million
 - e)Monitoring and maintenance of Biodiversity Mitigation and Compensation Strategy
- 3.S106 monitoring fee
- 4.Provision of Recreational facilities
- 5.Permissive paths and diversion of Public Right of Way (Bridleway)
- 6.Employment and Skills Plan

7.A contribution in relation to traffic management

8.Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee

9.Travel Plan (HCC)

10. Highway Works (HCC) and Site-Specific Transport Improvements (HCC) – including:

Provision of a full work-place travel plan in accordance with the framework travel plan prior to commencement

Payment of £1500 Travel Plan Approval Fee prior to commencement

Payment of £15,000 Travel Plan Monitoring Fee prior to commencement

Provision of a travel plan bond prior to commencement calculated at 110% the cost of the measures identified within the approved full travel plan.

To enter into a s278 agreement for the southern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement of any phase which requires use of this access as permitted through the approved CTMP

To enter into a S278 agreement for the northern access and for the access to be constructed to the satisfaction of the Highway Authority prior to commencement on site.

To pay the contribution for the Whichers Gate sustainable user improvements.

To pay the contribution or enter into a S278 agreement for the B2149 sustainable access improvements

To pay the contribution for sustainable access improvements for between Middle Park Way and the southern bounds of the proposed development.

To pay the contribution for sustainable access improvements access facilities provided by the diverted Bridleway; and improved access to Waterloooville via the Rights of Way network.

A contribution to improve the on-site Bridleway and a contribution for the maintenance of the on-site Bridleways and improved cycles routes in Staunton Country Park (linking the development to Leigh Park).

Prior to operation of the site for a detailed vehicle signage strategy to be submitted and approved by the relevant Highway Authority and this to be implemented prior to occupation.

Wayfinding strategy

To pay the southern access TRO contribution of £6,000 prior to completion of the southern access

To pay the offsite TRO contribution of £24,000 prior to the site becoming operational to the public.

- (9) Your attention is drawn to the provisions of the Water resources Act 1991 and the Land Drainage Bylaws 1981. The consent of the Environment Agency is required for any work or structures in, under, over or within 8 metres of the top of the bank of a main river. You are advised to contact the Environment Agency on 0370 8506506 for further information.
- (10) Your attention is drawn to the provisions of the Land Drainage Act 1991. The consent of the Environment Agency is required if it is proposed to fill, divert, obstruct or culvert a watercourse (including drainage ditches). You are advised to contact the Environment Agency on 0370 8506506.
- (11) The grant of planning permission does not entitle you to obstruct a public right of way. If it is necessary to stop up or divert a right of way in order to enable the development permitted to be carried out you should apply without delay to either; Havant Borough Council in the case of a footpath or bridleway (under Section 257 of the Town and Country Planning Act 1990) or the Department of Communities and Local Government (CLG) for any other issues (under Section 247 of the Town and Country

Planning Act 1990).

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

15 October 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.](#)

Our Ref: APP/20/00991

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