

Rebekah Gibson - SLR Consulting
3rd Floor, Summit House,
12 Red Lion Square,
London
WC1R 4QH

For Applicant: Livelink Technology Ltd

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

Notification of Decision: Prior Approval is Required and is Granted

Application Number: APP/25/01005

Site Address: McCormack House, 56A East Street, Havant, PO9 1BS

Proposal: Application to determine if Prior Approval is required for proposed Change of use from Office (Use Class E) to 19 Residential Units (Use Class C3).

I refer to your notification received on 2 December 2025 (which was valid from 2 December 2025) with regard to the above proposal and write to advise that:

Notification of Decision: Prior Approval is Required and is Granted

You are advised that under the provisions of Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), development is permitted subject to the following conditions:

(a) Development under Class MA must be completed within a period of 3 years starting with the prior approval date; and

(b) A building which has changed use under Class MA is to be used as a dwellinghouse within the meaning of Class C3 of the Schedule of the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such a dwellinghouse;

and is subject to compliance with

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

1	<p>GENERAL</p> <p>The development must be completed within a period of three years starting with the prior approval date.</p> <p>Reason: To comply with the conditions contained within The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 3 MA.2.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <p>Plans</p> <p>Existing & Proposed Site Plan, Location Plan & Existing & Proposed Roof Plan – Drawing No. 24038-PL-001- Rev PO3</p> <p>Elevations Proposed - Drawing No. 24038-PL-007 – Rev PO1</p> <p>Plans – Proposed Ground Floor - Drawing No. 24038-PL-003 Rev PO4</p> <p>Plans – Proposed First Floor - Drawing No. 24038-PL – 005 Rev 003</p> <p>Documents</p> <p>Application Form, uploaded 2/12/25</p> <p>Transport Technical Note, uploaded 2/12/25</p> <p>Heritage Technical Note, uploaded 2/12/25</p> <p>Daylight & Sunlight Report, uploaded 2/12/25</p> <p>Flood Risk Assessment, uploaded 2/12/25</p> <p>Reason: - To ensure provision of a satisfactory development.</p>
3	<p>The building hereby permitted to be used as dwellinghouses by virtue of Class MA of the Town & Country Planning (General Permitted Development) (England) Order 2015 shall remain in use as dwellinghouses within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is incidental to the use as a dwellinghouse.</p> <p>Reason: To ensure the retention of these dwellinghouses in compliance with Class MA of the Town & Country Planning (General Permitted Development) (England) Order 2015 having due regard to Policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>

4	<p>PRIOR TO OCCUPATION</p> <p>Prior to the occupation of any relevant part of the permitted development, 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.</p> <p>The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;</p> <p>1) Site investigation appropriate to both the previous & approved use of the site, 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 future occupants.</p> <p>2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;</p> <ul style="list-style-type: none"> • appropriately considered remedial objectives, • an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and; • clearly defined proposals for mitigation of the identified risks. <p>3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete.</p> <p>All elements shall be adhered to unless agreed in writing by the Local Planning Authority</p> <p>Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and constriction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework 2024.</p>
5	<p>Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [4] shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>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.</p> <p>Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and construction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan</p>

	(Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework 2024.
6	<p>The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.</p> <p>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.</p>
7	<p>Prior to the occupation of the development hereby approved, details of cycle provision in accordance with the requirements of the Havant Borough Council Parking Supplementary Planning Document shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle provision shall be fully implemented prior to occupation and thereafter retained for its intended purpose.</p> <p>Reason: In the interests of sustainable development and to ensure adequate cycle provision, having due regard to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>
8	<p>The development hereby permitted shall not be occupied until:</p> <p>(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</p> <p>(b) All measures necessary to meet the approved water efficiency calculation have been installed.</p> <p>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. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.</p>

9	<p>POST OCCUPATION</p> <p>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.</p> <p>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. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.</p>
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Informatives:

1	<p>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:</p> <p>Offering a pre-application advice service, and</p> <p>Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,</p> <p>In this instance:</p> <p>You were updated about issues after the initial site visit, additional and amended details required and submitted, making your proposal acceptable.</p>
2	<p>The range of contaminants of concern within the context of this development is limited; asbestos containing materials (ACM) and free-fibres originating from building materials representing the principal risk. It is not anticipated that significant desk-based research will be required in order to provide the necessary surety as to the suitability of the amenity land for ancillary residential use/access; it is expected that it will be sufficient to proceed directly to a physical inspection of the land. It is similarly expected that sampling may be limited to an asbestos screen (present/not present), with type-identification and mass-quantification only needed where fibres &/or fragments of ACM are present. It is not anticipated that CLEA metals, petroleum range hydrocarbons (TPH) or polyaromatics (PAH), soil vapour or soil gas will need to be included with the scope of the investigation. If included, TPH and PAH presented as 'total' (not speciated) will be accepted as suitable quantifications for screening purposes. Investigation need only target shallow soils (up to 1.0m</p>

	below current / proposed ground levels; whichever is shallower), but it is expected that sampling will focus upon identifying & characterising soils which contain identifiable anthropogenic inclusions (fragments of building materials, etc.). Sample locations should include areas of the amenity land that correspond with the footprint of former structures (e.g. NE of amenity land), or access points (e.g. S of amenity land, where hardcore may have been deposited as a construction material or to form temporary trackway).
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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.co.uk
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.

Steve Weaver

Steve Weaver

Development Manager

Havant Borough Council
30 January 2026

**PLEASE NOTE THE FOLLOWING IMPORTANT INFORMATION TO BE READ
ALONGSIDE YOUR NOTIFICATION OF DECISION**

1: APPEAL INFORMATION

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY
REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision-for-householder-applications>; <https://www.gov.uk/appeal-planning-decision-for-full-applications>; <https://www.gov.uk/planning-inspectorate> for anything else.

- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2: BUILDING CONTROL

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

3: FURTHER INFORMATION FOR APPLICATIONS RELATING TO NEW VEHICULAR ACCESS/DROPPED KERBS

If your application includes a dropped kerb, please visit Hampshire County Council's guidance here: <https://www.hants.gov.uk/transport/parking/droppedkerbs>

This page provides essential information for residents, explaining that planning permission and dropped kerb consent are two separate requirements. While planning permission may be granted by the local planning authority, dropped kerb consent must still be obtained from Hampshire County Council, as they are responsible for managing access to the public highway.

It is particularly important to highlight that for applications involving classified roads (A, B, and C roads), applicants must provide evidence of planning permission as part of their dropped kerb application. This ensures that all necessary safety, traffic, and infrastructure considerations are properly addressed.

4: SOUTHERN GAS ADVISORY NOTE

In June 2021 SGN issued a comprehensive advisory note

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

Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.

Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.

Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

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

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

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

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

Further information on safe digging practices can be found here:

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

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

SGN personnel will contact you accordingly.