

EL (Havant) Limited
101 New Cavendish Street, 1st Floor
South, London, W1W 6XH

Clive Fagg
9 Dairy Lane, Melton Mowbray, LE14
4JW

Removal/variation of conditions
Notification of Decision: Approve with Conditions

Application Number: APP/26/00127

Site Address: Land at Hermitage Park, Harts Farm Way, Havant

Proposal: Variation of Conditions 2, 3, 6 & 7 of planning application APP/24/00237.

Further to your application received on 25 February 2026, Havant Borough Council, as Local Planning Authority, **Approve with Conditions** 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	<p>The development must be begun not later than 26/07/2027.</p> <p>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.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Site Location Plan - APPENDIX A1</p> <p>Site Layout Plan - APPENDIX A2</p> <p>Elevations Site Components – APPENDIX A3</p> <p>Elevations Containerised Engine – APPENDIX A4</p> <p>Elevations DNO Building – APPENDIX A5</p>

	<p>Elevations Palisade Fence – APPENDIX A6</p> <p>Elevations Security Column - APPENDIX A11 FE-01-601</p> <p>Covering Letter</p> <p>Noise Impact Assessment – Parker Jones Acoustics APPENDIX B Revision 2, 12th January 2026</p> <p>Air Quality Assessment - APPENDIX C, 01.0183.003 v2, February 2026</p> <p>Preliminary Ecological Appraisal - APPENDIX D1 REV 3</p> <p>Shadow Habitat Regulations Assessment - APPENDIX D2</p> <p>Ecology Statement – APPENDIX D3</p> <p>Havant Visual Assessment - APPENDIX E1</p> <p>Visualisation - APPENDIX E2</p> <p>Visualisation - APPENDIX E3</p> <p>Flood Risk Assessment - APPENDIX F, version 4, February 2026</p> <p>Construction Environmental Management Plan - APPENDIX G2, v3, February 2026</p> <p>Construction Traffic Management Plan - APPENDIX H</p> <p>Tree Survey and Arboricultural Impact Assessment , Falkland Little February 2026</p> <p>Tree Protection Plan – ‘Electric Land’ uploaded 25.02.2026</p> <p>Reason: - To ensure provision of a satisfactory development.</p>
3	<p>The development hereby permitted shall only be carried out in accordance with the Tree Survey and Arboricultural Impact Assessment , Falkland Little February 2026 and Tree Protection Plan – ‘Electric Land’ uploaded 25.02.2026.</p> <p>Reason: To protect the health of adjacent trees in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.</p>
4	<p>Prior to occupation, details of soft landscaping between the proposal and Harts Farm Way will be submitted to and approved in writing by the Local Planning Authority to assist in the screening of the site and enhance green infrastructure to the west.</p>

	<p>Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscape having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy.</p>
5	<p>The proposed development approved shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment at Section 4.3 of 'Flood Risk Assessment - APPENDIX F, version 4, February 2026' unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that flood risk has been appropriately addressed having due regard to policies CS15 and CS16 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>
6	<p>The Landscape and Ecological Management Plan (The Ecology Co-Op. V2, August 2025) shall be implemented in full during and following completion of construction and thereafter all landscape and ecological features shall be managed and maintained in their intended condition for the duration of the development.</p> <p>Reason:To provide ecological protection and enhancement in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.</p>
7	<p>The construction phase shall be carried out fully in accordance with the CEMP (Toucan Environment, February 2026) as approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of protected species and habitats having due regard to the Habitats Regulations, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act 1981 and the National Planning Policy Framework.</p>
8	<p>No permanent development, construction or landscaping is permitted within the 12m easement in operation (6m either side of pipe) without formal written approval from SGN.</p> <p>Reason :To safeguard existing gas infrastructure and ensure that the proposed development does not prejudice the safe operation, maintenance, or future access to apparatus owned and operated by Southern Gas Networks, in the interests of public safety and infrastructure protection, 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.</p>

9	<p>All work within the close vicinity of the Major Accident Hazard Pipeline must comply with “SGN/WI/SW/2 - Work Instruction for Safe Working in the Vicinity of Pipelines & Associated Installations with Maximum Operating Pressure >7barg”.</p> <p>Reason :To safeguard existing gas infrastructure and ensure that the proposed development does not prejudice the safe operation, maintenance, or future access to apparatus owned and operated by Southern Gas Networks, in the interests of public safety and infrastructure protection, 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.</p>
10	<p>Energisation of the Power Generation Plant shall not take place until the applicant has undertaken studies to determine that the levels of AC and DC interference on the Major Accident Hazard Pipeline (MAHP) associated with the proposed development shall not have a detrimental effect on the integrity of SGN’s asset, this will assess the risk levels from the BESS/Solar Farm/Substation whilst in steady state and under fault conditions. SGN shall be satisfied that all necessary activities to mitigate risks to the MAHP have been conducted prior to energisation of the proposed new development and joint interaction testing shall be undertaken once energisation is approved.</p> <p>The guidelines in UKOPA/GPG/014, BS EN ISO 18086, BS EN ISO 21857, BS EN 50162, SGN/PM/ECP/2 and IDN/SP/ECP/3 shall be followed. The permissible touch potential limits shall follow the limits given in BS EN 50122-1. The values stated in BS EN 50443 shall not be used to determine safe touch potential voltage limits.</p> <p>Reason :To safeguard existing gas infrastructure and ensure that the proposed development does not prejudice the safe operation, maintenance, or future access to apparatus owned and operated by Southern Gas Networks, in the interests of public safety and infrastructure protection, 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.</p>

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>Your application was acceptable as submitted and no further assistance was required.</p>
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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.

Paul Barton

Paul Barton

Interim Head of Planning

Havant Borough Council
21 July 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.