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|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|
| Site Address:     | 25 Mengham Road, Hayling Island, PO11 9BG                                                                                                       |               |              |
| Proposal:         | Conversion of part of a vacant retail unit to form 1 No. self-contained flat with associated amenity space, parking, and bin and cycle storage. |               |              |
| Application Type: | Full Planning Permission                                                                                                                        |               |              |
| Application No:   | APP/24/00269                                                                                                                                    | Expiry Date:  | 06/06/2024   |
| Applicant:        | Mrs Elliott<br>HTE Holdings Ltd                                                                                                                 |               |              |
| Agent:            | Mrs Fox<br>Critchley Architecture And<br>Design (CAAD) Ltd                                                                                      | Case Officer: | Lesley Wells |
| Ward:             | Hayling East                                                                                                                                    |               |              |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site is situated just past the corner of the junction of Mengham Road and St. Leonards Avenue, to the rear of No 25 Mengham Road, being a former ancillary oven area to Heidi's Swiss Patisserie.
- 1.2 The site is within Mengham/Gable Head District Centre. The site falls within a Secondary Frontage, with pedestrian access off St Leonard's Avenue to the east.
- 1.3 To the west of the site is a Funeral Directors, which includes a Chapel of Rest.
- 1.4 Along the northern boundary, but not within the site, are trees, together with a public footpath which traverses from St Leonard's Avenue to the east to Elm Grove to the west. These trees are not impacted by the development.
- 1.5 The application building is single storey.
- 1.6 The site is within Flood Zone 1, a very low risk and would remain so, on current information, with climate change in 2115.

## **2 Planning History**

02/52043/008 - Erection of canopy to rear., PERM,16/12/2002  
02/52043/007 - Construction of detached building to form two flats for staff with revised vehicular access from St. Leonards Avenue and associated parking; shed to rear., S106,28/04/2003  
01/52043/006 - Erection of disabled toilet to rear of approved bakery and alteration to curtilage of approved dwelling house as proposed by planning permission  
00/52043/004., PERM,27/02/2002  
01/52043/005 - First floor extension to store approved by planning permission  
00/52043/004, alterations to internal layout and elevations., PERM,24/10/2001  
00/52043/004 - Demolition of garages and part of bakery, two storey extension to rear to provide finishing area, storage, office and staff facilities with associated parking.  
Construction of detached 3 bedroom chalet bungalow for staff. New and revised vehicular access from St. Leonards Avenue., S106,17/07/2001

06/52043/009 - New metal staircase and first floor lobby., PERM,30/03/2006  
 06/52043/010 - Single storey store extension., PERM,29/11/2006  
 APP/23/00377 - Conversion and partial demolition of existing bakery and offices to 4 No. self-contained flats comprising 1No. 3 bed, 1No. 2 bed & 2No. 1 bed with associated parking and cycle storage.(03.10.23) Request to discharge conditions 5,6,7,8,9,10,11,12,14 and 15 (24.11.23)., PERM,03/10/2023  
 APP/24/00200 - Conversion and partial demolition of existing bakery and offices to 5 No. self-contained flats comprising 1No. 2 bed and 4No. 1 bed with associated parking and cycle storage. - Decision Pending

### **3 Proposal**

Conversion of part of a vacant back of house retail unit to form 1 No. self-contained flat with associated amenity space, parking, bin and cycle storage.

### **4 Policy Considerations**

National Planning Policy Framework  
 Havant Borough Council Borough Design Guide SPD December 2011  
 Havant Borough Council Parking SPD July 2016

#### Havant Borough Local Plan (Core Strategy) March 2011

|      |                                                                        |
|------|------------------------------------------------------------------------|
| CS16 | (High Quality Design)                                                  |
| CS17 | (Concentration and Distribution of Development within the Urban Areas) |
| CS19 | (Effective Provision of Infrastructure)                                |
| CS2  | (Employment)                                                           |
| CS21 | (Developer Requirements)                                               |
| CS4  | ( )                                                                    |
| CS9  | (Housing)                                                              |
| DM13 | (Car and Cycle Parking on Residential Development)                     |
| DM2  | (Protection of Existing Community Facilities and Shops)                |

#### Havant Borough Local Plan (Allocations) July 2014

|      |                                                                                           |
|------|-------------------------------------------------------------------------------------------|
| AL1  | (Presumption in Favour of Sustainable Development)                                        |
| DM24 | (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development) |
| AL3  | (Town, District and Local Centres)                                                        |
| AL2  | (Urban Area Boundaries and Undeveloped Gaps between Settlements)                          |

#### Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.  
 Conservation Area: Not applicable.

## 5 **Statutory and Non Statutory Consultations**

### **Community Infrastructure, Planning Policy & Urban Design**

The application is not CIL liable because the entire floor area has been occupied for its lawful use for 6 continuous months of the 36 previous months so credit can be given for the proposed change of use.

Pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(c) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the additional number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council

(d) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

### **Biodiversity Net Gain**

In England, biodiversity net gain (BNG) is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Developers must deliver a biodiversity net gain of 10%. This means a development will result in more, or better quality, natural habitat than there was before development.

More information is available:

<https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers?>

There are some exemptions and if an exemption is claimed this must form part of the planning application submission.

***Officer Comment:*** *Biodiversity net gain does not fall due for the proposal, as small sites exemption is claimed due to the minor nature of the development.*

**Former Councillor Leah Turner - Hayling East - No Comment**

**Councillor Mark Coates - No Comment**

**Former Councillor R Raines - Hayling East - No Comment**

**Crime Prevention -Minor Apps - No Comment**

**Ecologist - No Comment**

**Environmental Health - Pollution - No Objection**

I have no objections to the development.

**HBC Environmental Services - Contamination - No Comment**

**Norse South East, Operations Director - No Comment**

**Natural England - No Comment** consulted 8/8/24 - No reply received

**Nutrient Team - Comment**

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:

<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

**Officer Comment:** *the agent is aware that there are other third party providers.*

**Waste Services Manager - No Comment**

**6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 34

Number of site notices: One.

Statutory advertisement: Not applicable.

Number of representations received: 3

| Comment                                                                              | Officer Comment |
|--------------------------------------------------------------------------------------|-----------------|
| Loss of retail unit - impact on community                                            | See 7 below.    |
| Closure of shop and bakery - detrimental impact on retail businesses in Mengham Road |                 |
| Council should be encouraging businesses/regeneration                                |                 |
| Loss of employment opportunities for locals                                          |                 |

|                                                            |  |
|------------------------------------------------------------|--|
| Only shop that remains empty - realistic rent being asked? |  |
|------------------------------------------------------------|--|

## 7 **Planning Considerations**

### **Habitat Regulations Assessment & Appropriate Assessment**

The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HA) of the proposed development.

#### *Recreational Pressure*

The project being assessed would result in a net increase of one dwelling within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations) and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development, is likely. As such, to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has entered into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

#### *Water quality*

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites. 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. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.

Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has entered into a legal agreement to secure the mitigation package.

## Appropriate Assessment conclusion

The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3); no representations have been received from Natural England during the statutory consultation period and therefore it can be reasonably assumed that they concur with the Appropriate Assessment's findings. The applicant has entered into a legal agreement to secure the mitigation packages.

- 7.1 In other respects the application site is located within the defined urban area, therefore the principle of the proposed development is considered acceptable subject to compliance with relevant planning policies, including the loss of a commercial use; impact on the area; quality of residential environment and residential amenity; flood risk/drainage; and highways safety, including car parking.

- (i) Principle of development
- (ii) Loss of Commercial Use
- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity
- (v) Flood Risk & Drainage
- (vi) Access & Parking
- (vii) CIL

- (i) Principle of development

- 7.2 The application site is situated within a sustainable urban area where further development is considered acceptable subject to the usual development control criteria. In this case the development would lead to the loss of part of a former retail unit which is a Class E use. This is considered further below under the heading 'Loss of Commercial Use'.
- 7.3 The conversion of part of a back of house retail unit to 1 flat in such a location would contribute, albeit very modestly, to the Council's overall housing requirement. The Council, at the time of writing the report, cannot demonstrate a 5-year land supply of housing, which is currently only 1.81 years.
- 7.4 The Council has identified that it has a finite amount of undeveloped land and environmental designations in the borough which limit opportunities for new development. Within this context, the Council's strategy for the delivery of new growth is to concentrate development within the urban areas where there are existing facilities and where new development would have the least impact on the range of highly protected designations within the Borough. To support this approach, Policy CS17 of the Havant Borough Local Plan (Core Strategy) 2011 sets out that development will be permitted that makes the most effective use of land in the borough.
- 7.5 Policy CS9 of the Core Strategy supports housing proposals which achieve a suitable density of development for the location, considering accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form. The supporting text of the policy sets out density thresholds, and in this regard the proposal would represent a high-density development at 83 dwelling per hectare on a site of approximately 0.012 hectares.

- 7.6 The adopted Local Plan policies echoes the advice in the National Planning Policy Framework (NPPF).
- 7.7 Paragraph 123 of the NPPF sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.
- 7.8 Paragraph 128 of the Framework supports development that makes efficient use of land where it considers the desirability of maintaining an area's prevailing character. Policies CS17 and CS9 together are broadly consistent with this approach.
- 7.9 The Framework goes further and sets out at Paragraph 129 that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that development makes optimal use of the potential of each site.
- 7.10 The principle of making an efficient use of an existing urban site is therefore supported having regard to the surrounding character and built form, albeit that the acceptability of the scheme put forward will turn on consideration of a number of detailed planning considerations as set out below.
- 7.11 As to the history of the wider area of the site, planning permission was granted under reference APP/23/00377 for the building to the north of the application site for the 'Conversion and partial demolition of existing bakery and offices to 4 No. self-contained flats comprising 1No. 3 bed, 1No. 2 bed & 2No. 1 bed with associated parking and cycle storage ' on 03.10.23. A subsequent application was submitted for this building to increase the number of flats from 4 to 5 under reference number APP/24/00200, which is currently under consideration.

(ii) Loss of Commercial Use

- 7.12 The site is within Mengham/Gable Head District Centre. The site falls within and on the edge of a Secondary Frontage, to the rear of 25 Mengham Road.
- 7.13 The proposal would result in the loss of part of a vacant back of house retail unit, (ie the former Heidi's Patisserie), which fronts Mengham Road, which was used ancillary to this use.
- 7.14 Havant Borough Local Plan (Core Strategy) 2011 sets out in policy CS2 that the loss of current employment sites will generally be resisted.
- 7.15 Policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 states that planning permission will be granted for appropriate town centre proposals which amongst other matters promote and enhance the District Centres, support small and independent businesses and encourage high quality, mixed-use development in designated centres that retain active ground floor frontages.

7.16 Policy AL3 states that Planning Permission will be granted for development proposals that (amongst other matters):

*1. Provide main town centre uses in the town, district and local centres as defined on the Policies Map, and so contribute to their vitality and viability.*

*3. Retain at least 50% of the units in an unbroken run of primary frontage as defined on the Policies Map in retail (A1) use.*

*4. Retain at least 25% of the units in an unbroken run of secondary frontage as defined on the Policies Map in retail (A1) use.*

*Exceptions to parts (3) and (4) may be made to allow a change of use to non-retail if more than 25% of units in the unbroken run of frontage are vacant at the time of the application."*

7.17 Policy DM2 provides further information as to the loss of community facilities and local shops, which will only be permitted:

*"1. It has been demonstrated, through an active marketing process that the premises or land are no longer viable for their authorised use or any other use which would provide a beneficial facility to the local community.*

*2. The facility is no longer required for a community use or that there is an easily accessible existing or new facility for the community it is intended to serve."*

7.18 As to the above policies, this former ancillary building which lies to the rear of 25 Mengham Road has never had an active ground frontage, with the former linked retail element to the south fronting Mengham Road. The current marketing of the shop fronting Mengham Road does not include this building. According to the marketing information provided by Wheeler & Lai:

*"We have focused on the majority of the marketing on the front element of the shop as the rear section was seen as more ancillary and required more stripping out work because this was where the bakery ovens were located."*

They go on to state:

*"With the interested parties that viewed the property, they found that the ancillary space was not much use for their businesses. There was one interested party that wanted the whole property (25 Mengham Road with the rear area) for a potential restaurant, but the projected outlay in fit out was seen as prohibitive."*

7.19 The Design and Access Statement states *"We have been informed by the applicant that, as of the end of February 2024, the front shop area of No 25 has been let subject to completion."* The agent, via Wheeler & Lai, has however confirmed that *"...unfortunately the deal fell through and the prospective tenant pulled out due to unforeseen circumstances."* 25 Mengham Road is therefore still being marketed, with the application building no longer forming part of the retail unit to be rented, due to lack of demand for such a large unit.

- 7.20 The marketing of 25 Mengham Road, when it included the application building, failed to secure a commercial, economic use. This position has not changed, and the application building has now been excluded from the marketing strategy to rent out 25 Mengham Road on a smaller floor area. This currently demonstrates a general lack of demand for 25 Mengham Road and the application building and an inability to secure a commercial, economic use for the proposal.
- 7.21 Having regard to the marketing information in respect of a retail use, on the balance of probability, it demonstrates that there is little in the way of demand for the application building, indicating it is no longer fit for purpose and unviable for its current use, or for an alternative economic use. Furthermore, due to its location to the rear of the site, behind 1a St Leonard's Avenue with pedestrian access only, and with its location falling within a Secondary Frontage and not within Mengham Road itself, its loss is not considered to undermine the viability or vitality of the District Centre. As to a community use, the building has not been marketed for such a use. Having regard to its location with only limited pedestrian access to the site, its relative small size and lack of car parking and cycle provision, it is considered to be unsuitable for an alternative community use.
- 7.22 Having regard to all material considerations, the principle of the change of use to residential is considered acceptable in this location, and in appearance terms the changes would not be visible from the public realm.

*Impact on sensitive commercial use*

- 7.23 A Funeral Parlour with a Chapel of Rest is located to the north west of the site. Having regard to the level of activity that would have been associated with the former commercial use of the site, the conversion to residential would be compatible with this sensitive commercial use.

(iii) Impact upon the character and appearance of the area

- 7.24 The proposal is for the conversion of an existing ancillary commercial building, (incorporating new windows and doors), set back into the site behind existing built development. Due to its location, these changes would not be visible from the public realm and therefore the proposed change of use would not materially impact on the character and appearance of the area. As to the proposed single parking plot, this would be on an existing hard surfaced parking area which would not impact on the appearance of the area. It is considered that the proposal would not materially impact on the appearance of the building itself, or the character and appearance of the area, and would be in accordance with policy CS16 of the Core Strategy.

(iv) Impact upon residential amenity

*Impact on existing residents*

- 7.25 The application building lies to the rear of 1a and 1b St Leonard's Road and to the east of 23 Mengham Road. Pedestrian access is to the rear of 27 and 29 Mengham Road. Having regard to the former commercial use of the building, with an existing pedestrian access to the flat at first floor of 27 Mengham Road, the conversion of the building to residential use is likely to give rise to an acceptable level of noise and disturbance to adjoining residents. Also, due to the single storey nature of the building, it would not lead to a loss of privacy, light or be overbearing to these properties.

- 7.26 As to the former bakery to the north, at the time of the Case Officer's site visits its conversion was being built out following the grant of planning permission under reference APP/23/00377 to 4 flats. (A proposal is before the LPA to increase the number of flats to 5 under reference APP/24/00200). Part of the proposed conversion is opposite the granted development - i.e. flats 1 and 4. However, due to the single storey nature of the proposal, a separation distance of 11m and boundary treatment to the north of a 1.8m close boarded fence, the proposal would not adversely impact on the residential amenity of future occupiers of the former bakery.

*Impact on future residents*

- 7.27 The size of this 1-bed flat would comply with the Government's Technical housing standards – nationally described space standard and in accordance with Building Regulations would be built to current energy efficient standards.
- 7.28 Pedestrian access to the flat would be off St Leonard's Road to the rear of 29 Mengham Road and 1a St Leonard's Road, which also provides access to the first floor flat of 27 Mengham Road. Bin storage would be off this access. The proposed access is considered to be acceptable.
- 7.29 Future occupiers of the flat would have access to their own private amenity space, with a rear private garden to the north with a depth of 4m x 6m, which is considered to be an appropriate size for the accommodation, being reflective of the general size of garden areas provided when planning permission was granted for the former bakery to the north.
- 7.30 The application has been the subject of amended plans which have revised the internal layout of the proposal, creating a more satisfactory living arrangement for future occupiers, with a greater access to light in the lounge area and generally, from roof lights for future occupiers.
- 7.31 The proposal would have 1 parking space which would front onto St Leonards' Road, with provision for cycle storage within the garden area, which complies with Havant's Car Parking SPD. The car parking space would benefit from an EV Charging point.
- 7.32 Having regard to its former commercial retail use, the Council's Environmental Health Team has been consulted over the proposal and raised no objection to the development.
- 7.33 The proposal would provide a satisfactory level of accommodation for future occupiers, in accordance with Policy CS16 of the Core Strategy.

(v) Flood Risk & Drainage

- 7.34 The site falls wholly within Flood Zone 1 and on current information, would remain so, with climate change in 2115. Overall, the development is a low flood risk. (less than 0.1%. AEP) and so is suitable for the residential development proposed.
- 7.35 As to foul and surface water drainage for the development this would be discharged to the main public sewer which would fall within the remit of Building Control.

(vi) Access & Parking

- 7.36 The proposal would have one parking space off an existing access which is acceptable in highway safety terms, together with secure cycle facilities (and bin storage), which complies with Havant's Car Parking SPD. The parking space would benefit from an EV Charging point.

(vii) CIL

- 7.37 The proposal is for the change of use of part of an existing commercial building, which has been in lawful use for at least 6 months of the previous 3 years. Therefore, the proposal is not CIL liable.

**8 Conclusion**

- 8.1 The proposal would result in the loss of a back of house commercial retail unit which adopted policy seeks to retain, where possible. However, a marketing exercise failed to secure an alternative commercial use for the building and a community use is not considered to be suitable for this location. Therefore, consideration has been given to an appropriate alternative use. The development would provide for the provision of a home within the Borough, which does not currently have a 5 year supply of deliverable housing sites, within an appropriate sustainable location. The proposal would not adversely impact on the character and appearance of the area, or the residential amenity of neighbouring properties. No changes are proposed to the access which is considered to be acceptable in highway safety terms with an appropriate level of on-site car parking and cycle provision in accordance with Havant's Car Parking SPD. The impact on drainage and flood risk has been assessed and considered acceptable. The proposal accords with the development plan when considered as a whole and conditional planning permission is recommended.

**9 RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00269 subject to the following conditions:

**1 GENERAL**

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:

Location & Block Plan - Drawing No. 20058-131  
Proposed Site Plan - Drawing No. 20058-134  
Proposed Unit - Drawing No. 20058-432

## **Documents**

Application Form  
Design & Access Statement  
Havant Occupancy Calculator  
Nutrient Budget Calculator  
European Site avoidance and mitigation checklist

**Reason:** To ensure provision of a satisfactory development.

- 3 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.

**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.

- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

**Reason:** In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

## **5 PRIOR TO OCCUPATION**

Prior to the occupation of the flat hereby approved full details of the Electrical Vehicle Charging point to be provided shall be submitted to and approved in writing by the Local Planning Authority. The Charging Point shall be installed in accordance with the approved details prior to the occupation of the flat and retained at all times thereafter.

**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

- 6 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

**Reason:** To safeguard the amenities of the occupiers of development and neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7

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. 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.

## 8 POST OCCUPANCY

At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

**Reason:** There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. 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.