
Site Address:	Land north of, Station Road, Hayling Island		
Proposal:	Erection of 1No. 3bed dwelling (Resubmission of previously approved scheme APP/19/00209).		
Application Type:	Full Planning Permission		
Application No:	APP/22/00852	Expiry Date:	24/11/2022
Applicant:	Miss Snape		
Agent:	Mr Bingham	Case Officer:	David Eaves
	Murray Planning		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

The site lies to the north of Station Road and is accessed from an driveway which leads to parking and a number of residential properties. The site has been subject to previous applications for residential developments and is now in an overgrown condition. There are a number of trees to the periphery of the site or beyond the boundary. The trees within West Town Hotel are TPO'd Yew Trees. There are close boarded fences to the south, west and northern boundaries and temporary hedges fencing to the eastern boundary.

The area is mainly residential in character with the exception of West Town Hotel (Public House) and its garden to the south of the site. To the west is a two storey house, to the north a line of trees and a bungalow beyond, to the north east another bungalow beyond a pedestrian access way. To the east are two / three storey terraced properties incorporating rooms in the roof. To the south east is a two storey house with two / three storey flats beyond.

The site is in a sustainable location close to local facilities in West Town Local Centre.

2 Planning History

Adjacent Sites

APP/13/00639 - Outline planning permission for mixed-use development comprising up to 59 dwellings and 1,250sqm of light-industrial accommodation (Use Class B1). Off-site highway works including widening of footpath. , PERM,23/12/2013

APP/14/01228 - Demolition of servicing workshop (Hayden Garage) and construction of 3No. Office units and 5 dwellings, alterations to access and new car parking (approved 20.02.15) . Request to discharge condition No/s 5, 11, 12 and 13 (17.06.16)., PERM 20/02/2015

APP/15/00919 - Mixed use development comprising 76 residential units (4No. 1bed, 22No. 2 bed, 31No. 3bed; and 19No. 4 bed dwellings; and 1000sqm of light-industrial accommodation (use Class B1) with associated parking, access, landscaping and

surface water drainage, (approved 23.12.15). Request to Discharge Condition No.s 3,4,6,7,8,9,10 and 14 (approved 2.3.16). Request to Discharge Condition No. 6 (resubmission) (received 21.10.16). Request to Discharge Condition Nos. 13, 16 and 18 (received 13.02.2017)., PERM,23/12/2015

Application Site

APP/15/01292 - Erection of 1No. two storey dwelling., PERM,08/04/2016

APP/19/00209 - Erection of a single dwelling (Resubmission of previously approved scheme).

[Note: Grampian Condition applies, contact LPA for details], PERM,09/08/2019

3 Proposal

Erection of 1No. 3bed dwelling (Resubmission of previously approved scheme APP/19/00209). The dwelling would be two storey with a pitched roof design with render and timber cladding and clay tile roof. The front (east) elevation would include the front door, with a side door to the south and French doors to the rear (west). The proposals are almost identical to the previous planning approval reference APP/19/00209 (and very similar to the earlier approval APP/15/01292) although a west elevation first floor bedroom window has been removed and an additional west elevation rooflight proposed.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

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)
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

Arboriculturalist

Further Comments

Recommendation Approve subject to conditions.

Reasons for Recommendation

The Council seeks to protect tree coverage in the Borough, sympathetically incorporating existing features into the overall design of the scheme including measures taken to ensure their continued survival.

The site does not contain any trees subject to a Tree Preservation Order (TPO) nor is it within a conservation area, but the development would be within the Root Protection Area (RPA) of a Yew tree that is within the garden area of the West Town Hotel and subject to a TPO (2021). The supporting information includes an updated Tree Survey and Arboricultural Impact Assessment (February 2023 v1.0), which identifies several other trees within site boundary that would be affected by the development proposal.

The application is a resubmission of a scheme that was first approved in 2016 (APP/15/01292) and then 2019 (APP/19/00209) and now resubmitted with the same layout and impact on trees, which were accepted with the previous applications. There is some impact to the RPA of T2 (as identified in the Tree Survey) and some tree works would be required as set out in the Tree Survey and Arboricultural Impact Assessment, but if the officer were minded to grant permission for the application, the works and protection measures could be secured by condition prior to commencement.

The proposed works, subject to the conditions listed below would be in accordance with Policy CS16 and DM8 of the Havant Core Strategy (2011).

Recommended Conditions:

Approval subject to the following conditions;

a) Pruning works:

Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

b) Tree protection measures:

No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and an impact and method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Original Comments:

Please consider this email as a consultation response from Arboriculture on the above planning application.

There are a number of trees within and surrounding the site that could be affected by the proposals, two of which are statutorily protected. Arboricultural information has been submitted with the application, but is dated September 2015 and does not accurately reflect the site as it is today. It is therefore insufficient for the purpose of determining this application from an arboricultural perspective or to specify sufficient protection measures to minimise the impact of this development during the construction process.

Recommendation:

I raise an objection to the proposals due to insufficient arboricultural information being submitted with the application and the potential impact of the development will have particularly on the statutorily protected trees to the south of the property.

Building Control, Havant Borough Council

No comments

Community Infrastructure

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

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

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>.

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

Councillor Brenda Linger - Hayling West

No comments received

Councillor Clare Satchwell - Hayling West

No comments received

Councillor Julie Richardson

No comments received

Crime Prevention -Minor Apps

No comments received

Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer in the immediate vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 150 mm public foul sewer and public surface water sewer requires a clearance of

3 metres on either side of the public sewers to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water.

- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewers.

- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Hampshire Highways

Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link: www.hants.gov.uk/transport/developers/consultation

Natural England

Officer Comment: Natural England were re-consulted in relation to the revised HRA/AA, following the expiry of the consultation period no further response has been received from Natural England

Further Comments:

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to National Site Network sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment dated 14 November 2022, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Original Comments:

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have a likely significant effect on:

- Solent and Dorset Coast SPA
- Portsmouth Harbour SPA and Ramsar Site
- Chichester and Langstone Harbours SPA
- Solent Maritime SAC
- Solent and Southampton Water SPA

Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on the sites named above, proceeding to the appropriate assessment stage where significant effects cannot be ruled out. The following information is required to inform a HRA:

- Consideration of this project's effects on total nitrogen and/or total phosphorus nutrient loading within the Solent catchment, including a nutrient budget calculation.
- Details of proposed mitigation measures to address any nutrient impacts, including appropriately funded management and monitoring, and details of how the measures will be secured for the lifetime of the development.
- Any other likely significant effects that could arise from the development should also

be assessed.

Once the above information is obtained, please consult Natural England on any appropriate assessment your authority may decide to make.

Natural England's Approach

As your Authority will be aware, there are impacts on nationally and internationally important wildlife sites in the Solent Catchment arising from excessive nutrients from wastewater discharge. On 9 March 2022, Natural England sent a letter (via email) to the Head of Planning at your Authority, explaining that Natural England is fully committed to working closely with your Authority to develop strategic approaches for delivering a nutrient neutrality to help development to proceed. At this time, Natural England is issuing this standard advice in response to planning consultations / proposals requiring nutrient neutrality that meet the following criteria:

- the proposal is for 150 homes or fewer
- the proposal is not accompanied by a habitats regulations assessment (HRA) which has been completed or adopted by the competent authority.

Standard Advice for Nutrient Neutrality

It is Natural England's view that there is a likely significant effect on the internationally designated sites in the Solent catchment due to the increase in wastewater from new housing. One way to address this is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

We have written to your authority about the availability of an updated package of tools and guidance in relation to nutrient impacts. We recommend that your authority moves to using the updated generic Nutrient Neutrality Methodology and the updated catchment calculators in preference to existing methodologies whether produced by Natural England or your own authority. Your authority will be best placed to consider how it transitions to the new tools and guidance. Natural England recognises that for some existing catchments where nutrient neutrality is being implemented and mitigation is being actively progressed, authorities may need to consider the associated practicalities of moving to the new guidance whilst recognising their role as Competent Authority.

The supporting information for this proposal should include a nutrient budget and details of any proposed mitigation to address nutrient impacts. To demonstrate that proposed mitigation will remain effective for the lifetime of the development, information on management and monitoring will be required, together with details of how this will be secured and funded in perpetuity. This information should be considered by your authority in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) i.e. through a HRA.

The proposed development, and the application of any measures to mitigate the likely harmful effects from it, should be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment, in view of the European Sites' conservation objectives. Further information on carrying out a HRA as a competent authority can be found online

Once a HRA has been completed or adopted by the competent authority, Natural England will review the proposal.

Please note that where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on Habitats Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the appropriate assessment can conclude that there will be no adverse effect on the integrity of the Habitats Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation. However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances. Further, your authority, as Competent Authority, should consider how the updated Nutrient Neutrality Methodology relates to the budget provided for any strategic mitigation, ensuring it is appropriate to mitigate this development. In all other cases (where impacts from the proposed development cannot be addressed solely by contributions to an agreed strategic approach) you must contact Natural England for further advice on your appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these impacts and respond.

Additional advice

Further general advice on the protected species and other natural environment issues is provided at Annex A.

Please note that if your Authority is minded to grant planning permission contrary to the advice in this letter and aforementioned letter sent to your Head of Planning, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your Authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Norse South East, Operations Director

No comments received

Waste Services Manager

No comments received

Nutrient Team

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

The applicant is however advised 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/>

Hampshire Biodiversity Information Centre:

Within 1km RAMSAR -Chichester and Langstone Harbours

Within 1km SAC - Solent Maritime

Within 1km SPA - Chichester and Langstone Harbours

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: 23

Number of site notices: 3

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
It is noted that while the planning application makes much reference to the property on the west of the proposed building, especially with regards to loss of light/privacy, there is no such reference or consideration made to the impact on the existing properties to the East of the proposed building. Our property lies (redacted text) East of the proposed building, (redacted text). Our front elevation has two large windows (including French glass doors and an open balcony) which are our main source of light throughout the afternoon and will directly overlook and be overlooked/shadowed by the proposed development. The balcony and glazed French doors on our 1st floor open into our main living space consisting of a kitchen/diner/dayroom and on our second floor our large front facing windows open into our bedroom. We also note that the design of the proposed property includes windows in the roof which will look directly into our main bedroom and yet no reference is made to this within the application. From the supplied plans it would appear that the proposed development will result in a direct line of sight from the buildings front windows into ours and we are concerned no reference is made within the application of the potential impact on our privacy and loss of light, especially in the mid to late afternoon. As a result, it is hard	See Part 7 of this report

to understand how the proposal "safeguards the privacy and amenities of neighbouring occupiers" when there is no reference to our property whatsoever in the application. Since we moved into the property in Dec 2020, we have had cause to call out engineers from Southern Water due to regular drops in our water pressure. On those occasions we were informed by the engineers that due to the nature of the unadopted road that separates us from the main road (Station Road), the mains water junction is already a fair distance from our property and as a result we will unfortunately be subject to issues at times of increased use. If the proposed development is to be connected to this already stretched service, we find it hard to understand how this will not further negatively impact our already strained supply. As a result of the above we would ask that before any application is granted the developers produce a report that considers - Degree and impact of loss of light to our property (Directly East of the proposal). - Appropriate adjustments to negate our loss of privacy. - Potential impact on already strained water supply.	
Having read the planning document prepared by Murray Planning I believe that the words used to describe the overlooking of the site by 'plot 5' are misleading. Whilst one of the bedroom windows is indeed small, the other which looks directly over the whole site and where the planned house will be is approximately 115cm x 115cm. The garden of the planned development would be less than 4m from this bedroom window. The development itself, being two storeys will have some impact on the only direct sunlight that 'plot 5' receives into the open plan living area from the early morning sun. This will have an affect particularly in the winter, on heating costs. The house is a modern build and retains heat well. Keeping the window space clear does help with light and heating.	See Part 7 of this report

7 **Planning Considerations**

Habitat Regulations:

The Council has conducted a Habitats Regulations Assessment (HRA), including

Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effects on 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) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages. The mitigation packages have now been paid.

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Impacts on trees
- (v) Water environment
- (vi) Ecology and CIL
- (vii) Highway Implications

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

In addition the two earlier approvals have established the principle of a dwelling on the plot and context for the development has not significantly changed since these decisions. The decision on the current application should therefore be consistent with the earlier approvals unless material considerations indicate otherwise.

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

The site is set back from Station Road in excess of 60m and is located to the rear of West Town Hotel, it would therefore have a very limited and acceptable impact on the character and appearance of the Station Road street scene.

The site is itself set within an enclosed area characterised mainly by residential development of a variety of styles including bungalows, terraced two / three storey

houses and detached two / three storey properties. The newer property to the west is of more modern style with asymmetric roof style and cladding and render materials. The proposed dwelling would pick up on these materials and whilst exhibiting a pitched roof design has a modern appearance. Given the mixed residential character of the nearby properties it is considered that the proposed house would have an attractive and acceptable design in this context.

(iii) Impact upon residential amenity

There are two aspects to consider in relation to residential amenities, firstly the impacts of the development on existing residential properties and the future living environment for the future residents of the proposed dwelling.

Impact on existing neighbours

The main impacts are considered to be to the bungalows to the north and north east No's 11 and 13 Dances Way; to the house to the west No. 5 Alex McKee Close; to the terraced houses 50, 50a and 50b Station Road and to No.48 Station Road.

In respect to the bungalow to the north, this property has a relatively long rear garden and the proposed window to window distances would satisfy the Borough Design Guide. The application plot is of irregular shape as is the plot to the bungalow to the rear and part of the rear elevation would be in close proximity to the northern boundary. The proposed dwelling has been designed such that at first floor only one window is proposed and this would be located facing down the garden where the depth is approx. 10m.

The bungalow to the north-east would not directly front the site with its front window facing directly west, it is not considered that the proposed development would result in any significant direct overlooking or impact.

With regards to the house to the west at No.5 Alex Makee Close, the proposed dwelling would be 8m from the common boundary and first floor windows in the west elevation comprise a bathroom only (the previously proposed secondary window to bedroom 2 having been negotiated out of the scheme representing a betterment to the previously approved scheme). The dwelling to the west has two first floor windows facing the site the first a small window to the dual aspect master bedroom and the second a window to bedroom 3 set further off the common boundary. Given that the rear elevation first floor level of the application property would only include 1 first floor window to a bathroom there would be no direct overlooking to No.5. Whilst there are rooflights shown there would be no view from these as they light rooms in the first floor below. In relation to sunlight to the open plan living area of No.5, this area is served by a large glazed area facing North-West (away from the proposed dwelling) with a further window facing South-East as it is a large open plan area. Any sunlight impacts would be limited by this orientation of windows to No.5 and would be for a limited period of the morning. It is not considered that any impact on sunlight would be sufficient to warrant a refusal of planning permission.

The relationship to the terraced properties to the east is not materially different to that of earlier approvals. These properties are sited approximately 18m from the proposed dwelling and face onto the private drive resulting in a front to front relationship. At ground floor level they have balconies and windows with dormers at second floor level. The proposal also provides for first floor bedroom and staircase windows facing the terrace. On balance and given the driveway between the existing and proposed units

and the planning history where the same relationship has been approved it is considered that the proposal would result in an acceptable relationship between the existing and proposed dwellings.

In relation to light given the set off distance and taking a 25 degree line in accordance with the Councils Design Guide SPD at 2m height the proposal would not have a harmful impact on light to the terraced properties.

Proposed residential amenity (future residents)

The proposed development, which would be served by on site parking and an appropriate level of amenity space, can be satisfactorily accommodated within the site and is considered to achieve an acceptable relationship with the surrounding properties and not to adversely impact residential amenity.

It is noted that there are significant trees close to the site including Yew Trees subject to TPO's. It is considered that the site would not be over-dominated by the trees and that sufficient light would be provided to the building and amenity space.

(iv) Impacts on trees

The application is accompanied by a Tree Survey & Arboricultural Impact Assessment which indicates that all category A and B trees would be retained. Works within the RPA of one of the Yew trees need appropriate mitigation measures to be employed to avoid harm. Conditions are recommended by the Councils Arboriculturalist and are proposed.

(v) Water environment

The site lies within Flood Zone 1 (low flood risk). Proposed drainage would be controlled by building regulation requirements. Concerns have been raised in relation to water pressure, however this is a matter for the appropriate provider and would not be a reason to withhold planning permission. Finally, Southern Water have provided comments in relation to sewer buffer zones and connections to the sewer infrastructure, a condition is recommended to alert the applicant to Southern Water requirements.

(vi) Ecology and CIL

Impacts on the SPA are addressed under the HRA/AA requirements.

The development is CIL liable and the assumption of liability has been submitted.

(vii) Highway Implications

The applicant is understood to have the right of access / ownership over the private drive (Cert A completed), the proposed 3 bed dwelling would be served by 2 parking spaces in accordance with adopted standards, and there is room within the site for bike storage which can be conditioned.

8 Conclusion

In conclusion, the proposed dwelling is acceptable in principle and permission has previously been granted for a very similar scheme on two separate occasions.

Material considerations do not indicate that a decision contrary to these earlier permissions would be justified.

The impact on the character and appearance of the area and on residential amenity are considered acceptable.

Tree impacts have been assessed and conditions will be imposed to protect important and protected trees.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00852

subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan, Floor Plans and Elevations Drawing No. 1297 P 004 Rev B
Location Plan Drawing No. 1227 P 000
Planning Design and Access Statement Murray Planning Associates
September 2022
Tree Survey and Arboricultural Impact Assessment Hellis Solutions Limited
February 2023 V1.0 Ref: 23/01/14/SV

Reason: - To ensure provision of a satisfactory development.
- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 The landscaping works shown on the approved plans Drawing No. 1297 P 004 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance

with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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 locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building alteration, or windows at first floor level or above shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

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

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, there shall be no habitable floorspace provided above first floor level without the prior approval of the Local Planning Authority.

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

- 8 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.

- 9 Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Note to Applicant: Please note that any works to the Yew Trees subject to Tree Preservation Orders would require a separate consent from Havant Borough Council.

- 10 No development, including site clearance, shall commence on the site until a dimensioned tree protection plan in accordance with Section 5.5 and an impact and method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details, which shall remain in place throughout the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

11

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.

- 12 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.

- 13 No part of the development shall be first occupied until details of secure long stay cycle parking for two cycles have been submitted to and approved in writing by the Local Planning Authority and the approved cycle storage facilities have been erected in accordance with the approved details. The cycle parking shall thereafter be retained.

Reason: To ensure provision for sustainable means of transport having due regard to policy CS13 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD 2016 and the National Planning Policy Framework.