
Site Address: 162 Stakes Hill Road, Waterloooville PO7 7BS
Proposal: Variation of Condition Nos: 2 and 4 of Planning Permission APP/20/00696 relating to replacement of the Arboricultural Report with an updated Arboricultural Report.
Application Type: Variation/Relief of Condition
Application No: APP/22/00587 Expiry Date: 23/08/2022
Applicant: Mr M Wright
Agent: Mr M Wright Case Officer: Lesley Wells
 M A Wright Ltd
Ward: Stakes

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies on the north side of Durham Gardens and the west side of Stakes Hill Road, within the established urban area. The Fox and Hounds public house boundary adjoins the site to the north. The existing vehicular access is onto Durham Gardens, with existing parking to the front of the property. A footpath and cycleway traverse the pavement to the front of the access.
- 1.2 There are mature deciduous hedges along the southern and eastern boundaries, with fencing along the boundaries to the north and west. Along the southern boundary there are mature trees, two of which are the subject of a Tree Preservation Order. There are also trees along the northern boundary.
- 1.3 The existing building on the site is a chalet style bungalow, with a single storey garage and extensions to the sides. The bungalow is red brick, with a rendered base and grey roof tiles. The bungalow lies to the rear of the site, with a large garden area to the front, following the development of the rear garden under Planning Permission 06/57799/002. The surrounding area is characterised by different types, styles and designs of residential development.
- 1.4 It appears likely that the current dwelling was erected on or around 1897, following the demolition of what appears to be a dwelling and other buildings on the land. However, it should be noted that the Council's records are vague on this point as this pre-dates the current planning system, and the agent is unaware of the age of the building.
- 1.5 The site lies in Flood Zone 1, which is the lowest risk for flooding and would remain so in 2115, with climate change.

2 Planning History

92/57799/000 - Demolition of existing out buildings and erection of 2 single storey rear extensions., PERM,09/11/1992
06/57799/001 - Construction of 2 no. semi-detached 3 bedroom houses with integral garages with new access to Durham Gardens. Dormer windows to west elevation of existing dwelling., WD,25/05/2006

06/57799/002 - Construction of 2 No. semi-detached 3 bedroom houses with detached sheds and new access to Durham Gardens. Dormer window and external alterations to existing dwelling., S106,24/08/2006

06/57799/003 - Application to fell a Copper Beech (T1) subject to TPO 0531., WD,10/10/2006

APP/20/00696 - Sub-division of existing house to form 1No. 2bed and 2No. 1bed apartments and erection of a two storey side extension to form 2No. 2bed apartments with provision of car and cycle parking and bin storage. (Revised)., REF,22/01/2021 - APPEAL allowed 13/12/21

3 Proposal

Variation of Condition Nos: 2 and 4 of Planning Permission APP/20/00696, granted on appeal, which relates to the replacement of the Arboricultural Report with an updated Arboricultural Report.

3.1 Condition 2 states:

"The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan 16014 – PL L03A

Block Plan 16014 – PL L04B

Proposed Site Plan 16014– PL 401G

Ground Floor Plan 16014 – PL 402

First Floor Plan 16014 – PL 403

Roof Plan 16014 – PL 404 Rev. A

Street Elevation to Stakes Hill Road 16014 – PL 405

Front Elevation (S) 16014 – PL 406

Rear Elevation (N) 16014 – PL 407 rev A

Side Elevation (E)- 16014 – PL 408

Side Elevation (W) 16014 - PL 409 rev. A

Pedestrian Entrance from Durham Gardens 16014 PL 411

Arboricultural Method Statement by Bernie Harverson July 2020

Ecological & Bat Potential Assessment by Sylvatica Ecology June 2019

Environmental Noise Survey & Noise Impact Assessment Report by

Hann Tucker Associates June 2019

Transport Statement by RGP July 2020

Design & Access Statement August 2020"

3.2 Condition 4 states:

No development hereby permitted, including demolition, construction or groundwork, shall commence until tree protection measures, including fencing and ground protection, as shown on the Arboricultural Method Statement and Tree Protection Plan by Bernie Harverson dated July 2020 and as agreed at a pre-commencement meeting with the Council's Arboricultural Officer, have been installed in accordance with the agreed details. The protection measures shall thereafter be retained throughout the construction period for the development and the development shall be carried out strictly in accordance with the agreed details. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

- 3.3 Within the application form the agent has advised that the purpose of the application is due to the:

“Physical changes to the condition of the protected trees as well as the evolution of tree protection measures available necessitated a new report” to “ Replace Arboricultural Method Statement and Tree Protection Plan by Bernie Harverson July 2020...”

- 3.4. The reason the applicant is seeking to vary Condition No. 2 is to change the list of approved documents, which relate to trees. As to Condition 4 this refers to specific documents that need to be complied with, which are an Arboricultural Method Statement and Tree Protection Plan by Bernie Harverson dated July 2020. The application seeks to vary this condition by substituting the approved documents, with an Arboricultural Method Statement and a Tree Protection Plan by Nicholas Jones dated June 2022.

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)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM6	(Coordination of 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)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist - No Objection

My comments relate to the Arboricultural Report dated 13th June 2022 and referenced NJC1019 and the Tree Protection Plan referenced TPPNJC1019_01_130622.

No objection subject to works being undertaken strictly in accordance with these submitted details and with particular reference to Arboricultural supervision for sensitive elements of this scheme as described.

Councillor Diana Patrick

No comment.

Councillor Elizabeth (formerly Dianne) Lloyd

No comment.

Councillor S Milne

No comment.

Council's Ecologist - No Comment

I have no comments to make on ecological matters.

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: 18

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None.	

7 Planning Considerations

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) Residential and Neighbouring Amenities
- (iv) Access & Parking Implications
- (v) Drainage Implications
- (vi) Impact on Trees
- (vi) Impact on Ecology
- (viii) Development Contributions & CIL

- (i) Principle of development

Appropriate Assessment

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 the two packages of avoidance and mitigation packages in respect of the previous permission reference APP/20/00696. The first was package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second was a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development. The applicant entered into a legal agreement to secure the mitigation packages, with the mitigation payments received under permission reference APP/20/00696.

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 not responded to the consultation. Having regard to the fact that NE confirmed that they agree with the findings of the assessment in respect of permission APP/20/00696 with this application not increasing the number of dwellings or bedrooms on the site, it is reasonable to presume that they concur with the HRA, carried out in respect of this application. The applicant entered into a legal agreement to secure the mitigation packages, with the mitigation payments received in respect of permission APP20/00696.

(i) Principle of development

- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.
- 7.3 Section 73 provides for the determination of applications to develop land without compliance with conditions previously attached. It only provides for the variation of conditions attached to an existing permission; it does not provide a means of varying the development permitted (other than through the imposition of new/varied conditions). Given the previous permission, the principle of the development is considered to be acceptable.
- 7.4 The reason the applicant is seeking to vary Condition No. 2 is to change the list of approved documents, both of which relate to trees. As to Condition 4 this refers to specific documents that need to be complied with, which are an Arboricultural Method Statement and Tree Protection Plan by Bernie Harverson dated July 2020. The application seeks to vary this condition by substituting the approved documents, with an Arboricultural Method Statement and a Tree Protection Plan by Nicholas Jones dated June 2022.

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

- 7.5 The proposed variations to Conditions 2 and 4 would not result in any adverse impacts on the character and appearance of the area.

(iii) Residential and Neighbouring Amenity

- 7.6 The proposed variations to Conditions 2 and 4 would not result in any adverse impacts on neighbouring properties.

(iv) Access & Parking Implications

- 7.7 The proposed variations to Conditions 2 and 4 would not result in any changes to the access and parking previously agreed under permission reference APP/20/00696, which were found to be acceptable.

(v) Drainage Implications

- 7.8 The impact on drainage was considered to be acceptable under permission APP/20/00696.

(vi) Impact on Trees

- 7.9 As stated above, the reason the applicant is seeking to vary Condition No. 2 is to change the list of approved documents, both of which relate to trees. As to Condition 4 this refers to specific documents that need to be complied with, which are an Arboricultural Method Statement and Tree Protection Plan by Bernie Harverson dated July 2020. The application seeks to vary this condition by substituting the approved documents, with an Arboricultural Method Statement and a Tree Protection Plan by Nicholas Jones dated June 2022.

- 7.10 As to changes proposed over that approved the agent has advised that the need for the revised Arboriculturalist Report is as follows:

"It was a requirement of conditions 4&5 attached to the appeal decision

--It expands on the outline details provided in the original submission (as required by condition 5) [which covers tree protection work]

--One other major reason is the raising of levels, meaning that we would contravene the Planning Permission both in terms of final ridge height and in terms of visual compatibility with the existing house as to eaves levels.

--By limiting the digging to a maximum of 50mm and not allowing for the removal of all existing hardstandings the original report raised the finished surface of footpaths by some 200mm above existing ground around trees, thus causing a serious trip/fall hazard to future occupiers.

--Additionally, the existing hardstanding is severely compacted causing some stress to the Purple Beech. The original report makes no mention of recent or proposed remedial works to that tree.

-- Under the terms of the proposed replacement report, a much expanded amount of professional Arborist supervision will be provided at all stages of site work that may in any way affect the protected trees (see attached supervision schedule).

Also, I have mentioned the financial aspect of this and there is no doubt this is a issue in today's World , but the overriding factor is the protection of these Trees as they are an integral part of this site and must be protected , so hopefully the detailing above will enable us to move towards a favourable decision and elevate and concerns you may have."

- 7.11 The revised details have been reviewed and commented on by the Council's Arboricultural Officer, who has raised no objection, subject to the works being carried out in accordance with the submitted details and with particular reference to Arboricultural supervision for sensitive elements of this scheme as described. If permission is granted, a condition to this effect is recommended.

(vi) Impact on Ecology

- 7.12 The proposal would not impact on the ecological measures previously agreed.

(viii) Development Contributions & CIL

- 7.13 As to the Developer Contributions in respect of the Solent Recreation Mitigation Strategy and neutral nitrate development these were discharged under permission APP/20/00696, granted on appeal. As to the CIL, a CIL Liability Notice under the CIL Charging Schedule was served on the agent on 14/12/21 in respect of permission APP/20/00696. As the S73 proposal does not result in an increase in chargeable floorspace, no additional CIL liability arises in respect of this application.
- 7.14 Planning permission APP/20/00696 included two Unilateral Undertaking (UU) dated 9 December 2020 and 30 April 2021. These covered the contributions required under the Solent Recreation Mitigation Strategy and neutral nitrate developments. At Clause 5.2 in the first UU it states:

" This deed shall apply to any planning permission subsequently granted under Section 73 or 73A of the Act, which permits non-compliance with any of the conditions attached to the Planning Permission (a "Subsequent Permission") and the Planning Permission shall be construed to include the development as stated in the Subsequent Permission, unless otherwise required by the Council".

- 7.15 A similar clause was included in the second UU. As this is a S73 application, seeking non-compliance with conditions attached to the Planning Permission, the contributions previously paid cover this proposal, in compliance with the Habitats Regulations.

8 Conclusion

- 8.1 The current proposal seeks to amend conditions 2 and 4 applied to the original planning permission reference APP/20/00696 under a S73 application. The amendments are considered to be acceptable in planning terms and accord with the Development Plan as a whole and the National Planning Policy Framework and conditional planning permission is recommended.
- 8.2 Relevant conditions are required to be carried forward from the original permission, with a time limit for implementation, as per the original permission (ie commencing on 13/12/21). Pre-commencement conditions, which go to the heart of the permission, were imposed on the original permission. (These conditions have been agreed with the agent, for this application). At the time of drafting the report, the pre-commencement conditions under reference APP/20/00696 have not been discharged, so the original planning permission has not been lawfully implemented. Conditions 2 and 4 have been updated to incorporate the Arboriculturist document submitted in respect in this application.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/22/00587 subject to the following conditions:

1 General

The development must be begun not later than three years beginning with the 13 December 2021.

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 Location Plan 16014 – PL L03A
Block Plan 16014 – PL L04B
Proposed Site Plan 16014– PL 401G
Ground Floor Plan 16014 – PL 402
First Floor Plan 16014 – PL 403
Roof Plan 16014 – PL 404 Rev. A
Street Elevation to Stakes Hill Road 16014 – PL 405
Front Elevation (S) 16014 – PL 406

Rear Elevation (N) 16014 – PL 407 rev A
Side Elevation (E)- 16014 – PL 408
Side Elevation (W) 16014 - PL 409 rev. A

Pedestrian Entrance from Durham Gardens 16014 PL 411
Arboricultural Method Statement & Tree Protection Plan by Nicholas Jones
Consultants Limited, dated 13/6/22
Ecological & Bat Potential Assessment by Sylvatica Ecology June 2019
Environmental Noise Survey & Noise Impact Assessment Report by Hann
Tucker Associates June 2019
Transport Statement by RGP July 2020
Design & Access Statement August 2020

Reason: To ensure provision of a satisfactory development.

- 3 In the event that piling is to be carried out on the site, prior to the development hereby permitted commencing, a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The piling shall be carried out in accordance with the approved scheme.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways, having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 In the event that suspected contamination is encountered during groundwork (e.g. obviously contaminated soil / groundwater, or any buried waste materials not assuredly comprising non-harmful construction materials) works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted, and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Reasonable investigation in the vicinity of suspected contamination, sufficient to characterise its nature, likely extent & mobility;
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
- 3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments and other actions required by 1) - 3) above (and B, below) shall be undertaken by competent persons, and the findings presented as a written report. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A. A statement confirming that no suspected contamination was identified during development, OR;
- B. Documentation in accordance with 1) - 3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework, there is a potential for contamination to exist at the site in connection with prior development activity which could pose a risk to site groundworks staff, and future occupants.

- 5 The existing hedges along the south and east boundaries as shown on the Proposed Layout Plan shall be retained and maintained at a minimum height of 2 metres.

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 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed 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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Pre-commencement

No development hereby permitted shall take place until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Council's Pollution Control Team.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between 08.00 and 18.00 on Mondays to Fridays and 08.00 and 13.00 on Saturdays and at no time on Sundays and Public/Bank Holidays.
- Deliveries to the site and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and Part 2 2009 and A1:2014 - Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The approved Construction Environmental Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No development hereby permitted, including demolition, construction or groundwork, shall commence until tree protection measures, including fencing and ground protection, as shown on the Arboricultural Method Statement and Tree Protection Plan by Nicholas Jones Consultants Limited, dated 13/6/22 and as agreed at a pre-commencement meeting with the Council's Arboricultural Officer, have been installed in accordance with the agreed details. The protection measures shall thereafter be retained throughout the construction period for the development and the development shall be carried out strictly in accordance with the agreed details. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 No development hereby permitted shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) Details of the proposed utilities and services on the land with a separate method statement detailing how these works will be undertaken without detriment to protected trees; and
- (ii) A staged workplan for all operations requiring Arboricultural supervision and sign off to ensure a workplan in relation to trees is achieved.

The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains, SuDs features and sewers proposed to serve the same, details of any other proposed ancillary drainage works/plant (e.g. pumping stations) and details of consent from the Sewerage Authority for a connection to the public sewer for the development have been submitted to and approved in writing by the Local Planning Authority.

Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 **No Above Ground**

Notwithstanding condition 2 and any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

12 Notwithstanding condition 2 and any description of landscaping shown on the Proposed Site Layout Plan no above ground construction works shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The information shall include:

- A soft landscape scheme with fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant specification schedules, comprising plant size, number and density.
- Hard landscape details with fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured surfacing treatments, which identify:
 - hard surfacing material type / product reference and colour
 - laying bond
 - edging or kerb detail / type.
- Boundary details with fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new boundary treatment.
- Timing provisions for the carrying out of all hard and soft landscaping works.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

13 **Prior to Occupation**

Prior to the first occupation of the development hereby permitted, details of bat and bird boxes to be installed on all of the apartments shall be submitted to and approved in writing by the Local Planning Authority. The approved bat and bird boxes shall be installed in full accordance with the approved details before the occupation of the development hereby permitted and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of nature conservation and biodiversity net gain, and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 Prior to the first occupation of the development hereby permitted, visibility splays of 2.4 metres x 15 metres shall be provided to the north and west of the vehicular access by:
- (a) in the case of the west, by the clearance of existing material between 0.6 metres and 2 metres above the adjacent carriageway level; and
 - (b) in the case of the north, by the clearance of existing material between 0.6 metres and 2 metres above the adjacent shared use (foot/cycleway level).

These visibility splays shall be maintained at all times thereafter.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 Prior to the first occupation of the development hereby permitted at least the first 6 metres of the access measured from the nearside edge of the carriageway of the adjacent highway shall be surfaced in non-migratory material. This area shall be maintained in this condition thereafter.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 Prior to the first occupation of the development hereby permitted the car parking and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for 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.

- 17 Prior to the first occupation of the development hereby permitted details of the cycle shelter shall be submitted in writing to the Local Planning Authority for approval. The approved shelter shall be installed before occupation in accordance with the approved details and shall be retained thereafter for its 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.

- 18 Prior to the first occupation of the development hereby permitted the Electrical Vehicle Charging points, as shown on approved plan 16014 - PL 401G, shall be installed in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

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

- 19 Prior to the first occupation of the development hereby permitted provision for refuse and recycling storage shall be made in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This provision shall thereafter be retained for this purpose.

Reason: To ensure a satisfactory form of development having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

- 20 Prior to the first occupation of the development hereby permitted the acoustic measures in terms of double glazing and incorporation of trickle vents shall be fully implemented in accordance with the Environmental Noise Survey & Noise Impact Assessment Report by Hann Tucker Associates June 2019 and thereafter retained as such.

Reason In the interest of the amenities of future occupiers of the development in accordance with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 21 Prior to the first occupation of the development hereby permitted;

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings shall be 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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.