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25 September 2020

Town and Country Planning (Development Management Procedure) (England) Order 2015 Discharge of Conditions Application

Application Number: APP/19/01230

Site Address: Fernwood House, 45-47 London Road, Cowplain, Waterlooville

Description: Retrospective application for conversion of first floor to form 8 x 1 bedroom flats with associated refuse and cycle stores and parking. (9.3.20). Request to discharge condition 2 (1.9.20)

This decision relates to your request to discharge conditions which was valid from 01/09/2020.

Havant Borough Council as Local Planning Authority hereby REFUSES the submitted application as not meeting the information requirements of the following Conditions of Planning Permission APP/19/01230.

The conditions in respect of which information has been submitted are:

Condition 2:

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; all measures necessary to meet the agreed waste efficiency calculation must be installed before first occupation and retained thereafter;
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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 for 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 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

Details:

Nitrogen Budget Calculator and Water Efficiency Calculator, as amended by submissions and details received 08/09/20 and 24/09/20

Reasons for refusal:

The submitted details fail to give adequate and consistent information to demonstrate that the total water consumption in each flat achieves a maximum of 110 litres per person per day. As such the proposal does not meet Havant Borough Council's Position Statement and Mitigation Plan for Nutrient Neutral Development, August 2020, and the development would be likely to have a significant effect on the Solent European Sites as specified in the Habitats Regulations Assessment that was undertaken on the original planning application. The proposal is therefore contrary to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E14 and EX1 of the Pre-Submission Havant Borough Local Plan, the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017 (as amended).

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place
Date: 25 September 2020