
Site Address:	37 Creek Road, Hayling Island, PO11 9QZ		
Proposal:	Conversion to form 1 bedroom flat with associated parking.		
Application No:	APP/19/00211	Expiry Date:	22/04/2019
Applicant:	Mr Jaldeep		
Agent:	Mr C Flint	Case Officer:	Bee Crawford
	Chris Flint Associates Ltd		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a detached chalet style property with a flat roofed front projection and elevations of cream painted brickwork and render and pebble dash render. It has a brown tiled pitched and hipped roof with dormers to the side and rear. The site forms part of the property on the southern side of the building including part of the flat roofed front projection and is a fast food outlet which is currently vacant.
- 1.2 A detached 2 storey dwelling operating as a commercial unit and vehicle repair premises is to the south and rear, a beauty salon is to the north and detached two storey properties and flats are opposite. The area is of medium density with detached, semi-detached and terraced two and three storey residential and commercial units with residential above of similar and different age, style and design.

2 Planning History

APP/18/01239 - Prior notification for change of use from retail use (Class A1/ A2) or a mixed retail and residential use to C3 residential use for 3No. dwellings subject to prior approval covering flooding, highways and transport issues, contamination and impact on adequate provision of services falling within A1/ A2 and sustainability of the shopping area, where applicable; additionally any operational development necessary for conversion is subject to prior approval of design and external appearance., WD,22/01/2019

APP/19/00198 - Prior notification for change of use from retail use (Class A1/ A2) or a mixed retail and residential use to C3 residential use subject to prior approval covering flooding, highways and transport issues, contamination and impact on adequate provision of services falling within A1/ A2 and sustainability of the shopping area, where applicable; additionally any operational development necessary for conversion is subject to prior approval of design and external appearance., DEL,

3 Proposal

- 3.1 The application is for the conversion of a fast food outlet to form a 1 bedroom ground floor flat with associated parking.

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)
CS21 (Developer Requirements)
CS9 (Housing)
DM10 (Pollution)

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

Development Engineer - Highways

No adverse comment to the principle of the application subject to the provision of a dropped kerb to give access to the parking space.

Officer comment: Informative recommended.

Environmental Health - Regulatory Officer

I have read the documentation / plans provided by the applicant and have no objection to the change of use to full residential use. I would however ask that the following condition and informatives be added to any approval that may be granted.

Condition 1:

The applicant to ensure that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, and between levels, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels.

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8.00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and

vibration nuisance

Regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Regarding Dust Control:

You are hereby requested to ensure that dust mitigation measures are put in place, to prevent any potential dust nuisance from occurring during the demolition, excavation, clearance and construction phases of the development.

This is in order to protect the occupants of nearby residential properties from dust pollution.

Regarding light pollution:

You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the proposed building, is so positioned so as not to cause nuisance.

This is in order to protect the occupants of nearby residential dwellings from light pollution.

Officer comment: Condition and informatives recommended

Environmental Health - Environmental Control Officer

Previous comments received advised that in accordance with NPPF 178c) a site investigation would be necessary in order to accompany an application.

Further to the submission of a Phase 2 Site Investigation Report April 2020, the Environmental Control Officer was reconsulted and provided the following comments on 28 May:

I have reviewed the Your Environment Ltd. Phase 2: Site Investigation Report YE7882 (iss.00). dated April 2020.

The report presents extensive sampling from a limited number of trial holes, limited in placement as a result of the existing structures on/at the site.

The results are more interesting than is immediately apparent – and show a trace hydrocarbon impact at the southern boundary of the site over a fairly extensive depth profile, up to 3.0m depth. The concentrations are not of particular concern for the subject site, but are indicative of a local source.

Elevated hydrocarbons are principally PAH congeners, and >C16 hydrocarbons (diesel- & oil- range organics). Some relatively light fraction polycyclics are also present (e.g. naphthalene), alongside >C8 aromatics – probably representing Toluene or a tolyl compound.

Groundwater monitoring does not identify any significant concentrations of dissolved-phase hydrocarbons, which is a very positive result which lends confidence to conclusions on the likely absence of a significant fuel source in soils close to the

development land.

Counter to that however is the gas monitoring results, which identify quite significant gas flows within the gas-well, significantly depleted Oxygen, elevated Methane & Carbon Dioxide, and >LOD Carbon monoxide. This would tend to suggest that there is degradation of a local hydrocarbon source somewhere outside the investigated area that for whatever reason is not readily apparent in groundwater concentrations.

It is difficult to derive a conceptual 'contaminant source & transport' model for the site which accounts for elevated hydrocarbons in natural soils at depth, almost universally <LOD results from groundwater hydrocarbon tests, clear evidence of decomposition of organic matter in gas monitoring results, significant flow differences between different wells on the same sampling event, and differences in the range of gas flux returned for each of the trial holes.

Notwithstanding the apparent conceptual disparities between the lines of evidence, the broad conclusions of the report are reasonable. There is no evidence of significant source of contaminants within the development red-line area, and water results do not raise red flags about a nearby 'plume edge'.

I would agree that concerns over gas results are justified, there is demonstrable flow, elevated methane, and evidence of decomposition of organics under oxygen depleted conditions. Trace volatiles are present, and the report is not explicit on whether the tabulated gas monitoring PID values represent 'not tested' or <LOD (all values are recorded as zero). The justification for gas protection is 'mitigating the potential for damage to the building fabric', and not directly for the protection of human health through exposure to a chemical contaminant.

Though there isn't the evidence presented in the report to conclude confidently that a hydrocarbon vapour resistant membrane would be necessary (e.g., the report doesn't mention PID testing, but includes zero values on results tables), CS₂-level gas protection would provide a significant degree of protection against ingress of volatiles into living spaces.

The report is explicit that the recommendation to incorporate gas protection into the proposed dwelling does not comprise a 'remediation method statement', and is a recommendation only.

It should also be noted that the report also recommends that the specification of buried potable water supply pipework be considered against the contamination risk assessment. Presented data would indicate that Polyethylene pipe may be inappropriate at this site, as a result of Toluene concentrations within shallow soils. Results are marginal with respect to the use of PVC pipes. Liaison with the Portsmouth Water is recommended to confirm requirements.

Conclusion

The conclusions of the report may be accepted. The applicant has demonstrated that adequate protection for the proposed development can be achieved using relatively simple conventional methods, though no specific scheme is provided.

I take the submission of the report in support of the application as being implicit confirmation that the applicant is satisfied that the recommended gas protection will not place delivery of the development at risk.

On this basis, it is considered reasonable to support the application, subject to a condition to secure the proposed gas protection scheme & to formalise the watching brief outlined in the report. Suggested wording below;

[Condition 1] Contamination Risk Mitigation (Bespoke– based upon submitted SI recommendations)

Prior to the commencement development approved by this planning permission a scheme of contamination risk mitigation shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be devised by competent persons and unless specifically agreed in writing by the Local Planning Authority, shall be in general accordance with the recommendations of section 12 of the Your Environment Report Ref: YE7882 (issue 00, Dated 22/04/2020), and shall include an outline verification plan which specifies the information that will be collected to demonstrate that the works set out within the scheme have been satisfactorily completed.

Reason: *To ensure that the risk to human health or the building is not placed at unacceptable risk, through the appropriate design & implementation of an appropriate scheme of contamination risk mitigation. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

[Condition 2] Verification Reporting (Bespoke)

Prior to the occupation of the permitted development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report must;

- i) adequately demonstrate that the works outlined in the scheme of contamination risk mitigation [Condition 1] has been implemented,*
- ii) that the scheme is likely to achieve it's design criteria and will provide the expected degree of protection to the dwelling and it's future occupants, and*
- iii) provide EITHER a written statement confirming that no suspected contamination was identified during development, OR summary of actions taken under the contamination watching brief & discovery strategy demonstrating that the risk from suspected contaminated material has been appropriately managed.*

Reason: *To ensure that the risk to human health or the building is not placed at unacceptable risk, by demonstrating that the scheme of contamination risk mitigation has been satisfactorily implemented.. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."*

Officer comment: Conditions recommended.

**Planning Policy
Policy Status**

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan, provide the development plan for the borough. The Pre-submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and can be afforded limited weight.

Principle of Development

The site lies within the urban area as defined by Policies CS17 and AL3 of the adopted local plan and emerging E3 of the Pre-Submission Local Plan. The shop unit is not covered by any protection policies, neither it is in a designated town centre. There is therefore no policy objection to the principle of a residential conversion.

Design

Both the adopted and emerging local plan require high quality design in all development under policies CS16 High Quality Design (Core Strategy) and E1 High Quality Design (Pre-Submission Plan). It is a matter for DM judgement as to whether the proposal fulfils these requirements.

It is worth noting that emerging Policy H1 includes a requirement for dwellings to meet the nationally described internal space standards. The proposed dwelling, if intended for 1 person occupancy as indicated on the plan, appears to meet the required size with 40sqm for a requirement of 39sqm, although it should be noted that the national space standards include requirements for storage within that minimum size.

Emerging policy H1 also requires outdoor amenity space to be provided for use by the occupiers of residential properties. The proposal appears to offer some land at the front of the property which could be used for this purpose, although the plans do not show it explicitly laid out for that purpose.

Parking

The proposal is required to meet parking standards in accordance with Policy DM13. One parking space is proposed, and cycle parking is also to be provided, in compliance with the standards set out in the Council's Parking SPD.

Summary

The principle of residential conversion is supported in policy terms. The determining factor in this application is whether the design and standard of accommodation is acceptable.

Natural England

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment 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, providing that all mitigation measures are appropriately secured in any planning permission given. Please find comments on the mitigation below.

Solent Recreation Mitigation Strategy

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Deterioration of the water environment

The nutrient budget has been calculated in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020). Provided the competent authority is assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary, then Natural England raises no concerns with regard to the nutrient budget.

Please note the calculation is based on all wastewater from the development being treated at Budds Farm. If this situation changes, a reassessment of the nutrient calculation will be required and a revised Habitats Regulations Assessment will be necessary.

In line with Natural England's advice, it is noted that a planning condition will be imposed on any permission to secure that the dwellings shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per person per day has been complied with.

It is noted that the approach to address the positive nitrogen budget for this development is via Havant Borough Council's mitigation scheme. We welcome and support this initiative which has scope for nutrient offsetting and biodiversity gain.

Natural England has reviewed the Position Statement and Mitigation Plan for Nutrient Neutrality Development (August 2020) and Warblington Farm Study Evidence Base (Ricardo, June 2020). Natural England concurs with the conclusion of this work that this scheme will deliver effective mitigation for developments draining to Budd's Farm WwTW and Thornham WwTW.

The nitrogen capacity of the land and proposed management of the offsetting land has been discussed and agreed. It is understood that this has been secured through legal agreements to ensure that effective mitigation is delivered for the lifetime of the development. It is also understood that a system has been set up to monitor the developments using the mitigation scheme to ensure there is capacity available for each scheme. Provided this is the case and the long term management of the mitigation scheme is monitored by the local planning authority, as competent authority, to ensure effective mitigation for the lifetime of the development, Natural England raises no further concerns.

It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. Given the close proximity of the mitigation land to designated sites, Natural England is not expecting any significant timing issues in this case, provided the land is brought into appropriate management at the earliest opportunity. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development. Provided the local planning authority is satisfied that timely mitigation can be delivered in this case, Natural England raises no further comments for consideration.

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: 17

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

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 (hereafter referred to as the Habitats Regulations).

The Council's assessment as competent Authority under the Habitats 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 European Sites due to recreational pressure, water quality and loss/degradation of supporting habitats. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. Natural England were consulted on the findings of the HRA.

Recreational Pressure

The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 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, in order 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

The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study 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. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting

assessment for this application.

The Council's adopted Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. In this case, this site is used for horse grazing. 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 packages.

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). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England advised that they concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission. The applicant has entered into a legal agreement and appropriate conditions to secure the mitigation packages.

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) Parking
- (v) Contamination risk on the site
- (vi) Impacts of noise from commercial premises on the intended occupiers of the development
- (vii) Flood risks
- (viii) CIL
- (ix) Flood risks

(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. The site is not located within a designated shopping frontage and it is considered the change of use to C3 will not negatively impact the vitality or viability of the area.

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

7.3 The works proposed would be to replace the existing shopfront with a window of a modest size, with the entrance to the flat on the southern elevation together with new window replacing a door on this elevation. The development would be visible from the public realm, although the proposed changes to the front elevation would be consistent with the mixed character of the area, and not considered to be detrimental.

7.4 With respect to associated amenity space, policy H1 of the emerging local plan 2036 states:

Private outdoor amenity space should be:

- a. Of a sufficient and functional size to meet the needs of the likely number of occupants; and
- b Designed to provide a good level of amenity by maintaining a reasonable degree of separation between the new dwellings and the surrounding properties.

For flatted developments, the Council's Healthy Borough Assessment sets out that this should be a minimum of 1.5 sqm of private amenity space per bedroom or 1 sqm of communal space per bedroom.

7.5 Whilst there is no enclosed amenity space associated with the proposal, there is an open forecourt with approximate dimensions of 4 metres x 4.8 metres showing provision for refuse and cycle storage. However, no details of any potential enclosure of this forecourt have been provided and given the location on the street frontage such development could be intrusive and would require an assessment of the impact on the street scene where planning permission is required.

7.6 Notwithstanding the above, it is noted there are a number of properties in the immediate vicinity with minimal or no private outdoor amenity space and whilst the proposal is unlikely to meet the requirements of policy H1 it only has limited weight at this time and would not constitute a defensible reason for refusal. It is also noted the application site is relatively close to Hayling sea front.

7.7 The design and appearance of the proposal is appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

7.8 There will only be alterations to the front (eastern) and southern elevations, replacing the existing shopfront with a window of a modest size, with the entrance to the flat on the southern elevation together with new window replacing a door on this elevation. It is judged the alterations are of a minor nature and as such any impact on the surrounding residential properties would not be unacceptable.

(iv) Parking

7.9 There will be a requirement for one off road parking space as recommended in the HBC Parking SPD (July 2016). A parking plan has been submitted as part of the application to reflect this, with the space accessed from West Haye Road and a condition is recommended to retain the space for parking at all times.

(v) Contamination risks on the site

7.10 The Havant Borough Council Environmental Control Officer has been consulted and has identified there to be a reasonably high risk of presence of contaminants of concern within the soils at the application site and within the immediate vicinity.

7.11 Following the submission of a Phase 2 Site Investigation Report, the Environmental Control Officer advised the conclusions of the report may be accepted and is satisfied the applicant has demonstrated that adequate protection for the proposed development can be achieved using relatively simple conventional methods, though no specific scheme has been provided.

7.12 Consequently, it is considered reasonable to support the application, subject to a condition to secure the proposed gas protection scheme and to formalise the watching brief outlined in the report.

(vi) Impacts of noise from commercial premises on the intended occupiers of the development

7.13 The site is situated within the urban area where a certain level of noise is expected. The Havant Borough Council Environmental Control Officer has been consulted on the application and has raised no objection to the principle under this consideration but has recommended a condition regarding control over noise levels and informatives in relation to lighting, dust and working hours and it is considered that these measures would satisfactorily address the concerns raised.

(vii) CIL

7.18 *The development is CIL liable for the net additional internal floor space, which is 40 sqm. The Havant Borough Community Infrastructure Levy Charging Schedule, was adopted by the council on the 20th February 2013 and followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The CIL Regulations require the use of the national All-in Tender Price Index published by the Build Cost Information Service and this index has now increased to 2019 - 39.73% and 2020 - 49.107%.*

7.19 However as there is no additional floorspace and the building is still in use that there is no CIL charge.

(ix) Flood risk

7.20 Whilst the site borders flood zone 2, it is not situated within either Flood Zones 2 or 3 and as such there are no flood risks concerns associated with the proposal.

8 Conclusion

8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and character of the area and is therefore considered to be appropriate and recommended for approval subject to appropriate conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00211 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 external materials used 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.
- 3 Prior to the commencement development approved by this planning permission a scheme of contamination risk mitigation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be devised by competent persons and unless specifically agreed in writing by the Local Planning Authority, shall be in general accordance with the recommendations of section 12 of the Your Environment Report Ref: YE7882 (issue 00, Dated 22/04/2020), and shall include an outline verification plan which specifies the information that will be collected to demonstrate that the works set out within the scheme have been satisfactorily completed.
Reason: To ensure that the risk to human health or the building is not placed at unacceptable risk, through the appropriate design & implementation of an appropriate scheme of contamination risk mitigation. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 178-180 of the National Planning Policy Framework.
- 4 Prior to the occupation of the permitted development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The report must;
 - i) adequately demonstrate that the works outlined in the scheme of contamination risk mitigation [**Condition 3**] has been implemented,
 - ii) that the scheme is likely to achieve it's design criteria and will provide the expected degree of protection to the dwelling and it's future occupants, and
 - iii) provide EITHER a written statement confirming that no suspected contamination was identified during development, OR summary of actions taken under the contamination watching brief & discovery strategy demonstrating that the risk from suspected contaminated material has been appropriately managed.**Reason:** To ensure that the risk to human health or the building is not placed at unacceptable risk, by demonstrating that the scheme of contamination risk mitigation has been satisfactorily implemented.. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 5 The acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, and between levels, shall meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.
Reason: To ensure the residential amenity of the property is not impacted upon by any internal or external noise levels and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 and the NPPF.
- 6 The car parking and cycle storage 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.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. BS 03 Location plan, block plan, parking plan, existing and proposed floor and elevation plans
Floor and elevation plans for proposed refuse and cycle store
Report No. YE7882 Phase 2: Site Investigation Report April 2020

Reason: - To ensure provision of a satisfactory development.
- 8 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. 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, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

- 9 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, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.