

FAO Steve Weaver

Your ref - APP/19/00999 HRA & Appropriate Assessment - Variation of Condition 2 of APP/17/01187 (which varied Condition 2 of APP/17/00061 - Demolition of existing retail units and erection of part 4-storey, part 5-storey building with 9no. flats etc. 5 -7 East Street, Havant, PO9 1AA

Deterioration of the water environment

Thank you for consulting Natural England on the above appropriate assessment.

Natural England has recently advised that any development resulting in additional residential units whose foul drainage is towards the European designated sites in the Solent could lead to a deterioration in the water environment. Natural England is aware that your authority has adopted an interim strategy using Grampian conditions to address nutrient impacts from developments currently in the planning system and we have been working with the Council to develop this approach.

In this instance there is an extant planning permission (APP/17/00061 as amended by APP/17/01187) for a for the demolition of existing retail units and erection of part 4-storey, part 5-storey building with 9no. flats (3no. 1-bed and 6no. 2-bed); cycle and refuse store, and thus could be constructed. The consent now being considered is to amend the extant permission.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of European sites in the Solent because the consent being sought is for an amendment of an extant permission and the house could be built under the existing permission. The argument being put forward in this case is that the consent for an amendment will not result in an increase in nutrients because permission for a new dwelling already exists.

Provided HBC, as competent authority, is satisfied that the proposal is nutrient neutral Natural England raises no further concerns on this occasion, but you may wish to seek your own legal opinion.

Please note that in future, as a strategic mitigation solution to achieve nutrient neutrality is progressed, a different approach to such applications might be appropriate.

Kind regards

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Please note my non-working day is Friday

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Please send planning consultations to Natural England by email to:
consultations@naturalengland.org.uk.

www.gov.uk/government/organisations/natural-england