
Site Address:	Land R/O 50 Silvester Road, Waterloooville, PO8 8TL		
Proposal:	Following removal of the existing out buildings and conservatory, construction of detached bungalow with associated car port, revised drive and landscaping.		
Application No:	APP/19/00839	Expiry Date:	22/10/2019
Applicant:	Mr Rex		
Agent:	Mr C Flint	Case Officer:	Tina Pickup
	CHRIS FLINT ASS LTD		
Ward:	Hart Plain		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site relates to a detached two storey dwelling located on the northern side of Silvester Road. It has been vacant for a couple of years, and is constructed of red brick at ground floor with render at first floor, beneath a traditional gable ended roof of concrete tiles. It has a lean-to style conservatory across approximately two-thirds of the rear elevation. The property fronts the highway, set back approximately 5m with a dropped kerb at its eastern end with side drive leading to an old pre-fab garage set back just behind the conservatory. There are double yellow lines outside the site.
- 1.2 The site is long, between 65 and 67m, with several large outbuildings including a substantial glasshouse at the rear built on a concrete base with brick plinth. This structure measures approximately 6m x 10m. The northern boundary has a drainage ditch with several mature leylandii trees, and the actual boundary line is unclear, with a staggered mix of fences/hedges. The site itself is relatively level but with a slight slope from east to west with No 48a to the east being marginally higher.
- 1.3 Immediately to the east is a pair of 1970's style semi-detached dwellings which are set back further, some 11m, with frontage linked garages. No 48a to the east is set only 1m from the shared side boundary and has a large rear, largely glazed conservatory which is used as a living/dining room. To the west is a semi-detached chalet style bungalow, also set a bit further back than the application site.
- 1.4 The siting and separation of the existing dwelling to the side boundaries is also relevant. The gable end side, eastern elevation, has an external chimney, and at this point the distance to the side boundary is only 2.6m. Elsewhere, the distance from the flank wall to the side boundary is 3m.

2 Planning History

89/53303 - Erection of 2 storey dwelling and double garage to rear, new double garage at rear for No. 50 - Refused 21 June 1989 for 3 reasons:

1. undesirable backland development, out of keeping with character of area and detrimental to amenities of adjoining residents
2. access and turning would cause unacceptable disturbance to adjoining residents
3. 50 Silvester would be left with unacceptably small plot

Appeal was Dismissed on 15 May 1990 - the Inspector noted that the dwelling itself would result in a limited adverse impact and whilst the garden for No 50 would be reduced it would not be unacceptably small. However it was noted that the access would have a far greater impact, particularly on 48a - the increased traffic and use of drive penetrating deeply into the rear space of frontage dwellings would have an adverse impact on neighbours and in particular No 48a and also residents of No 50 itself.

APP/17/01121 - Demolition of existing outbuildings and conservatory, construction of 1No. 3 bed detached bungalow with associated car port, revised drive and landscaping.

Refused 29/03/2018 as considered the use of the narrow access within 1m of habitable conservatory at 48a would be harmful to neighbouring amenity

Appeal was dismissed on 4 July 2019 - but on increased impact on water quality of SPA from nitrates issues only; With respect to residential amenity the Inspector considered that as a low set bungalow sited to the rear, there would be no significant overlooking and suitable privacy between gardens could be provided; it was noted that in suburban areas it was not unusual for a driveway to a single dwelling to pass close to a neighbouring dwelling or its garden and whilst there would be some additional brief noise and disturbance it would not result in unacceptable harm to amenity. It was concluded that the proposal would accord with policy CS16.

3 Proposal

Following removal of the existing outbuildings and conservatory, construction of detached bungalow with associated car port, revised drive and landscaping.

This application is nearly identical to the design and layout previously submitted under APP/17/01121 and proposes to take access from the existing eastern side drive and extend this to serve a rear dwelling. The proposed dwelling would be single storey and contemporary in design with off-set dual mono-pitched roof with sedum covering. Elevations would be render with dark grey windows and fascias. Eaves height would be 2.5m with a maximum height of 3.4m. The maximum footprint would be 13m x 13m but with articulated main elevations.

The bungalow would be sited with a resultant 28m back to front separation from No 50 (once existing conservatory demolished) with rear garden depth of between about 7.8m and 12.9m for the proposed dwelling and a rear garden depth of about 15m retained for the frontage dwelling. Additionally the proposal includes a two sided double car port to be sited against the western boundary of the site, in front of the proposed dwelling. Two additional car parking spaces would be created on the frontage of the site to serve the existing dwelling.

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)
DM13	(Car and Cycle Parking on Residential Development)

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

Building Control

1) The proposal does not provide adequate access for the fire service under Requirement B5. All points within the new building should be within 45m of the fire service vehicle. The drive is not wide enough to bring the vehicle on site and the new dwelling is over 44m from the highway.

2) It should be ensured that the proposed building is over 3m away from the foul water public sewer crossing the site.

Officer Note

It has been confirmed that a domestic sprinkler system would be used to meet fire safety under B5

Crime Prevention

None received

Southern water - on original submission

The attached records and proposed development plans indicate that the proposed development will lie over an existing public foul sewer which will not be acceptable to Southern Water. The exact position of the public sewer must be determined on site by the applicant before the layout of the proposed development is finalised. No construction over or within the statutory standoff distance of public sewer will be permitted.

-The public foul sewer requires a clearance of 3 meters on each side of the sewer to protect it from construction works and to allow for future access for maintenance.

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

-No new soakaways should be located within 5 metres of a public sewer.

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

It might be possible to divert the sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect/ divert the public sewers, prior to the commencement of the development.

Furthermore, 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. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development.

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.

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 - on revised plans & sewer survey

The drawing CFA-FULL-BS Rev 01 indicates sufficient standoff distance to sewer shown on public records.

The drainage survey carried out by applicant identified the sewer run serving number 50 and crossing the development land where construction is proposed in close proximity. Drawing CFA-FULL-BS- Rev 03 shows that the land at 50 Silvester Road and the proposed land at rear of number 50 remain within the same ownership. If that's the case, the drainage currently serving number 50 would not have been transferred to public ownership under Transfer Sewers legislation 2011 and would remain private. Southern Water would have no restrictions associated with this drainage, assuming the above is confirmed and correct.

Officer Note

The private lateral drain will in all likelihood connect directly to the public sewer and therefore the private lateral run to 50 will remain private. Connection to the public sewer requires SW consent - Informative can be added

Engineering/Drainage

None received

Hampshire Highways

I have no wish to depart from the Highway Authority's previous advise and therefore confirm no objection subject to the following conditions and note to applicant :-

Conditions :-

1. Prior to occupation the first 6m. of access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material and shall be maintained in this condition thereafter,
2. Prior to occupation the area shown on the approved plan for the parking and manoeuvring of vehicles shall be provided and retained for these purposes at all times thereafter.

Note to Applicant :-

Before undertaking any work which affects a public highway (including a public right of way) you must obtain specific written approval from the Director of Economy, Transport and Environment at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact highways.development.control@hants.gov.uk

**Natural England Government Team
Consultation on HRA**

Nutrient Neutrality

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.

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. It is noted that the mitigation would be secured through a Grampian condition, requiring the mitigation package to be agreed, provided to the Council and implemented prior to the occupation of the development.

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. With regard to deterioration of the water environment, it is noted that the approach to address the positive nitrogen budget for this development is to offset against the interim strategy, with measures to ensure this approach can be adequately secured and accounted for.

It is Natural England's view that in this case, provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Please consult Natural England on the discharge of the Grampian condition.

Solent Recreation Mitigation Strategy

This application is within 5.6km of Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP).

The Appropriate Assessment has taken this into consideration, therefore, providing the appropriate mitigation is secured by any approval, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site, and has no objection to this aspect of the application.

Portsmouth Water Company

No adverse comments from a groundwater quality protection perspective

Traffic Management

traffic team has no adverse comment to make on this application

Waste Services Manager

None received

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: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
In addition to our objections to the original plans (outlined below) we also wish to point out new concerns. i) We believe the 3D pictures are misleading - they appear to be artists impressions rather than an accurate reflection of the planned development, particularly with regard to the type and quantity of trees (e.g. a mature specimen seems to have appeared in the garden of no.48) and the suggestion of a lack of properties to the north. ii) In our original objection we stated that the proposed line of trees for screening does not extend far enough but in the current planning there is no screening at that point, presumably due to the objections of Southern Water. This would leave our house completely in view of the new build (and vice versa) due to the lie of the land. iii) It is difficult to accurately assess the distances but when compared with the plan showing existing outhouses the front of the proposed bungalow does look to be within 3 metres of the sewer run at the angle shown on	3D are not to scale, are for illustration only and will not form approved plans screening trees cannot be planted within 3m of sewer but does extend 10m beyond the rear of 48a in light of doubt over exact sewer position it has subsequently been surveyed and

Southern Water's submission. We would also query the new planting/screening next to 48a as this would also be within 3 metres of the drain run. iv) We strongly object both to this proposal for back-garden development and to the fact that a detached family home with garden has been left empty and neglected for over 2 years as a result. Object to following points: (précis of objections put forward to original application, all of which still stand.) 1. Proposed bungalow will be in a 'goldfish bowl' - both overlooked and having direct views into our bedrooms, impacting privacy. 2. Dispute view that Silvester Road is not a busy road 3. Lack of drainage in area with waterlogged gardens will be exacerbated by additional dwelling, furthermore the specification of porous drive material does not address drainage problem sufficiently. 4. Fire brigade access inadequate so how would the many neighbouring properties stand if a fire from bungalow spread? Will extra insurance be provided by developers or council? 5. Extra building potentially means twice the noise 6. No precedent for an extra property in the middle of existing rear gardens 7. Main concern is vehicular access - the drive will pass alongside not only our lounge and kitchen but also our conservatory where we eat and socialise; as well as rear bedrooms and garden. Unacceptable intrusion; potential for vehicle noise, smells & fumes at any time of day or night would have a significant impact on our daily lives. If permission granted would request comments re vehicular access to be taken on board; an appropriate line of native, light canopy trees e.g. silver birch, are planted to restrict views; restriction on additional building/outbuildings on the site for future; adequate drainage installed;	plotted accurately Noted See section 7 - Inspector considered acceptable Ditch to rear clear & surface water a Building Regs matter Sprinklers to be provided See section 7 - Inspector found principle and impact on amenity to be acceptable
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any building works carried out with consideration to neighbours e.g. noise and working hours and no construction vehicles parked on double yellow lines at front.	
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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) Impact upon residential amenity
- (iv) Residential amenities of proposed dwelling
- (v) Highway matters
- (vi) Drainage and landscaping
- (vii) Compliance with Habitats Regulations
- (viii) CIL

(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 NPPF supports sustainable development that balances the three objectives of social, economic and environmental benefits. The previous application on the site APP/17/01121 went to appeal and the Inspector found that the additional dwelling would provide social and economic benefits but due to the unmitigated harm to water quality this would not outweigh the environmental harm. Accordingly the appeal was dismissed for this reason alone.

7.3 This resubmission for the same dwelling now offers mitigation to the possible harm to water quality through the agreement to the imposition of a grampian style condition - see paras 7.14 to 7.18 below.

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

7.4 In terms of the pattern of development in the vicinity of the site, Silvester Road is mainly characterised by original linear residential properties fronting the highway, but over time there has been the provision of some new dwellings without their own street frontages, subdivision of plots and other examples of backland development. Such developments include a backland development at No 20; more comprehensive development at Glenwood Gardens; and No 39 Kings Road to the rear which is set back within its site. Therefore the area has become more mixed and densely developed. The application site itself already has many outbuildings in the rear garden, including a substantial glasshouse.

7.5 The proposed low profile bungalow set in a backland position would replace the many outbuildings on the site and would not fundamentally alter or increase the developed site coverage. There is an existing side drive serving an old garage and side parking area, so the visual change to the appearance of the Silvester Road frontage would be limited - the rear dwelling would be largely obscured from view. Therefore it is considered that the principle of a backland development on this site would not be at variance to the existing pattern of development on and in the vicinity of the site and limited visual harm to the street scene would result. As such the proposed development is considered to respect its local context in principle, and in this regard comply with Policy CS16.

(iii) Impact upon residential amenity

7.6 The site is surrounded by residential development and notably No 48a to the east is set further back, within just 1m of the shared boundary and has a well used habitable conservatory across its rear elevation. The existing side drive and garage serving No 50 is sited such that it only partly overlaps with the rear of No 48a's main dwelling with only a marginal overlap with the conservatory. Therefore the existing comings and goings to this garage are limited to the frontage of the site and do not encroach and impact on the use of the conservatory or adjacent rear garden areas. The proposal would demolish the garage and outbuildings and extend the side drive past the conservatory of No 48a to serve the dwelling at the rear.

7.7 However the proposed layout is in principle identical to that considered recently at appeal by the Planning Inspector. In terms of impact on living conditions he noted that the driveway would pass the flank elevations and rear gardens of No 50 and 48a but would only carry the traffic of a single dwelling. He noted that within suburban areas it is not unusual for driveways to single dwellings to pass close to neighbouring dwellings or gardens and whilst acknowledging that there could be some additional brief noise, overall the use of the driveway would not result in unacceptable harm to neighbouring amenity. He also noted a recent permission for two dwellings with a shared drive passing between 78 and 80 Silvester Road and for consistency considered the two arrangements were similar.

7.8 With respect to privacy the Inspector also noted that as a low-set bungalow sited well to the rear of the frontage properties, there would not be any significant overlooking between windows or unacceptable standards of privacy. He noted that suitable privacy between gardens could be achieved by fencing and it was also noted that the landscape buffer would provide enhanced mutual privacy adjacent 48a where it was needed most ie the 3m easement to the sewer did not affect its purpose. The submitted plans indicate the provision of 1.8m high boundary fencing, (but there are no details of such and hence this should be conditioned,) as well as the landscape buffer to the east for additional privacy screening (also needs conditioning).

7.9 Given the Inspectors comments and findings and the similarity of the current proposal (only difference is that the sewer has now been surveyed and accurately plotted so the precise siting of the car port and landscaping is slightly adjusted) then this design and layout must be supported as having no significant harm to neighbouring amenity from either privacy or noise and disturbance. Accordingly the proposal is considered compliant with policy CS16.

(iv) Residential amenities of proposed dwelling

7.10 The proposed 3 bed bungalow would be a low profiled contemporary design with sedum roof. The rear ditch and line of mature trees are outside the application site and would therefore be retained for screening. The proposed dwelling would have a rear garden depth of between about 7.8m and 12.9m, with a back to back separation of some 37m to No 37 Kings Road. The separation distances exceed the recommended minimum within the Borough Design Guide SPD and would be appropriate to the character of the area, whilst the width of the plot and garden depth would provide sufficient useable private area. The existing rear boundary is fairly open with some views through the trunks of the mature trees on the boundary - therefore a boundaries condition should be imposed to ensure an appropriate fence along the rear boundary to protect privacy. Distances to side boundaries would be a minimum of 1m. Overall the siting and design of the proposed dwelling within the plot would result in an acceptable standard of development for future occupiers of both the proposed dwelling and the retained frontage dwelling.

(v) Highway matters

7.11 Silvester Road is an unclassified road and as such the creation of the new access for the 2 frontage parking spaces does not need planning permission in its own right. The proposed rear dwelling would utilise the existing drive and dropped kerb. Due to the length of the side drive it is essential that on site turning is provided to enable vehicles to leave the site in a forward gear. This can be achieved. Adequate parking is also provided for both dwellings to meet the adopted Parking SPD 2016 and as such there is no highway safety objection to the proposal. The highway authority have not raised any concern regarding capacity issues and hence the introduction of an additional dwelling is not considered to have a significant impact on the highway network.

(vi) Drainage and landscaping

7.12 When determining the last application (APP/17/01121) the ditch line running along the northern boundary of the site between the Kings Road properties was clear and only pooled with very little water at its base. The neighbouring gardens were however boggy and wet indicating that the ditch line is blocked off site affecting surface water drainage. The current red line excludes the ditch line and there would be no impact on the ditch from the proposed development. Adequate surface water drainage would be a Building Regulations matter if permission granted and the development implemented.

7.13 With respect to the public foul sewer that crosses the site, the 3m easement of this affects the precise location of the screening planting and car port. Therefore during the course of this application the sewer has been surveyed to accurately plot its position and the block plan adjusted accordingly. Southern Water have confirmed they are now satisfied with the standoff distances, although consent will be required from them to make a formal connection. The landscape buffer to the eastern boundary with 48a is shown up to the 3m easement which maximises the additional screening between neighbours. A landscape condition is required to ensure the planting is appropriate and of sufficient height to provide suitable screening.

(vii) Compliance with Habitats Regulations

7.14 The timing of the previous application (APP/17/01121) and its subsequent appeal was such that the water quality issue that arose in early 2019 as a result of the recent Dutch Case affected the appeal outcome. At the time when the appeal was determined (4 July 2019) there was no mitigation solution in place to overcome the potential harm to water quality from increased nutrients within the European Designated Special Protection Areas. However, since then, Havant Borough Council has issued a Position Statement on how to achieve nutrient neutrality which suggests the use of a Grampian style condition to secure an appropriate avoidance and mitigation package. The applicant has agreed to the use of such a condition.

7.15 Therefore as part of this resubmission, the Council has been able to conduct an updated Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 that takes into account the new water quality issue. 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 European Sites due to both the increase in recreation and the decrease in water quality that would be a result of the proposed residential development from the new dwelling.

7.16 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 and the appropriate contribution of £705.65 and associated Deed has been received.

7.17 The second is a package of measures based on the Position Statement on Nutrient Neutral Development. The applicant has indicated a willingness to accept a Grampian style condition/legal agreement to secure the outstanding mitigation package relating to water quality issues for the upper floor flats.

7.18 The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs 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.

7.19 In addition, in accordance with emerging policy E14, it is recommended that to achieve ecological net gain for all developments of one or more dwellings, a condition is recommended to erect a bat box and bird nest box on site.

(viii) CIL

7.20 The proposed additional dwelling is CIL liable with a floorspace of 120sqm, and no exemption has been claimed. Credit can be given for existing buildings on the site that have been for their lawful use for 6 continuous months within the previous 36 months. Since some of the outbuildings on site are old and largely demolished, the remaining lawful ones amount to 52sqm. On this basis the net gain of floorspace amounts to 68sqm giving a CIL liability of £7,601.43. The Draft Liability Notice has been sent to the applicants

8 Conclusion

- 8.1 The proposed design and layout was found to be acceptable by the Inspector when considering the previous appeal on site. The key issues of impact on neighbouring amenity from additional noise and disturbance from the use of the drive, and privacy between dwellings has not changed. Accordingly it must be concluded that the proposal would not result in any significant harm and is compliant with Policy CS16 of the Havant Borough Core Strategy, 2011. Compliance with the Habitats Regulations and potential harm to the water quality has been addressed in this resubmission through the use of a grampian style condition to secure appropriate mitigation. Accordingly the application is recommended for conditional permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00839 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:

Location and Block Plan & Car Port Drawing Number CFA/FULL/BS/Rev 03 on Councils website dated 24 October 2019

Proposed Bungalow - Floor plans and elevations Drawing Number CFA/FULL/BS on Councils website dated 29th August 2019

Existing Sewer Line plan Drawing Number CFA/FULL/BS/Rev 01 on Councils website dated 24 October 2019

Ditch plan Drawing number CFA/FULL/BS on Councils website dated 27 August 2019

Reason: - To ensure provision of a satisfactory development.

- 3 The dwelling 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.

- 4 Notwithstanding 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 dwelling and car port, aswell as the hardsurfacing for the drive and parking areas 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.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension, building or structure (other than those shown on the hereby approved plans) permitted by Part 1, Classes A, B and C of The Town and Country Planning (General permitted Development) Order 2015, as amended, shall be erected within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to maintain control of such additions in the interests of the amenity of neighbouring residents, to ensure an adequate amount of amenity space and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Framework.

- 6 No above ground construction works on the hereby approved dwelling shall take place until a detailed soft landscaping scheme for the landscape buffer on the eastern boundary and the landscaping on the road frontage, as indicated on the hereby approved plans, has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the the height (minimum planting height of 2m advised) and species of trees for the eastern boundary, and the species of ground cover and shrubs for the frontage; together with the planting numbers and planting distances of both; and timing provisions for completion of the implementation of all such landscaping works. The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and achieves satisfactory screening, having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

- 7 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be surfaced in a non-migratory material where within 6m of the highway. The hereby approved parking spaces and turning 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.

- 8 The dwelling hereby permitted shall not be occupied unless or until the development has erected a minimum of one bat roosting unit and one bird nesting unit within the curtilage of the dwelling, in regards to securing ecological mitigation and enhancement measures in accordance with Conservation Regulations. The boxes shall be retained as such thereafter.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework.

- 9 No development shall commence until details of the planting for the hereby approved sedum roof has been submitted to and approved in writing by the Local Planning Authority. Such details shall include specification of the plant species, sizes and numbers, method of installation i.e. mat or tray or blanket system; and a landscape maintenance management plan for a minimum of 5 years. The sedum roof shall be implemented in accordance with the approved details and any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate long term landscaping scheme for the roof to mitigate any impact upon the amenities of neighbouring properties, in accordance with policies CS11 and CS16 of the Havant Borough Core Strategy 2011 and the NPPF.

- 10 No part of the dwelling hereby approved shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure and boundaries, screens or retaining walls, including those separating the frontage dwelling, 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 occupiers of neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.