

DELEGATED OFFICER REPORT

Site Address: Land Rear of 25 Mengham Road, Hayling Island, PO11 9BG

Proposal: Conversion and partial demolition of existing bakery and offices to 5 No. self-contained flats comprising 1No. 2 bed and 4No. 1 bed with associated parking and cycle storage.

Application Type: Full Planning Permission

Application No: APP/24/00200 Expiry Date: 10/06/2024

Applicant: Mrs Elliott
HTE Holdings Ltd

Agent: Ms Sarah Roberts Case Officer: Lesley Wells
Critchley Architecture and Design

Ward: Hayling East

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is situated just past the corner of the junction of Mengham Road and St. Leonards Avenue. The application site lies to the rear of No 25 Mengham Road, being the former company's bakery and offices for Heidi's Swiss Patisserie.
- 1.2 The site is within Mengham/Gable Head District Town Centre. The site falls within a Secondary Frontage, with access off St Leonard's Avenue to the east.
- 1.3 To the west of the site is a Funeral Directors, which includes a Chapel of Rest.
- 1.4 Along the northern boundary, but not within the site, are trees, together with a public footpath which traverses from St Leonard's Avenue to the east to Elm Grove to the west.
- 1.5 The majority of nearby building are two storey, with a mix of flat and pitched roofed commercial buildings and pitched roof residential properties.
- 1.6 The site is within Flood Zone 1, a very low risk and would remain so, on current information, with climate change in 2115

2 Planning History

02/52043/008 - Erection of canopy to rear., PERM,16/12/2002

02/52043/007 - Construction of detached building to form two flats for staff with revised vehicular access from St. Leonards Avenue and associated parking; shed to rear., S106,28/04/2003

01/52043/006 - Erection of disabled toilet to rear of approved bakery and alteration to curtilage of approved dwelling house as proposed by planning permission

00/52043/004., PERM,27/02/2002

01/52043/005 - First floor extension to store approved by planning permission

00/52043/004, alterations to internal layout and elevations., PERM,24/10/2001

00/52043/004 - Demolition of garages and part of bakery, two storey extension to rear to provide finishing area, storage, office and staff facilities with associated parking. Construction of detached 3 bedroom chalet bungalow for staff. New and revised vehicular access from St. Leonards Avenue., S106,17/07/2001
 06/52043/009 - New metal staircase and first floor lobby., PERM,30/03/2006
 06/52043/010 - Single storey store extension., PERM,29/11/2006
 APP/23/00377 - Conversion and partial demolition of existing bakery and offices to 4 No. self-contained flats comprising 1No. 3 bed, 1No. 2 bed & 2No. 1 bed with associated parking and cycle storage.(03.10.23) Request to discharge conditions 5,6,7,8,9,10,11,12,14 and 15 (24.11.23)., PERM,03/10/2023
 APP/23/01029 - Noise Impact Assessment Contamination Desk Top Study Arboricultural Method Statement Design Stage Water Calculations Construction Management Statement Swift Box Specification Lighting Specification Drawings 20058-415A, 20058-417, and 20058-515., bUNK,
 APP/24/00269 - Conversion of part of a vacant retail unit to form 1 No. self-contained flat with associated amenity spce, parking, and bin and cycle storage., INV,

3 **Proposal**

Conversion and partial demolition of existing bakery and offices to 5 No. self-contained flats comprising 1No. 2 bed and 4No. 1 bed with associated parking and cycle storage.

Planning permission was granted under reference APP/23/00377 for the '*Conversion and partial demolition of existing bakery and offices to 4 No.self-contained flats comprising 1No. 3 bed, 1No. 2 bed & 2No. 1 bed with associated parking and cycle storage.*' Therefore the principle of the change of use of the application building from commercial to residential has already been accepted by the Local Planning Authority, with building works commenced on site. Therefore, it is not necessary to consider again the policy implications of the loss of this former commercial use of the building as part of this application.

The following conditions have been discharged in respect of APP/23/00377:

Number(s)	Type of condition	Comment
5	Noise Assessment	Approved document
6 & 10	Contamination	No need to reimpose
7	Construction Management Plan	Approved document
8	External Lighting	Approved document
9	Arboricultural Report	Approved document
11	CSH Water Report	Approved document
14	Swift Boxes	Approved document

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)

CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS21	(Developer Requirements)
CS4	()
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

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)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboricultural Officer - Final Comments

The previous condition for information will be fine.

It's a different description of the same documents really.

Officer Comment: *An Arboricultural Report, which includes a tree protection plan, was approved for the site under reference APP/23/00377 with the same details submitted in respect of this application. This is included as an approved document under condition 2.*

As to the second condition previously recommended this is as follows:

Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: *To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

This second condition is recommended, if permission is granted.

Officer Comment: *When permission was previously granted no objection was raised by the Arboricultural Officer in respect of the trees, which do not lie within the site, but are immediately to the north. Instead, conditions were recommended as to pruning works, a tree protection plan and a method statement to be submitted and approved in writing by the LPA. Following reconsultation with the Arboricultural Officer, these two conditions were agreed which are as follows:*

No development, including site clearance, shall commence on the site until a dimensioned tree protection plan and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837:

2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: *To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

Arboricultural Officer - Further information

1. I have carried out a review of the relevant documents available on the HBC planning portal and provide the following comments. Please note this is a desktop review only, as I have not had instruction for a site visit. In the absence of a site visit I must assume the submitted descriptions and assessments of the trees and the site to be true, fair, and accurate.
2. Despite the application form stating there are no trees adjacent to the site, I can see from Google Street view that there are several significant trees along the northern boundary of the site. No arboricultural information has been submitted with the application.
3. To ensure that the trees are successfully retained and not adversely impacted by the proposal, a tree survey and arboricultural impact assessment, should be carried out in accordance with BS3587:2012. The prepared documents with a tree protection plan and/or arboricultural method statement (as appropriate) should be submitted with the application.

Building Control - No Comment

Community Infrastructure - Comment

The application is not CIL liable because the entire floor area has been occupied for its lawful use for 6 continuous months of the 36 previous months so credit can be given for the proposed change of use.

Pending a response from Natural England on the HRA, instructions should be passed by the Case Officer to the CI Team to:

- (a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the additional number of bedrooms. See Unilateral Undertaking - Solent Recreation Mitigation Strategy | Havant Borough Council
- (b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogendevelo>

Former Councillor Leah Turner - Hayling East - No Comment

Councillor Mark Coates - No Comment

Former Councillor R Raines - Hayling East - No Comment

Crime Prevention -Minor Apps - No Comment

Ecologist - No comment

Economic Development - No Comment

Engineering/Drainage - No Comment

Environmental Health Manager, Pollution - Final Comment (following additional information) - No Objection

I'm currently going through the query related to the resubmitted noise impact assessment dated November 2023. Based on the original report, Condition 5 of the Decision notice for APP/23/00377 (which called for such a report) was discharged on 13 March 2024. I am satisfied that this resubmitted report (logged 10/09/2024) which appear unchanged, can still apply to APP/24/00200, and that there is no need to include a further similar condition as per App/23/00377.

However I would suggest that should the Local Planning Authority be minded to approve this application, that the Noise Impact Assessment document be included under the standard condition (normally condition 2) referencing:

Condition 2: The development hereby permitted shall be carried out in accordance with the following approved plans & documents:

Similarly, the amended Construction Environmental Management Plan (logged 09/09/2024) can be included under the aforementioned Condition 2, without the need for a further condition being imposed requiring such a plan. However that is purely from an Environmental Health point of view. Other consultees may have additional requirements. Therefore Condition 7 under the previous App/23/00377, can be dispensed with in relation to the current application.

With regard to Condition 15 under the Decision notice for App/23/00377 I can advise that this should be included in any Decision notice should this particular application be approved.

The reason being that the noise impact assessment refers to :

10.7.3 to 10.7.6 advises the above are minimum construction attenuation values and should alternative methods be selected; these should be equal to or greater than the above corresponding values. Calculations carried out have indicated the following specifications should be installed for this site. See 10.7.1 and

10.7.2 Glazing & Ventilation Assessment The house should be designed with a 4mm glass / 16mm air gap / 4mm glass glazed windows and an MVHR unit to all rooms to ensure the internal noise levels are acceptable in terms of the assessment to British Standard 8233: 2014.

The post validation testing should confirm that the suggested fenestration and ventilation methods have been met for the internal levels, and includes for the external amenity levels

Condition 15. Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this residential unit, 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. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

See also Page 31 of 37 of the above noise assessment which indicates:
Recommendation to Decision maker: B. Grant with Noise conditions

Please give me a call should you need to discuss any of the above comments.

Officer Comment: *the Noise Assessment Report and the CEMP have been included in the approved document under condition 2, with the above condition recommended.*

**Environmental Health Manager, Pollution - Initial Comment - No Objection
Observations / Comments:**

It is noted that this application would appear to be a change of the number of flats to be provided i.e. 5 in this case: 1 x 2 bed & 4 x 1 bed

APP/23/00377 related to 4 flats comprising 1 x 3 bed, 1 x 2 bed & 2 x 1 bed.

As APP/24/00200 is for the same site and client, I would recommend that the same conditions applicable to Environmental Health that were used in the Decision notice dated 3 October 2023, be applied again.

I would ask however that the following CEMP condition be used in lieu of the one previously used for APP/23/00377:

Construction Environmental Management Plan

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 following should be added to any CEMP submitted and should be in operation for all phases of the development i.e. demolition, excavation, clearance and construction: The plan should include, but not be limited to:

- a. Procedures for maintaining good public relations including complaint management, public consultation and liaison and site management contact details
- b. Arrangements for liaison with the Council's Pollution Control Team
- c. 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 the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- d. Deliveries to and removal of materials, plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

e. Details of measures to be employed to control the emission of noise during the above phases to be provided. BS5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise, and Part 2: Vibration (BSI, 2014v) provide guidance on the requirements and indicative noise and vibration levels and criteria;

f. Procedures for emergency deviation of the agreed working hours

g. Measures for controlling the use of site lighting during all phases, whether required for safe working or for security purposes, to ensure no impact on any nearby residential receptors;

h. Control measures for dust and other air-borne pollutants. It should advise as to what measures are to be put in place for the control of any dust that might emanate from the development site. Furthermore the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and

Demolition activities, and also the IAQM Guidance on the assessment of dust from demolition and construction 2014.

i. Provision of boundary hoarding

j. No bonfires to take place on the site at any time;

k. A scheme for recycling/disposing of waste resulting from excavation and construction works is to be implemented

Reason: To minimise disturbance to all nearby sensitive receptors and to ensure the amenities of the surrounding occupiers are not unduly impacted upon, during all phases of the development.

Informative:

Piling

If any piling is to be undertaken on this site, the least intrusive noise and vibration method of piling shall be employed at this site. This should be accompanied by a justification as to the reasons why a particular piling method has been chosen, and additionally the proposed mitigation methods to be employed, to ensure minimal impact on nearest residential receptors.

To ensure the amenities of nearby residential properties are not impacted upon by any external noise or vibration levels during any piling operations.

Officer Comment: *As per EH's final comments the amended CEMP has been included in conditions 2 as an approved document.*

The informatives is recommended.

Noise Assessment Condition

Prior to commencement of the development, a noise assessment shall be submitted to the Council for a written approval of external noise levels incl. reflected and re-radiated

noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve 'Good' internal noise levels for rooms- and (if provided) external amenity standards in accordance with the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport & commercial noise sources.

Pre-Occupation Noise condition

Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this residential unit, 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. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Artificial Light condition

Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained, and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment, and local residents from light pollution.

Informative regarding Hours of Work:

You are hereby advised 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 to protect the occupants of nearby residential properties from noise and vibration nuisance.

Informative 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 to protect the occupants of nearby residential properties from smoke pollution.

Informative regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is to protect the occupants of nearby residential properties from dust pollution.

Environmental Health Manager, Contamination - Final Comment - No Objection

This response follows review the Apple Environmental Contaminated Land Intrusive Investigation, 25 Mengham Road, Ref: CL/3610/CAAD July 2024.

The report has adopted the scope of investigation recommended in APP/23/00377 (our ref: CONS/23/02440), and the results are notably favourable. No significant made soils were identified, and where present, placed material comprised recycled aggregates which were free of asbestos and other chemical contamination when screened.

Formal trial hole logs were omitted, but summary descriptions were provided alongside clear photographic evidence of arisings, which in all cases appeared free from any indication of local contamination.

Groundwater samples and vapour screening of trial hole cores add significant confidence to the evidence from the soil cores – the absence of any detectable hydrocarbons in all groundwater samples collected is a strong indicator of the absence of contamination from the identified (potentially contaminating-) land use, and is regarded as confirmation of there being no tangible pathway to the development land.

The results and recommendations of the report are agreed, and on this basis, I can withdraw the recommendation to transfer the requirements of conditions 6 & 10 of APP/23/00377 to any decision notice issued in connection with the APP/24/00200 scheme.

It is not considered necessary to seek to formally secure the report recommendation to maintain vigilance for unexpected contamination – whilst this recommendation remains good practice, the results of the intrusive investigation would suggest a negligible risk of significant deposits being present, such that the planning objective may be regarded as having been met. Building Control processes should be sufficient to pick up & address any unexpected conditions.

No objections arise, and no conditions are proposed. This does not affect the comments and recommendations of my nuisance and amenity focussed colleagues, made under APP/24/00200 (CONS/24/01141, dated 10/06/2024) – those comments still apply.

Environmental Health Manager, Contamination - Initial Comment - No Objection

Observations / Comments:

I have briefly reviewed the application documents, and note little change that is material to contamination risks, comprising an alternative division of 1st floor habitable space and consequential amendments only.

Accordingly, there are no objections to the principle of development, subject to the transfer of condition numbers 6 & 10 from the consented scheme APP/23/00377, for the same reasons.

I note that the applicant has sought discharge of these conditions (against 00377),

and I have recommended refusal at this time.

The form of the external amenity space was material to the disagreement between our assessment of contamination risks and that of the consultants acting on behalf of the applicant (Apple Environmental Ltd.). It is not clear from the submitted floor plans, but Apple suggest within their report that the applicant intends a 100% hard landscaped scheme, which is slightly incongruent with the description of 'garden'. This is relied upon to break exposure pathway's associated with the use of a garden, and so to dismiss the need to physically inspect the land for contaminants.

The fresh application potentially affords opportunity to secure a specific & appropriate landscaping scheme, and to control (restrict) future alterations which could change the risk profile of the development in a way which would be contrary to the policy which applies to the decision. This approach may or may not be desirable for the development management service, given that it would create a planning enforcement route for remedial actions (avoiding the much more onerous Contaminated Land enforcement process), for future breaches.

May warrant a conversation if the applicant is insistent upon planning controls being part of the solution to contamination risks. If this is the case, and development management are amenable, then specific conditions would be required, the wording of which we could derive once we've established this as a preferred approach.

As indicated in our consultation response to APP/23/00377 (our ref: CONS/24/01353), a dismissal of risks based upon a physical assessment of soil quality (and/or remediation & risk mitigation appropriate to the physical conditions) would be the Council's preferred approach, as this provides greater surety for future occupants/owners, both in respect of the garden space and in respect of the residential units themselves.

APP/23/00377 Conditions reproduced below for completeness;

c.6 (Contamination (Standard – omitting EDS) [1])

Prior to the commencement of development hereby approved (other than any site clearance partial demolition and consequential works for the purpose of ensuring structural stability-), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.*
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy*

that includes;

- appropriately considered remedial objectives,*
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
- clearly defined proposals for mitigation of the identified risks.*

- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.*

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: *To ensure that future occupants of the development are not put at unacceptable risk from contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183-185 of the National Planning Policy Framework 2021. Contamination may be present at the site as a result the former use of land at or adjacent to the development land for retail sale of petroleum and/or the provision of garage services"*

c.10 (Verification (Standard) [2])

*Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [1]** shall be submitted to and approved in writing by the Local Planning Authority.*

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: *To ensure that future occupants of the development are not put at unacceptable risk from contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183-185 of the National Planning Policy Framework 2021. Contamination may be present at the site as a result the former use of land at or adjacent to the development land for retail sale of petroleum and/or the provision of garage services"*

Hampshire Fire & Rescue - Comments
Description of Works:

HIWFRS understands that the project involves Conversion and partial demolition of existing bakery and offices to 5 No. self-contained flats comprising 1No. 2 bed and 4No. 1 bed with associated parking and cycle storage.

I confirm that Hampshire & IOW Fire and Rescue Service (HIWFRS) has received your application, dated 16 April 2024. The inspector named above has considered the information provided and has made the following comments:

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

Access **to** the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings **within the site** will be dealt with as part of the building regulations application at a later stage). Access roads **to** the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High-reach Appliances

High reach appliances currently operated by the HIWFRS exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as follows. Structures such as bridges, which a high-reach appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Water Supplies

Additional water supplies for firefighting may be necessary. You should contact the Water Management Team, Hampshire & IOW Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (hydrants@hantsfire.gov.uk) to discuss your proposals.

Fire Protection

HIWFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression Systems (AWFSS) to promote life safety and property protection within the premises.

HIWFRS is fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Testing of Fire Safety Systems

HIWFRS strongly recommends that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter, their effectiveness should be reconfirmed periodically throughout their working lifecycles.

Firefighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises' occupiers have a duty to prevent and mitigate damage to the water environment from 'fire water run off' and other spillages.

Timber-framed Buildings

These types of buildings are particularly vulnerable to severe fire damage and fire spread during the construction phase.

The UK Timber Frame Association publication '16 Steps to Fire Safety on Timber Frame Construction Sites' provides guidance on this issue and is available from:

<https://ttf.co.uk/download/16-steps-fire-safety-timber-frame-construction-sites/>

This guidance should be read in conjunction with the 'Joint Code of Practice on the Protection from Fire of Construction Sites and Buildings Undergoing Renovation', published by the Construction Confederation and The Fire Protection Association (Sixth Edition, ISBN 1-902790-33-2)

Copies of the 'Joint Codes of Practice' and useful sister publication, 'Construction Site Fire Prevention Checklist' (Second edition, ISBN 1-902790-32-4), are available for purchase from the Fire Protection Association: (www.thefpa.co.uk) and from the Construction Industry Press:

(Publications for Construction Professionals and Builders | CIP Books)

If have any queries concerning these matters may be directed to the inspector named above, but all correspondence should be addressed to the Chief Officer.

Officer Comment: *the comments of the Fires & Rescue Service have been forward to the applicant's agent and would be an informative on the decision notice.*

Hampshire Highways - No Objection

Having regards to the consultation on the above planning application and would advise that as the proposal relates to 5 flats, and there is no required change to the existing dropped kerb access onto the highway, HCC's Highway Standing Advice should be referred to in the first instance. This can be viewed via the following link under the heading Consultation with the Highway Authority - <https://www.hants.gov.uk/transport/developers/consultation>

The Highway Authority would advise that the proposal would not result in a significant increase in vehicle movements to/from the site and therefore there would be no

detrimental impact on the operation and safety of the local highway network.

HBC Environmental Services - Comment

HBC on behalf of Norse South East:

1. Access Requirements:

Access/Service Roads need to be capable of taking a 26 tonne Refuse Collection Vehicle (RCV) and allow vehicle to reverse close to bin store or containment area. Width of RCV 2.8m, maximum length 11.3m. Drop kerbs also need to be provided to allow easy transfer of bins from store area to vehicle.

No bins to be pulled or waste carried more than 25 metres.

2. Bin Stores:

Almost all bulk bins utilised by the Authority are approximately 1.26 metres wide, therefore doors to stores need to be of 1.8 metres width to enable all types of container to be easily removed and returned.

A standard depth of 1.0 metre also applies to the majority of bulk bins, and bin stores therefore need to accommodate the required of containers measuring 1.26m x 1,0m.

NB: In 2026 food waste collections will be introduced, so consideration should be given to capacity for additional containers.

3. Bin requirements

Note: Factors such as family size and age of occupants can influence the number of bins required and it is therefore advisable that the waste Management team be asked to confirm each calculation if possible.

4. Bin sizes for Information:

- a) 140 litre (plastic) - 1065mm tall x 485mm wide x 550mm deep
- b) 240 litre (plastic) - 1075mm tall x 580mm wide x 725mm deep
- c) 660 litre (metal) - 1310mm tall x 1260mm wide x 730mm deep
- d) 940 litre (metal) - 1500mm tall x 1020mm wide x 975mm deep
- e) 1100 litre (metal) - 1370mm tall x 1260mm wide x 990mm deep

Officer Comment: *the above 4 points would be an informative to the decision notice if permission is granted.*

Landscape Team, Havant Borough Council - Final Comment - No Objection No landscape Objection

Officer Comment: *A landscape and boundary conditions are recommended if permission is granted.*

Landscape Team, Havant Borough Council - 1st Comment

From a landscape perspective we have the following comments:

- The proposed *Chamaecyparis lawsoniana* is a very large cypress and would not be appropriate for this location.

Recommend to change this species to a small/medium size UK native deciduous tree

to break up the massing of the car parking.

- Recommend to condition planting, hard surfacing, boundary treatment and building materials spec.

Natural England Government Team- Final Comment

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to National Site Network sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment dated 07 May 2024, 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.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant.

Deterioration of the water environment

As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in any nutrient budget calculation that supports this application, and that any nutrient budget calculation(s) are correct.

Natural England Government Team- 1st Comment - Further Information Required

Water quality/nutrient neutrality advice

This proposal potentially affects European Sites vulnerable to nutrient impacts. Please refer to Natural England's overarching advice dated 16th March 2022 and sent to all relevant Local Planning Authorities.

When consulting Natural England on proposals with the potential to affect water quality resulting in nutrient impacts on European Sites please ensure that a Habitats Regulations Assessment is included which has been informed by the Nutrient

Neutrality Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts. For large scale developments, Natural England may provide advice on a cost recovery basis through our Discretionary advice service.

All queries in relation to the application of this methodology to specific applications or development of strategic solutions will be treated as pre-application advice and therefore subject to chargeable services.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice. Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available.

Nitrates Team - Comments

I can confirm there is sufficient capacity in the Council's strategic mitigation scheme to accommodate the application proposals.

It should be noted that there is limited capacity remaining in the Council's mitigation scheme at Warblington Farm. There is alternative mitigation available from third party providers in order to avoid and mitigate the water quality impact arising out of the proposed development. The details of other schemes have been published on the Partnership for South Hampshire's website at:

<https://www.push.gov.uk/work/mitigation-schemes-available-to-developers/>

Officer Comment: *the applicant's agent is aware that there is alternative mitigation available on third party sites.*

Norse South East, Operations Director - No Comment

Waste Services Manager - No Comment

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: 25

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 4 (3 objection, 1 support)

Comment	Officer Comment
More local shops/cafes needed not more flats	It has been demonstrated that there is no demand for the commercial use of the site.
Too many inhabitants on Hayling - not enough resources. Proposal not needed More green spaces and trees needed	The Council can only demonstrate a 1.81 five year housing land supply. Therefore, additional housing is required for the Borough.
Lack of utility infrastructure, road access and amenities eg Doctor's surgeries. Continuing residential development on the island - tally should be kept. Support Support the proposal - other vacant shop premises in Mengham if new business wish to locate to area.	The increase of one flat on the site over that previously approved, would not give rise to an acceptable impact on the Island's infrastructure. Housing development is monitored by the Council. Noted.

Habitat Regulations Assessment & Appropriate Assessment

The Council, as competent authority under Regulation 63(1)(a) of the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations), has conducted a Habitats Regulations Assessment (HA) of the proposed development.

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) 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, 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

There is existing evidence of high levels of nitrogen and phosphorus in the water

environment with evidence of eutrophication at some designated sites. 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. Therefore, a significant effect on the Chichester and Langstone Harbours SPA, Solent Maritime SAC and Solent and Dorset Coast pSPA cannot be ruled out.

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 package.

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) who have confirmed that they agree with the findings of the assessment. The applicant has entered into a legal agreement to secure the mitigation packages.

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) Access & Parking
- (v) Impact on Trees
- (vi) Flood Risk & Drainage
- (vii) Impact on Ecology
- (ix) Landscaping
- (x) Contamination
- (xi) CIL

(i) Principle of development

7.2 As stated above, the loss of the commercial use and conversion of the former bakery to residential has already been accepted by the LPA, following the grant of planning permission under reference APP/23/00237. What is before the LPA under this application is an intensification of the residential use of the building from 4 to 5 flats, in a sustainable location

7.3 The previous proposal granted permission was for 4 no. self-contained flats,

comprising 1no. 3 bed, 1no. 2bed and 2no. 1 bed with associated parking and cycle storage. The current proposal is for 5 no. self-contained flats comprising of 1no. 2 bed and 4. no. 1 bed, within the same building envelope, with associated parking, bin and cycle storage, within the same plot. In principle the residential intensification of the site is acceptable, subject to compliance with the relevant planning policies, including those safeguarding quality residential environment and residential amenity as well as highways safety, including car parking.

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

7.4 The external changes to the building over that previously granted are minor in nature. As to the north this involves a new window at ground floor to replace a door. As to the west a smaller window is proposed on the ground floor. Neither of these changes materially impact on the character and appearance of the area. A Schedule of Materials has been provided with the external materials for the building to match existing, which is acceptable, as are the details for the footpath (ie 450 x 450 x 50 mm pavers with edging Marshalls Urbxt Natural or similar). The changes to the garden areas are acceptable, with which would include black Panama metal bike sheds with bin storage to the north. These would not impact on the locality, with 1.8m high close boarding fencing proposed along the eastern boundary

7.5 It is considered that the changes to the facade of the building, the internal layout of the amenity spaces and the intensification of the use of the building would not materially impact on the appearance of the building itself, or the character and appearance of the area, and would accord with policies CS9 and CS17 of the Core Strategy which promotes the efficient use of land in the borough.

(iii) Impact upon residential amenity/sensitive commercial activities

Impact on existing residents

7.6 The occupiers of the properties most likely to be impacted by the proposal would be Nos. 1, 1a and 1b St Leonard's Avenue. The occupation of Nos. 1a and 1b are tied by a Section 106 agreement to the business at 25 Mengham Road. As 25 Mengham Road remains in commercial use, albeit it is currently vacant, (and being marketed) it is understood that no decision has yet been made on whether to apply to remove this restriction.

7.7 As to No. 1 St Leonard's Avenue to the north, this is set back off the road with a blank flank wall to the side of the site, together with 1.8m close boarded fencing to the rear of the property. The separation distance between the two buildings is approximately 13m with a public footpath and trees to the north in between. Due to these aspects, the residential intensification of the building and the garden areas to the north, would not adversely impact on the residential amenity of No. 1 St Leonard's Avenue.

7.8 With regard to Nos 1a and 1b St Leonard's Avenue, the residential intensification of the use of the site, and its impact on these properties would not materially change over that already granted planning permission and therefore is acceptable. The proposal is considered to accord with policy CS16 of the Core Strategy.

Impact on future residents

7.9 The size of these 5 flats would comply with the Government's Technical housing

standards – nationally described space standard. There would be 3 flats on the ground floor comprising of 2No. 1bed flats and 1No. 2 bed flat, with 2 No. 1 bed flat at first floor. Garden spaces are provided for each flat. The garden areas for each flat are colour coded on the Proposed Ground Floor Plan as are the allocated car parking spaces. These garden areas vary in size, with some smaller than that previously agreed, which would still provide an adequate level of private amenity space for future occupiers.

- 7.10 On site allocated car parking fronting St. Leonard's Avenue would be provided, together with secure cycle storage (9 racks) the level of which accords with Havant's Car Parking SPD. Bin storage would be provided along the eastern boundary, with proposed 1.8m fence/gate enclosing this part of the site.
- 7.11 The proposal would provide a satisfactory level of accommodation for future occupiers, in accordance with Policies DM10 and CS16 of the Core Strategy.

Impact on sensitive commercial use

- 7.12 A Funeral Parlour with a Chapel of Rest is located to the west of the site. The residential intensification of the site, over that previously granted, would not be incompatible with this sensitive commercial use.

(iv) Access & Parking

- 7.13 The proposal makes use of an existing wide access to the site off St Leonard's Avenue with parking, as previously, directly off this road to the east of the building. This requires vehicles to either reverse into or out of the existing parking spaces crossing over the dropped kerb and pavement. This was previously found to be acceptable in highways terms and was the existing parking arrangements for the former commercial use of the site. This arrangement continues to be acceptable.

As to parking provision along St Leonard's Road, this has been 'broken up' to provide for some planting, which would help soften up this area and its impact on the locality.

The level of parking to be provided would be as follows:

Flat 1	42m2	1 bed, 1 person	1 parking bays
Flat 2	54m2	1 bed, 2 person	1 parking bays
Flat 3	62m2	2 bed, 3 person	2 parking bay
Flat 4	83m2	1 bed, 2 person	1 parking bay
Flat 5	74m2	1 bed, 2 person	1 parking bay

- 7.14 This level of parking complies with the requirements in Havant's Design Guide SPD and Policy DM13 of the Core Strategy. All parking bays would be provided with EV charging points.
- 7.15 As to cycle provision, 9 racks would be provided within secure storage areas, adjacent to or within or close to the garden areas. Bin storage would also be provided to the north/east. The cycle provision accords with Havant's Parking SPD.

(vi) Impact on Trees

- 7.16 There are several trees along the northern boundary which overhang, but do not fall

within the site. The Council's Arboricultural Officer has been consulted over the proposal, and following further information raised no objection to the proposal. However, conditions relating to tree protection measures and pruning works are recommended if permission is granted.

(v) Flood Risk & Drainage

- 7.17 The site falls wholly within Flood Zone 1. Overall, the development is a low flood risk. (less than 0.1% AEP) and so is suitable for the residential development proposed. The site would remain in Flood Zone , on current information, with climate change in 2115.
- 7.18 As to foul and surface water drainage for the development this would be discharged to the main public sewer which would fall within the remit of Building Control.
- 7.19 With regard to the Water Calculator report for the proposal, which shows the Total Water consumption per person per day for the 5 flats to be under 110 litres, which the agent has confirmed has been approved by Building Control. This report would be an approved document under Condition 2 if permission is granted.

(vi) Impact on Ecology

- 7.20 All development within the Borough is expected to protect, conserve and enhance the Borough's Local Ecological Network.
- 7.21 The Ecologist was formally consulted over the previous proposal and advised that due to the relatively modern building the subject of the application it is not expected that "*the structure to be of particular ecological value and on balance I do not see a justification for requesting additional information.*" However, to secure some small ecological enhancements, external nest boxes for Common Swift are recommended by way of a condition. The Ecologist had no further comments to make in respect of the application. Details of the swift boxes have been provided and agreed and if permission is granted a condition is recommended that they are installed before occupation.
- 7.22 The application site is within 2km of Chichester and Langstone Harbours which is a Ramsar wetland site, a Special Protection Area and a Special Area of Conservation. Due to the nature of the development, it is not considered to have an adverse impact on the ecology of the area, complying with policy CS11 of the Core Strategy (2011).

(vii) Landscaping

- 7.23 As mentioned above, landscaping has been provided within the car parking area, to soften up the appearance of the frontage. The Landscape Team has been consulted and following an amended plan and a Landscape Specification and Method Statement has raised no objection to the scheme which would be the subject of a condition if permission is granted.

(viii) Contamination

- 7.24 When permission was granted under reference APP/23/00377 conditions were imposed as to potential contamination on the site - ie conditions 6 and 10. During the lifetime of this application, these conditions were discharged, with the Council's Contamination Officer confirming that there is no need to transfer these conditions to

this application.

(ix) CIL

- 7.25 The former commercial use of the building, operated for at least 6 months during the previous 3 years. Therefore, the proposal is not CIL liable

8 Conclusion

- 8.1 The conversion to residential and the loss of this former commercial building was found to be acceptable under planning permission, APP/23/00377. The proposal before the LPA is an intensification of the residential use of the site from 4 to 5 flats. The proposal, which is within a sustainable location, would not adversely impact on the character and appearance of the area, or the residential amenity of neighbouring properties. No changes are proposed to the access which is considered to be acceptable in highway safety terms with an appropriate level of on-site car parking and cycle provision in accordance with Havant's Car Parking SPD. The impact on drainage, flood risk, trees, ecology and landscaping has been assessed and considered acceptable, or controlled by condition. The proposal accords with the development plan when considered as a whole and conditional planning permission is recommended.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00200 subject to the following conditions

1 GENERAL

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 and documents:

Plans

Location & Block Plan - Drawing No. 20058-111
Proposed Site Plan (Ground Floor) - Drawing No. 20058-421 A
Proposed First Floor - Drawing No. 20058-422
Proposed Lighting Plan - Drawing No. 20058-423
Proposed Elevations - Drawing No. 20058-521 B

Documents

Application Form
Design & Access Statement
European Site avoidance and mitigation checklist

Occupancy calculator
Nitrate Budget calculator
Lighting details
Arboricultural Method Statement dated 6 November 2023
Contaminated Land Intrusive Investigation
Construction Environmental Management Plan
Environmental Noise Impact Assessment dated November 2023
Design Note - Swift Boxes
CIL forms 1 and 2
C.S.H. Water Report dated 02.Nov 23

Reason: - To ensure provision of a satisfactory development.

- 3 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.

- 4 Any required tree works shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

Reason: To ensure the continuity of amenity value afforded by the trees in question and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Prior to occupation the lighting shall be installed and thereafter maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment, and local residents from light pollution, having regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The protective fencing shall be erected and retained in accordance with the approved details in the Arboricultural Method Statement dated 6 November 2023, throughout the development hereby permitted.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7 **PREOCCUPATION**

Prior to occupation the agreed means of enclosure shall be erected and thereafter retained.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The car parking, servicing and other vehicular access arrangements 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.

- 9 Prior to the occupation of the development hereby approved the authorised 2 Swift Boxes shall be installed and therefore retained and maintained.

Reason: In the interest of ecology having regard to Policy CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Prior to occupation of the development hereby permitted a report shall be submitted to the Local Planning Authority in writing to confirm that the measurements employed with regard to the building envelope, including fenestration and ventilation, for this residential unit, 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. Similarly, for traditional external areas that are used for personal amenity space, such as gardens and patios the external noise level does not exceed 50 dB LAeq with an upper guideline value of 55 dB LAeq in noisier environments.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Prior to the occupation of the development details of the Electrical Vehicle Charging points for the development shall be submitted to, and approved in writing by the Local Planning Authority. The approved Charging Points shall be installed prior to the occupation of the development and retained and maintained at all times thereafter.

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 **POST OCCUPATION**

The landscaping works shown on the approved plan, ref. drawing no 20058-421C, Proposed Site Plan (Ground Floor), shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained 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. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.