
Site Address:	Land adjacent to, Cooperative Society, 13 Middle Park Way, Havant		
Proposal:	Demolition of 8 no. garages and erection of a 2 storey building to provide 4 no. 1 bed flats		
Application Type:	Full Planning Permission		
Application No:	APP/21/01207	Expiry Date:	26/01/2022
Applicant:	Mr Ali		
Agent:	Mr Spivey PWP Architects	Case Officer:	Lesley Wells
Ward:	Barncroft	DMC Lead Member	

Reason for Committee Consideration:

Density:

HDS Recommendation: **GRANT PERMISSION**

Executive Summary

The site is located in a commercial Local Centre in Middle Park Way. It is situated on the corner of a service road to the rear of a parade of shops and other commercial units on the corner of Middle Park Way and Purbook Way. The service road is connected by the two roads. There are residential units above the majority of the ground floor units.

The proposal is for the demolition of 8 redundant garages and their replacement with a two storey building to provide 4No., 1 bed flats, to the rear of a commercial parade of shops and other commercial units, with access off an existing service road. A single storey element would also be provided to the south to provide a cycle/refuse storage.

Planning permission was granted under reference APP/18/00313 on 11 July 2018, for the 'Demolition of 8 No. garages and erection of a 2 storey dwelling to provide 4 No, 1 bed flats', which is materially the same development currently being considered, with some minor internal alternations to the layout. This permission was not implemented and has since expired.

In terms of principle of development, planning permission has already been granted for basically the same proposal, with the site falling within the urban area, where there is a presumption in favour of sustainable development. The site is considered to be in a sustainable location, due to, amongst other matters, its close proximity to bus routes and local services

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The development is considered to accord with the development plan when considered as a whole and would add to the Council's five year supply of deliverable housing. The Council published its latest 'Five Year Housing Land Supply Update in November 2021. This indicates that the Council cannot demonstrate a five year supply of deliverable sites. The assessment found that the Council could only demonstrate a

3.9 year housing land supply, with a 20% buffer. Therefore, the tilted balance applies, as set out in the National Planning Policy Framework, that advises permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal.

The layout has been assessed in terms of its impact on residential amenity and on the character and appearance of the area. It is concluded that there would be an acceptable impact on residential amenity and on the surrounding locality and from public vantage points.

Highway impacts have been scrutinized and it is considered that the site would not adversely impact on highway safety.

On-site parking is not provided for the development, which in the previous permission was provided in the public car park to the front of the commercial units. However, in accordance with the adopted Havant Car Parking SPD, an on-street car parking survey, was carried out, that demonstrated that there is sufficient on street car parking capacity within the locality to accommodate parking associated with the development.

Drainage, both foul and surface would be discharged to the existing main sewer.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment (AA) under Regulations 63. The screening under Regulations 63(1) (a) found that there was likely to be a significant effect on recreational pressure and water quality on the Chichester and Langstone Harbours Special Protection Area (SPA).

The subsequent AA included a package of measures:

As set out in the Solent Recreation Mitigation Strategy, an appropriate scale of mitigation in respect of recreational pressure; and

As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation.

The AA concluded that this is sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. This conclusion has been accepted by Natural England.

The applicant has entered into a legal agreement to secure the mitigation package for the Solent Recreation Mitigation Strategy and for nutrients. .

1 Site Description

- 1.1 The site is located in a Local Commercial Centre in Middle Park Way. It is situated on the corner of a service road to the rear of a commercial parade of shops and other commercial units on the corner of Middle Park Way and Purbook Way. The service road is connected by the two roads. There are residential units above the majority of the ground floor units. Residential development lies immediately to the north and west of the site and within the surrounding locality
- 1.2 The existing site comprises 8no. redundant garages, which are attached to the rear of the Co-op and another convenience store 'The Best One' at the east side and a single garage at the South side.

- 1.3 The service road is currently used for deliveries to the shops and also for access to the existing first floor residential units. Parts of the service road, mainly the former landscape buffers, are currently in a poor condition which have been used for fly tipping.
- 1.4 The site falls within Flood Zone 1, with an area of 0.04 hectares.

2 Planning History

01/66685/000 - Application by BT Cellnet to determine whether prior approval is required for the siting and appearance of a 15m high telecommunications column with integrated antenna, two equipment cabinets at ground level and three protection bollards on Western side of rear access behind shopping parade., PARR,26/10/2001
APP/18/00313 - Demolition of 8No. garages and erection of a 2 storey dwelling to provide 4No. of 1 bed flats - granted 11/7/2018

3 Proposal

- 3.1 The proposal is for the 'Demolition of 8 no. garages and erection of a 2 storey building to provide 4 no. 1 bed flats' within the service yard to the rear of the commercial development at the junction of Middle Park Way and Purbrook Way. A single storey element would also be provided to the south to provide a cycle/refuse storage. Access to the existing building, is via a rear service road, which consists of 8 redundant garages, constructed of red multi brick with flat asphalt roofing. The garages are attached to The Co-operative and The Best One at the east side and a single garage at the south side, and the existing attached buildings are constructed of red colour brick at different height.
- 3.2 The function of the service road to the application site is parking, bin storages, access to existing flats at first floor and for the Co-operative's lorries for loading and unloading.
- 3.3 It is also proposed for the area in the northwest corner, to be levelled and paved

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

- DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

Building Regulation consent required for these works

Comments:

Access to flat front doors to comply with Approved Document B5 (Fire Authority access road width and turning facilities)

Bedrooms are inner rooms so MOE windows needed

Window shown on South elevation (new flat) above roof light which is not shown on floor plan ALSO Best One store window and its location to flat below rooflight should be considered with regards to compliance with Approved Document B requirements to due possible fire spread

Use of space under staircase to Flats 3 & 4 should be considered carefully Full fire protection need to be provided along with the possibility of storage being more than a bike as shown

Officer Comment: amended plan has been submitted ????

Community Infrastructure

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

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

(n) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the additional dwelling and its respective number of bedrooms. See

<http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>.

b) Issue the Nutrient Neutrality Unilateral Undertaking. See

<https://www.havant.gov.uk/nitrogen-developers>

Councillor Pamela Crellin - Barncroft - 'Red Card' the Application

Lack of on site parking.

Councillor Yvonne Weeks - Barncroft

No Comment.

Crime Prevention - Minor Apps - Comment

The National Planning Policy Framework makes clear the Government's continuing commitment to "create safe and accessible environments where crime and disorder,

and the fear of crime, do not undermine quality of life or community cohesion and resilience”.

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically “to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.”

The guidance advises: “Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.” It continues, “Good design that considers security as an intrinsic part of a masterplan or individual development can help achieve places that are safe as well as attractive, which function well and which do not need subsequent work to achieve or improve resilience.” “Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult.”

There is very little natural surveillance of the site from the nearby dwellings or the public highway. The proposed location is accessed from a service road, there is very little natural surveillance of this road from the nearby dwellings. These attributes have contributed to the garages on the site being vandalised and the general levels of litter etc. within the site.

There are a number of ground floor windows that can be easily accessed from the public realm, this increases the opportunities for crime. To mitigate this to some extent the glazing within these windows should incorporate a pane of laminated glass to BS EN 356:2000 class P1A.

A grassed area is shown on the corner enclosed by a low wall. A low wall provides an opportunity to sit, to reduce the opportunities for sitting low vertical railings approximately 1m high should be used to create the enclosure. If this is not desirable consideration should be given to fitting low vertical railings to the top of the wall.

Some consideration will have to be given as to how the two planted areas are to be maintained.

A combined cycle and bin store is shown on the ground floor, the bin store is to be opened on bin collection days. The cycle store gate which is inside the bin store, is not visible from the public realm, which increases the opportunities for crime. To reduce the opportunities for crime the cycle store gate should be third party certificated to LPS 1175: Issue 8, B3, or an equivalent standard. The wall and gate separating the two stores must extend from the floor to the ceiling so as to prevent access between the two stores.

There is very little natural surveillance of the service road. As the service road is not lit this will be further reduced during the hours of darkness, which increases the opportunities for crime, disorder and the fear of crime. To provide for the safety and security of residents and visitors lighting along the service road must comply with the relevant sections of BS 5489-1:2020.

Officer Comment: *conditions incorporating the above recommendations as to safety is recommended. The low level hedging along the boundary to the west and north,*

would provide a barrier to anti-social behaviour from third parties, the provision of which would be conditioned. The cycle and refuse storage is separated by a wall and secure door.

Environmental Health - Noise - Contamination - Final Comment

I have reviewed the application supporting documents, and note that the scheme is a resubmission of consented expired APP/18/00313 consent. It seems that Environmental Health was not on the initial consultation list for that consent, and that noise comments were sought by the case officer directly from an EHO. As a result, no contamination, air quality comments were offered previously, and so I would like to take the opportunity to briefly address these policy areas.

Air Quality (General)

I have no concerns over the existing air quality, and so no objections arise to the introduction of new (air quality sensitive) residential receptors.

The quantum of development does not amount to major development, and so draft policy E23 would suggest that it would be disproportionate to seek the offsetting of dwelling / transport emissions (under adopted NPPF provisions). However, related policy would not be disproportionate to apply, and so it is appropriate to comment on certain specific aspects of the scheme.

With respect to cycle parking, I note that the internal storage to Flat 1 in particular is cramped, height restricted, and difficult to access. Internal storage is not ideal, especially for 1 bedroom flats where space for domestic storage is likely to be limited (i.e. where there will be conflict between the need for general storage and cycle storage). I note the substantial width of the currently unpaved area, due to be block paved – within this being sufficient to accommodate an external cycle store to serve the 4 units. This would result in more generous storage in the refuse area, and within the proposed units, and might also discourage parking close to the corner of the access road, which might hamper HGV movements.

Making sustainable & active travel choices as easy and convenient as possible would be supported by NPPF para's 92 c), 93 b), 104 c), 110 a) & b), 130 f), and would support the air quality objective of encouraging emissions-free modes of travel.

The proposed use of block paving would also seem to be a missed opportunity to improve the landscaping of the locality – some air quality & thermal benefit may be derived from even a modest scheme of planting, with cumulative improvements within a locality contributing to demonstrable overall improvements. NPPF para. 131 relates.

Contaminated Land

Domestic garages have been found to be typically associated with localised contamination. The use of these units for commercial storage, together with their age (being in place for at least 65 years), raises the risk of localised contamination being present.

Photograph 10 of the design & access statement illustrates this assessment, showing the site to be in untidy condition, with open bulk liquid, oil, and powdered products containers shown on the unpaved area adjacent to the access road.

The proposals are recognised to be of low risk type, omitting any significant private soft-landscaped areas, and being of a size, type & setting that is unlikely to attract families with infants. The principal contaminants of concern for such a development would be volatile organics, solvents & fuels.

Whilst the quantum of development could be argued to be sufficient to justify a proactive investigation of the site (post demolition), I am satisfied that the contaminants capable of being significant to this development are of a type that are unlikely to be significant for long-term residential exposure unless concentrations exceed that which would allow their presence to be readily identified by visual & olfactory means. Given this, I would recommend that the developers responsibilities under NPPF para. 184 be formalised as a compliance condition.

Condition 1 [Contamination Watching Brief – Tailored]

“Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination is encountered (e.g. obviously stained soils, oils, fuels, any unusual sweet or solvent-like odours, or similarly discoloured / odorous groundwater within excavations); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1. Investigation in the vicinity of the suspect material, sufficient to characterise its nature, likely extent & mobility,*
- 2. An appropriate assessment of the risks to all receptors that may be affected, based upon 1); and*
- 3. Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability*

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;*
- B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.*

Reason: *The previous use of this site poses a risk that discrete deposits of contaminating material / contaminated soils may be present at the site which could pose a risk to future occupiers of the site or to the local water environment. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of*

the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183 & 184 of the National Planning Policy Framework 2022."

Officer Comment: the bicycle storage proposed is considered to be appropriate and if permission is granted the above condition is recommended.

Environmental Health - Noise - Final Comment - No Objection

The standard referred to in the condition BS8223:2014 wasn't designed to offer protection from identifiable sources of noise (such as machinery or plant, sports pitches, pubs, neighbours, dogs etc) because of the complex emotional reactions triggered by these. It really only covers anonymous sources such as traffic/transport sources which people get used to over time.

I haven't been able to find a record of the consultation on EH's Acolaid so I don't know whether we received any additional information to answer the queries raised in the first paragraph in the 2018 comments. I note that the applicant has taken the presence of the units into the design of the scheme with no windows overlooking which will offer some protection from noise, and the reason for the condition does mention the commercial premises so in this instance it is probably acceptable to use the same condition due to the mixed use character of the area.

Officer Comment: the former condition recommended by EH, which was imposed on the planning permission, is as follows:

Prior to the occupation of any units, confirmation shall be provided that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq, 16 hour and at night (23:00 to 07:00) 30 dB L Aeq, 8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially traffic noise and potential noise from any commercial / business premises alongside the housing and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

It is recommended that if permission is granted, the above condition is imposed on the decision notice.

Environmental Health - Noise - 1st Comment - Further Information Required.

The application proposes to introduce noise sensitive premises into an established mixed use area in very close proximity to a Coop convenience store. Noise from plant, machinery and ancillary activities from the Coop and surrounding commercial uses may adversely impact the amenity of future occupiers of the proposed flats. Whilst the applicant has taken the presence of air conditioning units into account in the design of the proposed flats by ensuring there are no windows overlooking them, no information on noise exposure is provided within the application and therefore insufficient detail is available for me to be able to comment fully on the proposal. In order to ensure any adverse noise impacts are appropriately mitigated, a noise impact assessment is required which demonstrates that the site is suitable for residential development. Such an assessment should characterise the prevailing noise environment, identify any potentially significant sources of noise, detail the impact on the proposed flats and propose a noise mitigation scheme where necessary.

Environment Agency - No Comment

Hampshire Highways - Comments

Due to the scale of the proposal and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link:

www.hants.gov.uk/transport/developers/consultation

Officer Comments: *The Highway Authority's previous comments are set out below. The application as to highway matters has not changed since the earlier comments. Therefore, they are still relevant to the current application and the recommendation as to a condition for lighting within the application site only, as the remainder of the service road is owned by third parties. This condition is recommended if permission is granted.*

Hampshire Highways - Comments in Respect of the Previous Application

Although the car park is Public Highway the access road is not maintainable at the public expense and I understand is in the ownership of a third party.

The existing use of the development site is eight garages and the proposal is for flats and therefore the number of trips for these two different uses could result in a decrease in private vehicular access, although there will be an increase in other means of travel pedestrian and cycling especially as there are no allocated spaces within the proposals.

The proposals must include bin storage provision and collection point.

The existing problem with this area is its untidy nature with indiscriminate storage of waste.

It is considered that it would be impossible to refuse on highway safety grounds based on the increased movements on the adopted highway i.e. the car park but it should be refused on planning safety grounds, unless a condition could be imposed that the access road is to be regularly maintained and lit.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have a likely significant effect on:

- Solent Maritime Special Area of Conservation (SAC)
- Portsmouth Harbour SPA and Ramsar site
- Chichester and Langstone Harbours SPA and Ramsar site
- Solent and Dorset Coast SPA
- Solent and Isle of Wight Lagoon SAC

Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on the sites named above, proceeding to

the appropriate assessment stage where significant effects cannot be ruled out. The following information is required to inform a HRA: • Assessment of the likely effects of

an increase in reactional disturbance upon the Solent SPAs.

- Details of proposed mitigation measures to address any nutrient or recreational impacts, including appropriately funded management and monitoring, and details of how the measures will be secured for the lifetime of the development.

Once the above information is obtained, please consult Natural England on any appropriate assessment your authority may decide to make.

Natural England's Approach

As your Authority will be aware, there are impacts on nationally and internationally important wildlife sites in the Solent Catchment arising from excessive nutrients from wastewater discharge. In September 2021, Natural England sent a letter (via email) to the Head of Planning at your Authority, explaining that Natural England is fully committed to working closely with your Authority to develop strategic approaches for delivering a nutrient neutrality to help development to proceed. At this time, Natural England is issuing this standard advice in response to planning consultations / proposals requiring nutrient neutrality that meet the following criteria:

- the proposal is for 10 homes or fewer
- the proposal is not accompanied by a habitats regulations assessment (HRA) which has been completed or adopted by the competent authority.

Standard Advice for Nutrient Neutrality

It is Natural England's view that there is a likely significant effect on the internationally designated sites in the Solent catchment due to the increase in wastewater from new housing. One way to address this is for new development to achieve nutrient neutrality. Nutrient neutrality is a means of ensuring that development does not add to existing nutrient burdens and this provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species

Regulations 2017 (as amended).

To avoid impacts on the Solent designated sites, Natural England has issued advice on a methodology for new development to achieve nutrient neutrality. A copy of this advice, including a nutrient budget calculator, is available on the Partnership for South Hampshire website¹, together with information on potentially available mitigation options. We advise the existing guidance is used to support this proposal. Supporting information should include a nutrient budget and details of any proposed mitigation to address nutrient impacts. To demonstrate that proposed mitigation will remain effective for the lifetime of the development, information on management and monitoring will be required, together with details of how this will be secured and funded in perpetuity. Please note that the Nutrient Neutrality Methodology is one proposed solution and Local Authorities are encouraged to develop / explore alternative options.

Your authority should demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. consultations should include a HRA. The proposed development, and the application of any measures to mitigate the likely harmful effects from it, should be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment, in view of the European Sites' conservation objectives. Further information on carrying out a HRA as a competent authority can be found online².

Once a HRA has been completed or adopted by the competent authority, Natural England will review the proposal.

Please note that where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on Habitats Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the appropriate assessment can conclude that there will be no adverse effect on the integrity of the Habitats Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation.

However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances. In all other cases (where impacts from the proposed development cannot be addressed solely by contributions to an agreed strategic approach) you must contact Natural England for further advice on your appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these impacts and respond.

Recreational disturbance - Solent Special Protected Areas (SPAs)

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

Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s) and **has no objection** to this aspect of the application.

Please note, your authority's appropriate assessment should reflect the current developer contribution rates, which are updated every April in line with the Retail Price Index. Further general advice on the protected species and other natural environment issues is provided at Annex A.

Please note that if your Authority is minded to grant planning permission contrary to the advice in this letter and aforementioned letter sent to your Head of Planning, you are required under Section 28(1) (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your Authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Norse South East, Operations Director

No Comment.

Nutrient Team

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application.

Portsmouth Water Company

The site is located on Head, Gravel and Clay Deposits overlying the London Clay Formation and located within the Source Protection Zone 1C (SPZ1c) for an essential

Public Water Supply source. The SPZ1c relates to subsurface activity only, where the Chalk aquifer is confined and be impacted by deep drilling activities. Subterranean activities such as deep drainage solutions and /or piling may pose a risk to groundwater quality and the local public water supply source.

The proposed surface and foul drainage strategy is discharge to the existing main sewers; this is acceptable to Portsmouth Water (PW) in relation to groundwater protection.

If piling is proposal the application must be accompanied by detailed plans and a risk assessment stating how risks to the underlying principal aquifer have been assessed and mitigated through design.

This should include as a minimum:

- a) the methods to be used;
- b) the design depths of the various structures involved and rationale;
- c) the density of piling/deep bore soakaways, if any; and
- d) details of materials to be removed or imported to site.

PW wish to be consulted on any further applications related to this application and have no further comments at this stage.

Officer Comment: the agent has advised that piling is not proposed in this application - email dated 11/1/22.

Traffic Management Team - 2nd Comment - No Objection

I agree with you that it appears by the surveys that there is a sufficient amount of parking available, and therefore no additional monies would need to be set aside for this proposal.

Traffic Management Team - 1st Comment - Concerns

The Traffic team would raise a concern with regard to the Design and Access statement and the section "Accessibility & Parking" The statement reads. "There is a main car park in front of the commercial shop fronts, which doesn't have any car parking restriction and it is mostly underused especially at night time"

This is not entirely correct as in December 2019 restrictions were added to this car park AS/TRO/421 there are now: double yellow line restrictions that cover a large area of the car park, an enforceable disabled bay, 9 restricted limited time bays that limit the length of stay to 1 hour with a no return time within 2 hours, operational 24 hours a day 7 days of the week. There are only 7 unrestricted bays adjacent to Middle Park Way. The traffic team would therefore not expect any surveys completed in 2018 to reflect the current restrictions relevant to this application.

With no parking bays included within this application the traffic team would request that should this development be permitted then the Traffic Team would want a provision to be made for a sum of £5000 (plus the costs associated with advertising the proposals and any works) estimated to be a maximum of £7000 in total, to be provided by the developer to be set aside from commencement to allow a TRO to be processed ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the local highway network.

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: 21

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 3

Representations

The following is a precis of the representations received.

Impact on Amenity

- Overlooking
- Loss of privacy
- Loss of light
- Loss of property value
- Adversely impact by two storey building at bottom of garden
- Lack of natural surveillance

Parking & Access

- Service road (SR) is not owned by applicant - have not contacted us about the works
- Cannot undertake work to Service Road without third party approval
- Loss of 8 car parking spaces.
- No provision for future tenants - park in the business parking to front instead.
- Parking spaces are limited at front - solely for business customers
- Changes to service road would reduce width and adversely impact on current use for loading/unloading of vehicles

Other Matters

- Incorrect that garages are empty - used informally for storage - continuously used 2 of the garages for storage for over 10 years
- Loss of Class B8 storage use

Officer Comment: *the points are covered under Section 7 below, or in the following bullet points.*

- As to access to the site, according to the application form Certificate B has been served on the owner, with the agent advising the applicant has existing rights to the garages. Therefore the applicant has complied with the Town & Country Planning Management

Procedure) (England) Order 2015 and any issues around implementing the development if permission was granted, would be a private matter between the parties involved.

- As to the development itself the agent has advised that his client does not intend to propose any works on land that he does not own.
- No lawful use has been established for Class B8 storage use on the site.
- As to the claimed use of garages by a third party this is purely a private matter between the parties involved.
- Loss of property value is not a material planning consideration.
- The proposal would extend the pavement to the front entrance of the proposal, which would be the same width as the existing pavement, which should not impact on the use of the access by vehicles.

7 Planning Considerations

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, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures.

The applicant has provided 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. This has been secured via a legal agreement.

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 packages.

SUBJECT TO REVISED BC ETC.

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking and highway considerations
- (v) Drainage
- (vi) 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, which are considered below. Further, the principle of the development was accepted when planning permission was granted under reference APP/18/00313 on 11 July 2018, for the 'Demolition of 8 No. garages and erection of a 2 storey dwelling to provide 4 No. of 3 bed flats', which is materially the same development currently being considered, with some minor internal alternations. This permission was not implemented and has since expired. Therefore, subject to any material changes to the planning considerations since the earlier grant of planning permission, the development has been found to be acceptable by the Local Planning Authority. The material changes to the planning considerations since the previous grant of planning permission are:

1. The car parking for the previous proposal, which was provided in the public car park to the front of the Co-operative is no longer available, following parking restriction imposed in December 2019;

2. Mitigation for nitrates; and

3. Lack of a 5 year land housing supply.

7.3 As to 1. this is covered below under the heading 'Parking and Highway Considerations'.

7.4 Regarding 2. nitrate mitigation for the proposal has been secured via a legal agreement.

7.5 With reference to 3, in November 2021 the Council published its 'Five Year Housing Land Supply Update', which identified that a 5 year land supply of housing cannot be demonstrated within the Borough, which is currently only 3.9 years, with a 20% buffer. The addition of 4 units of accommodation, would be an efficient use of land, in a sustainable location, which would make a contribution, albeit a modest one, to the Council's overall housing requirement.

7.6 The proposal would accord with Policy CS9 of the Core Strategy (and the advice in the National Planning Policy Framework) which supports housing proposals which achieve a suitable density of development for the location, taking into account accessibility to public transport and proximity to employment, shops and services in

addition to respecting the surrounding character and built form. The supporting text of the policy sets out density thresholds, and in this regard the proposal would represent a high density development at 4 units of accommodation on a site of approximately 0.04 hectares (a density of approximately 100 dwellings per hectare).

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

As to the existing garages, although they are located at the rear of the service road and therefore not highly prominent, they are in a poor state of repair and the area is in need of improvement. The agent has advised they have not been used for the parking of vehicles for a number of years and are in fact too small for larger, more modern vehicles, having an average width of 2.5m, as opposed to the current requirement of 3m. Furthermore the service road and the landscape buffers have been used for litter, rubbish storage and fly tipping. The service road does not have a high level of surveillance and for this reason, it is understood attracts anti social behaviour. The area is in need of improvement and upgrading. Other units along the shopping frontage have residential units at first floor level which are accessed from the rear service road.

The proposal would increase the scale of built form on this rear corner from flat roof single storey up to two-storey level with a pitched roof. The design is a fairly modern approach with dark framed windows and a mixture of brick, render and timber cladding materials. It is considered that these materials would complement those already used in the local vernacular. The development would include an integrated communal bin and bike store which therefore avoids these being required to park/store on the service road. Overall the design would improve the character and visual impact of this part of the service road and regenerate the area, in accordance with Policies CS4 and CS6 of the HBLPCS. It would also include windows on the western and northern elevation which would provide natural surveillance over this section of the service road. The proposal is also considered to accord with the aims of Policy CS 16 of the HBLPCS.

(iii) Impact upon nearby residential amenity and commercial properties

Impact on existing residents

The impact on existing residents was assessed and found to be acceptable when the previous permission was granted. The occupiers most likely to be impacted would be the residential properties to the west of the application site in Bransgore Avenue, 15 and 17 Middle Park Way to the north and an existing flat to the south above the shops. The new first floor windows within the proposed building would look into the direction of the rear of Nos 32 and 34 Bransgore Avenue. However, these properties are over 20m in distance which is considered to be sufficient on planning grounds, so as not to result in an unreasonable level of overlooking. A first floor window to a bedroom and kitchen/living room would also overlook part of the rear garden to 15 & 17 Middle Park Way, with the service road in between, with a separation distance of approximately 6.7m. This would create similar views already experienced from other residential development within the immediate locality and to be expected within a residential area.

As to occupiers in the existing flats above the shops due to the orientation of the proposal to the north of existing windows, the relationship with the proposal would not give rise to significant overbearing or to an unacceptable loss of light.

Impact on future occupiers

With regard to future occupiers of the proposed building, concerns have been raised that residential accommodation in this location would be unsafe, due to the lack of natural surveillance and use of the access road for deliveries. As to natural surveillance of the service road this would be provided by the occupiers of the proposal, with lighting conditioned to enhance safety, within the service road in front of the development. As to the existing pavement which extends along the rear of No's 1-9 on the east side of the service road and which is used by the residents of those flats, this would be extended up to the entrance of the proposed flats so that residents, would not have to step into the service road, using the proposed pavement.

Furthermore, the front entrance is recessed back from the pavement so that future residents would step into a porch area and then onto the pavement, allowing more time to visually assess the service road. The flats would contain only 1no. bedroom and therefore are more likely to be occupied by single persons or couples as opposed to family groups.

The first floor, east facing elevation of the development would be adjacent to 4no. air conditioning units which sit on top of the flat roof section of the Coop. However, the units are set back 4m from the east elevation and there are no windows in this elevation. The Council's Environmental Health Officer has been consulted and following a review of their initial comments have advised that the new building should be sufficiently mitigated in terms of acoustic measures, particularly as these units are operated 24/7. They have suggested an appropriate condition to this effect which seeks to ensure that the residential amenity of the properties are not impacted upon by any external noise levels.

Impact on existing commercial properties

There is an existing window in the rear of the 'Best One' shop at first floor level, which it is understood serves a store room. This is shown in the application as being removed as it would be blocked up by the new east elevation of the proposed flat block. As the window serves a store room and not a residential flat or habitable room, no significant loss of amenity would occur to the commercial property as a result of its loss. However, its removal would have to be secured with the owner/occupier of this unit, which is a private matter between the parties involved.

Overall the harm to adjacent residential amenity and existing commercial properties would be not be significant, and as such the proposal is considered to comply with policy CS16 of the HBLPCS.

(iv) Parking and highway considerations

Parking

Under the Council's adopted parking standards, 4 spaces would be required for 4, 1 bed units, within the development itself. This was not the case with the previous permission, as with the current application none was available on site. However, following the submission of surveys it was demonstrated that there was sufficient capacity to accommodate the 4 car parking spaces required, in the public car park to the front of the commercial development to the east. As stated above, due to the parking restrictions imposed in December 2019 on this car park, this parking is no longer available for the development.

The Council's adopted parking SPD advises that should a developer wish to use

on-street capacity then they should firstly be aware of potential concerns relating to the character and amenity of the a road. If on-street parking is already an established part of the character, surveys should undertaken and submitted with the planning application to identify the current level and capacity of on-street parking in the vicinity of the site. Surveys should be undertaken and should include weekdays and weekends including late into the evening as this allows a true reflection of the parking arrangement.

The applicant has submitted 2 car parking surveys. The first one was insufficient covering only one day. The second survey commissioned resulted in a more details, 7-day car parking survey, which was undertaken between Sunday 4th and Saturday 10th September 2022, at a variety of times throughout the day, including late in the evening and early in the morning. The survey area included all feasible on-street parking areas within a 200m walking distance of the application site (c. 2.5 minute walk), which is considered a reasonable maximum walking distance from the proposal. Within the 200m radius this covered parts of Middle Park Way, Finchdean Road, Purbook Way (east and west), Linkenholt Way and Park Lane. The maximum parking capacity was established assuming car parking space dimensions of 5.m length and 2.m wide, avoiding infeasible parking areas, such as in front of dropped kerbs that serve private driveways and disabled parking bays.

The survey states that the parking requirements for the proposed flats is expected to be low for the following reasons:

1. The small size and intended tenure of the proposed units.
2. The site's accessible location.
3. The intention that the proposal would operate car-free and would be operated as such.
4. A review of car ownership data from the 2011 census reveals that 1-bedroom flats within local ward typically own 0.44 vehicles per dwelling (equating to a demand for 2 spaces).

That said, the parking survey was based on the parking standards in Havant's Car Parking SPD, with a requirement of 4 spaces.

The following taken from the survey, identifies the existing parking stress and remaining capacity in the study area. The survey measured parking 'stress' as a percentage of the overall spaces occupied by parked vehicles.

Time of Survey - Weekday	06.00	12.00
Overall parking stress across the study area	55.1%	46.8%
Available spaces	19	22
Time of Survey - Weekend	06.00	12.00
Overall parking stress across the study area	54.9%	53.7%
Available spaces	19	18

The survey, which is considered to be detailed for the week in question, shows that

within the catchment area, that the parking demand of up to 4 vehicles that are required for the development can be accommodated on the local road network, without adversely impacting on existing residents parking or the character of the area. Overall whilst the application does not propose on site parking and therefore does not meet the requirements of Policy DM13, this is justified through the findings of the parking survey. Furthermore, it is also considered that the site is in a sustainable location, close to bus routes and local services which may reduce the requirement for car ownership, as would the type of development proposed (ie 1 bed flats). The intention is also to market the units without car parking provision. The scheme also provides 4 no. cycle spaces which meets the standards for cycle parking. Two of these are provided in a secure cycle area to the rear of the bin store. These factors, coupled with the benefits that the scheme provides such as new housing, regeneration and improvements to the built environment, outweigh the lack of on-site provision.

Highway Safety

With regard highway safety, the service road is used for deliveries to both the Coop and 'the Best one'. This requires the larger delivery vehicles to enter from Purbrook Way along the service road then reverse out. The Highway Authority (HA) was consulted over the proposal, but as there is no change to the access, their response is that "HCC's standing advice should be referred to in the first instance.", with no detailed comments provided. However, the HA was consulted and commented over the previous application, details of which are set out above. The highway position has not changed since the previous comments, which are considered to apply to this application. The HA advised that it would be unreasonable to refuse the scheme on highway safety grounds. However, unless the scheme includes a condition that the access road is regularly maintained and well lit then it would not be safe on planning grounds.

If permission is granted, it would be reasonable to impose a condition relating to lighting so that the access road is made safe to use for the future residents; as to regular maintenance a condition to this effect would not satisfy the conditions test in the Planning Policy. Furthermore, the front entrance is recessed into the building to allow further visual assessment of the road, with the pavement extended up to this point. A bollard is also proposed to be erected on the corner of the service road to prevent any delivery vehicles from reversing into the corner of the building. Overall it is considered with the appropriate mitigation, the development would be acceptable on highway safety grounds

(v) Drainage

As to drainage, both foul and surface, would be discharged into the existing main sewage, which is acceptable to Portsmouth Water. The provision and approval of drainage for the development would fall within the remit of Building Control.

vi) CIL

The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the Council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiner's Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new

floorspace (measured as gross internal area) in Havant.

The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable and the appropriate forms have been submitted. The CIL liability would be £8,347.43, with no exception sought.

8 **Conclusion**

- 8.1 The development would add to the Council's housing stock, for which there is a recognised shortfall. The proposal would not adversely impact on residential amenity or the character and appearance of the area and in highway safety terms is acceptable. On site car parking is not provided, but from the survey provided can be accommodated within the surrounding local road network. The proposal is therefore considered to accord with the development plan as a whole, the National Planning Policy Framework and Havant's Car Parking SPD and conditional planning permission is recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/01207 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:

Location & Block Plan - Drawing No. 1100 Rev B
Perspective View - Drawing No. 1003
Proposed Sectional Elevations - Drawing No. 1302 Rev B
Proposed Ground Floor Plan - Drawing No. 1101 Rev C
Proposed First Floor Plan - Drawing No. 1102 Rev B
Proposed Elevations - Drawing No. 1301 Rev B
Site Plan with Highway Location - Drawing No. 1120

Reason: - To ensure provision of a satisfactory development.

- 3 Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination is encountered (e.g. obviously stained soils, oils, fuels, any unusual sweet or solvent-like odours, or similarly discoloured / odorous groundwater within excavations); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected

contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

1. Investigation in the vicinity of the suspect material, sufficient to characterise its nature, likely extent & mobility,
2. An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
3. Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;
- B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.

Reason: The previous use of this site poses a risk that discrete deposits of contaminating material / contaminated soils may be present at the site which could pose a risk to future occupiers of the site or to the local water environment. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183 & 184 of the National Planning Policy Framework 2022

4 **Pre-Commencement**

No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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

- 5 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
- (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

6 **Prior to Occupation**

Prior to occupation of Flats 1 and 2 hereby approved, all of the windows on the ground floor shall incorporate a pane of laminated glass to BS EN 356:2000 class P1A which shall be thereafter retained.

Reason. To mitigate the opportunities for crime having due regard to Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Prior to the occupation of any of the flats hereby approved, the erection of the bollard and pavement extension as shown on Drawing No. 1101 Rev C (Proposed Ground Floor Plan) shall be made fully available for 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 Prior to the occupation of any of the flats hereby approved, confirmation shall be provided that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8233:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and

bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially traffic noise and potential noise from any commercial / business premises alongside the housing and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Prior to the occupation of any of the flats hereby approved, an external lighting scheme for the site shall be submitted to and agreed in writing by the Local Planning Authority. Prior to occupation of any of the flats hereby approved the agreed details shall be implemented and thereafter retained and maintained.

Reason: In the interests of highway and public safety and having due regard to policies CS8 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 Prior to the occupation of any of the flats hereby approved, the cycle parking and bin store shown on the approved plans to serve the development hereby permitted shall be made fully available and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and waste management having due regard to policies DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Prior to the occupation of any of the flats hereby approved, details of the native hedgerow to be planted within the built development shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping works 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 hedging 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 hedging 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 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 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 building(s) 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.

13 **Post Occupation**

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. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, and Policy CS11 of the Havant

Borough Local Plan (Core Strategy) 2011

Appendices:...