
Site Address: 23 Park Parade, Havant, PO9 5AA
Proposal: Prior Approval for development consisting of a change of use of a building and any land within its curtilage from Class E (commercial, business and service) to Class C3 (dwellinghouses).
Application Type: Prior Approval CoU E to C3
Application No: APP/22/00351 Expiry Date: 30/06/2022
Applicant: Mr M Smith
Agent: Mr T Peters Case Officer: Selina Donophy
 ATP Architectural Design
Ward: Battins

Recommendation:

1 Site Description

This application site comprises the rear of a commercial unit, no 23 Park Parade, Havant. The front of the unit forms part of the Leigh Park shopping area and features the shop frontage. The rear of the unit proposed for this residential development backs on to Tidworth Road , with a car park to the south and the rear yards of surrounding commercial units. This unit previously housed a furniture store which the applicant states has not been in use since December 2021.

2 Planning History

APP/16/01096 - Display 1No. externally non-illuminated fascia sign. ,
PERM,09/12/2016

3 Proposal

Prior Approval for development consisting of a change of use of a building and any land within its curtilage from Class E (commercial, business and service) to Class C3 (dwellinghouses).

4 Policy Considerations

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

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of
 Havant Borough)
CS16 (High Quality Design)
CS20 (Transport and Access Strategy)
CS4 ()
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

DM17 (Contaminated Land)

AL1 (Presumption in Favour of Sustainable Development)

DM18 (Protecting New Development from Pollution)

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Jo Lowe

No comment

Councillor T Moutray

No comment

Environmental Health Manager, Community Group

I refer to the above consultation request for this outline application under the Town & Country Planning Acts passed to this Service for comment.

I can advise that whilst this office has no objection in principle to the formation of a residential property at the rear of this site as per the proposed plans, I would ask that the following condition be incorporated to any favourable decision notice:

Condition 1:

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

Reason: To protect the amenities of the future occupants of the proposed dwelling, and to ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially from the two commercial premises either side of this proposed unit, and any road traffic noise and deliveries to businesses from Tidworth Road.

Hampshire Highways

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following 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

Environmental Health Manager, Community Group - Contamination

It is understood that the conditions for Class MA permitted development include (2)(b) Contamination, (2)(d) Impacts of noise from commercial premises(...), and (2)(f) provision of adequate natural light.

Development Quality (natural light)

Plans do not appear to show any provision of natural light to the hallway, kitchen or bathroom.

It seems to me that it would be possible to provide roof lights or sun-tubes to these areas to improve the indoor living space. If at all possible, I would recommend that such provision be secured by condition.

Amenity (noise)

My expectation is that my colleagues will be aiming to provide additional comment on noise / amenity under separate cover, however, given the tight timeframe for this application gaining deemed consent, I will provide some general observations.

The frontage of the property is to a service area likely to be subject to use for early morning deliveries. The property will be substantially closer to this area than are the existing 1st floor accommodation units, and may be at greater risk of disturbance.

It would also appear that the adjacent unit has been in use as a commercial gym since 2016.

Gym activities are not uncommonly associated with nuisance noise – typically music, amplified voices, and structure borne vibrations (e.g. dropping of weights).

There is no information in the application pack to suggest that these sources of noise have been considered, or that the specification of the building has been designed to provide appropriate mitigation.

Where these risks are insufficient to justify refusal of prior consent, I would recommend that the occupation of the consented unit be subject to a condition to demonstrate satisfactory indoor noise levels within the completed dwelling (post construction validation of indoor noise levels, to be submitted & approved by the LPA).

Where such a condition is possible, please contact environmental health for suggested wording – I do not have a model condition to hand at the time of writing.

Contamination

The site history appears to be predominantly retail & A1 food & drink; with the retail uses including (at least) pharmacy use, and domestic hardware, and the food and drinks uses being event space (and in the case of no. 23 ground floor, refuse storage). Some internal conversion works appear within the planning history. Given the initial construction date at ca. 1956, it is likely that the buildings include asbestos containing materials.

As a health & safety issue, I would recommend the applicant undertake an internal asbestos survey prior to the commencement of works – there is no need to make consent conditional upon this, it is assumed that the relevant Regulations will function adequately to control these risks.

In terms of ground contamination risks, commercial property always carries an uncertain degree of risk, and it is possible that the prior use of the unit for retail or storage (or the use of the adjacent units) may have resulted in a degree of soil contamination. Known potentially contaminating landuses (petroleum retail, buried storage tanks, commercial dry-cleaning) are located within 50m of the unit, and the unit is thought likely to be down-hydraulic gradient of these sources (i.e., any contamination moving with groundwater is likely to move in the direction of the development land).

The accommodation is relatively low risk, in that it is of a form, and in a context, that is unlikely to attract an adult with child(ren), or a small family. It similarly omits any meaningful private amenity space. It is however located at ground floor, and proposes to use an existing building of an age that carries a moderate risk of vapour ingress from soils. The principal risk drivers for the site are considered to be VOC/sVOC & Petroleum derived volatiles from prior land uses at and close to- the development land, and their impact upon the health of future occupants.

It is unlikely that the above-referenced risk could be said to be significant at concentrations falling below olfactory detection limits. Given this, a proportional response would be to make any consent awarded subject to a condition which requires reasonable vigilance for identifying such issues, and where identified, the notification of the LPA alongside appropriate actions to both quantify & mitigate the associated risks. Suggested wording below;

Condition [X]

"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 (any oily, greasy, or pigmented liquids, obviously contaminated, stained, discoloured soil, or any sweet or solvent-like odours-); 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 it's 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 which demonstrates that the agreed remediation objectives (3)) have been met.

Reason: Potentially contaminating land use are present within 50m of the development land, and the site has a shallow geology which would permit migration of mobile contaminants. Previous retail uses of the development land could also have contributed to localised contamination within it's curtilage,

which could present a risk to pose a risk to future occupiers of the development.

This condition 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 183-185 of the National Planning Policy Framework 2021."

Mr. Jonathan Driver
Environmental Control Officer

Natural England

Thank you for your consultation on the above dated 14 June 2022 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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 European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment, dated 8th June 2022, 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.

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. Provided that your authority is assured and Page 2 of 2 satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, then Natural England raise no concerns with regard to the nutrient budget.

Please note in future cases 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.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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: 24

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
None received	

7 **Planning Considerations**

7.1 The change of use of the premises proposed is the subject of recent changes to the General Permitted Development Order (GPDO) which have given a general permitted development right for such changes to take place subject to a 'prior approval' process to go through. Consequently the principle of the change of use is considered acceptable.

7.2 Class MA of the GPDO sets a number of conditions and limitations (MA.1.) These set criteria for such proposals and development is not permitted under certain circumstances - these are listed and commented on in relation to this application in 7.4 below:

7.3 Having regard to the relevant conditions of the GPDO it is considered that the main issues arising from this application are:

(a) transport impacts of the development, particularly to ensure safe site access;

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

(d) impacts of noise from commercial premises on the intended occupiers of the development;

(e) where—

(i) the building is located in a conservation area, and

(ii) the development involves a change of use of the whole or part of the ground floor,

the impact of that change of use on the character or sustainability of the conservation area;

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

Sections (g), (h) and (i) do not apply to this proposal.

Restriction of development under Class MA

7.4 Having regard to the restrictions on the exercise of permitted development rights under Class MA:

(a) Under Class MA of the General Permitted Development Order (GPDO) (Part 3 of Schedule 2) it states that the premises should be vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval - it is understood that the premises has been vacant for this time period.

(b) The building has been in use Class E use for at least 2 years prior to the date of submission.

(c) The cumulative floor space changing use would not exceed 1500m².

(d) The building (or land on which it sits) does not form part of a site of special scientific interest, a listed building or its curtilage, a scheduled monument or its curtilage, a safety hazard area, or a military explosives area

(e) The building is not within an area of outstanding natural beauty (AONB), an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, the Broads, a National Park or a World Heritage Site.

These requirements are therefore understood to have been met. The floor area also meets Nationally Described Space Standards.

Transport Impacts

7.5 This proposal is for a 1 no bedroom flat and therefore the 1 parking space necessary has been provided. The existing rear of the building would be demolished to allow for 1 parking space accessed via Tidworth Road. Tidworth Road is a road used by the surrounding units already as access. The Highways Authority has been consulted and have no objection to this proposal. It is noted there is currently no dropped kerb - the applicant would need to apply to Hampshire County Council directly to make a dropped kerb application. Given the above, the transport and parking impacts are deemed to be acceptable.

Contamination risks

7.6 The Environmental Health Officer has been consulted in this regard and has stated there is some risk that Asbestos containing materials could be present. As a health & safety issue, it is recommended that the applicant undertake an internal asbestos survey prior to the commencement of works. In addition use of adjacent units contain known potentially contaminating landuses (petroleum retail, buried storage tanks, commercial dry-cleaning) which are located within 50m of the unit, and contaminants may travel in the direction of this unit. The Environmental Health Officer has subsequently requested the following conditions are applied to any consent:

Condition [X]

"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 (any oily, greasy, or pigmented liquids, obviously contaminated, stained, discoloured soil, or any sweet or solvent-like odours-); 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 it's 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 which demonstrates that the agreed remediation objectives (3)) have been met.

Reason: Potentially contaminating landuse are present within 50m of the development land, and the site has a shallow geology which would permit migration of mobile contaminants. Previous retail uses of the development land could also have contributed to localised contamination within it's curtilage, which could present a risk to pose a risk to future occupiers of the development.

This condition 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 183-185 of the National Planning Policy Framework 2021."

Flood risks

- 7.7 The site is not within a Flood Zone.

Noise amenity issues from nearby commercial premises

- 7.8 The site is positioned within the urban area where a certain level of noise is expected. Whilst this may be the case there is a gym next door - it is noted a planning application is being put forward to re-develop these units however the unit would remain within Class E where the unit could be used in many different ways including as a gym or commercial space. On the other side is a funeral parlour , whilst this may not generate notable noise levels there are some comings and goings to the rear as this is where

the funeral cars are kept. The applicant has confirmed the remainder of the unit would be kept within Class E however the exact proposed use is not currently known. Havant's Environmental Health officer has no objection to make to this proposal subject to the following compliance condition to ensure that suitable noise mitigation measures are incorporated to protect the amenity of the future occupier :

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

Reason: To protect the amenities of the future occupants of the proposed dwelling, and to ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially from the two commercial premises either side of this proposed unit, and any road traffic noise and deliveries to businesses from Tidworth Road.

Overall the noise amenity impact from adjacent commercial premises are deemed on balance to be acceptable .

Impact on the Conservation Area .

7.9 The site is not within a Conservation Area.

Natural light to habitable rooms

7.10 The GPDO defines 'habitable rooms' as: *““habitable rooms” means any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms;”*. Having regard to that definition, and notwithstanding the Environmental Health Officer's comments regarding the lack of natural light to the kitchen, bathroom and corridor, it is evident from the submitted plans that all habitable rooms would be supplied by natural light.

Other matters .

7.11 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites (as defined in the applications HRA) due to both the increase in recreation and the decrease in water quality that would be a result of the proposed development.

The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement and Mitigation Plan for Nutrient Neutral Development.

The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

The Appropriate Assessment concluded that the avoidance and mitigation packages are sufficient to remove the significant effects on 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 indicated a willingness to enter into a legal agreement to secure the mitigation packages. Both payments have been received.

8 Conclusion

- 8.1 The proposed change of use is supported by the current GPDO and the NPPF, and there are considered to be no adverse impacts relating to flooding, transport, contamination, noise and light amenity and impact on a conservation area arising from the proposal. Prior Approval is therefore required and granted subject to relevant conditions and informatives.

9 RECOMMENDATION:

That the Head of Planning be authorised to determine **PRIOR APPROVAL IS REQUIRED AND HEREBY GIVEN** for application APP/22/00351 subject to the following conditions:

- 1 The development must be completed within a period of three years starting with the prior approval date.

Reason: To comply with the conditions contained within The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 3 MA.2.

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

A101 Existing and proposed plans and location plan uploaded on the 28.04.2022

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 (any oily, greasy, or pigmented liquids, obviously contaminated, stained, discoloured soil, or any sweet or solvent-like odours-); 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 it's 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 shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Reason: This condition is in line with Policies 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.

- 4 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 items 1) & 2) of Condition 3 above; together with a Verification Report which demonstrates that the agreed remediation objectives (item 3 of Condition 3) have been met.

Reason: Potentially contaminating landuse are present within 50m of the development land, and the site has a shallow geology which would permit migration of mobile contaminants. Previous retail uses of the development land could also have contributed to localised contamination within it's curtilage, which could present a risk to pose a risk to future occupiers of the development. This condition is in line with Policies 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.

- 5 Prior to the occupation of the development hereby approved, the applicant shall provide documentary evidence to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To protect the amenities of the future occupants of the proposed dwelling, and to ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially from the two commercial premises either side of this proposed unit, and any road traffic noise and deliveries to businesses from Tidworth Road. This condition is in line with Policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011, DM18 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 6 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 hereby permitted being first brought into use and shall be retained thereafter for their intended purpose.

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

- 7 The development hereby permitted shall not be occupied until:

- (a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
- (b) All measures necessary to meet the approved water efficiency calculation have been installed.
- (c)

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.

- 8 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without

having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.