

Site Address:	Belmont Castle Rest Home, 18-20 Portsdown Hill Road, Havant, PO9 3JY		
Proposal:	Construction of a detached part 2, part 3 storey building in the grounds of existing nursing home, to enable increase in bedroom numbers to 88 (an increase of 48 beds) with associated car parking.		
Application Type:	Full Planning Permission		
Application No:	APP/19/00003	Expiry Date:	08/04/2019
Applicant:	LRH Homes		
Agent:	Mr Bone	Case Officer:	Steve Weaver
	PWP Architects Ltd		
Ward:	Bedhampton		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 Belmont Castle is a Grade II Listed Building sited on Portsdown Hill in Bedhampton. The building itself comprises two parts, built at different times. The original building dates back to the nineteenth century and was built in a mock castle style. With castellations and a tower, as well as brick and stone details, it has a Gothic appearance.
- 1.2 In the late 1980s, the building was extended to the rear with a northern wing which continued the original architectural style using similar materials and simulated castellations.
- 1.3 The nature of the building is such that it features a part-submerged lower ground floor level with bedroom accommodation and office/laundry facilities; a ground floor level set above natural ground levels and accessed in part by a ramp cutting through the rear garden area; and a first floor in the original building and extension which does not connect and leaves a significant gap at first floor level along the northern wing of the property where it drops to lower ground and ground floor scale only.
- 1.4 The property is occupied as a nursing home for 40 residents and stands in spacious grounds with mature landscaping and trees. Parking is located to the front and side. The site lies on the edge of the urban area but has countryside to the north. The ground levels drop away significantly to the north where it approaches the A3(M) corridor.
- 1.5 Although in spacious grounds, with open countryside beyond to the north, there are neighbours to the east (Towers Farm) and west (Nos 22-26 Portsdown Hill Road), all of which are residential properties. There is good screening to either boundary and also on the northern side. The eastern boundary screening in particular is relevant to this application and comprises individual maturing Sycamore specimens, and two dominant groups of mature sycamore/norway maple, and leyland cypress achieving heights of 14-20m directly adjacent to the boundary with Towers Farm to the east.

2 Planning History

90/52710/005 - Revision to previously approved extension to remove glazing bars to

12 upper ground floor windows., Refused 07/06/1990

90/52710/006 - LISTED BUILDING APPLICATION revision to windows in previously approved extension to remove glazing bars to 12 upper ground floor windows., Refused 07/06/1990

01/52710/007 - Application for Listed Building Consent for internal alterations to comprise of sub-division of an existing bedroom and creation of new entrance lobby., Permit 02/07/2001

06/52710/008 - Construction of a detached 3 / 4 storey building providing a linked annex of 1526 sq m to existing nursing home with additional car parking and cycle store., Permit 24/09/2007

06/52710/009 - Listed Building Consent for construction of a detached 3/4 storey building providing an extension of 1526 sq m to existing nursing home with additional car parking and cycle store., Permit 24/09/2007

APP/14/00462 - Construction of part 3 storey, part 4 storey detached building with additional car parking and cycle store., Permit 09/10/2014

Officer comment: *This application secured permission for the erection of a detached care home block in a similar position to that proposed in this case, with an increase in resident numbers of 36. The Design and Access Statement submitted for current Application APP/19/00003 states that "a material start on the permitted scheme has been made", although this is not readily discernible on the ground.*

APP/18/01087 - Construction of four new bedrooms over at first floor level of the existing care home; relocation of existing kitchen to lower ground floor level; conversion of existing day space to bedroom spaces; reconfiguration of existing room to provide assisted bathrooms to care home; reconfiguration of existing rooms to provide additional day space to care home; new raised terrace to provide access to open courtyard space; removal of existing ramp dividing garden space., Permit 09/04/2019

Officer comment: *This application has not, to date, been implemented.*

APP/18/01088 - Listed Building Consent for construction of four new bedrooms over at first floor level of the existing care home; relocation of existing kitchen to lower ground floor level; conversion of existing day space to bedroom spaces; reconfiguration of existing room to provide assisted bathrooms to care home; reconfiguration of existing rooms to provide additional day space to care home; new raised terrace to provide access to open courtyard space; removal of existing ramp dividing garden space., Permit 09/04/2019

Officer comment: *This application has not, to date, been implemented.*

3 Proposal

- 3.1 Construction of a detached part 2, part 3 storey building in the grounds of the existing nursing home, to enable an increase in bedroom numbers to 88 (an increase of 48 beds) with associated car parking. Owing to the significant drop in levels as one progresses from south to north over the site, the accommodation has been arranged over three floors as follows:

- Undercroft - Kitchen, plant and laundry rooms; communal spaces; 15 bedrooms.
- Lower ground floor - Reception; managers office; communal spaces; 16

bedrooms, with a number of the north facing bedrooms having access to projecting external terracing.

- Upper ground floor - Communal spaces; 17 bedrooms.

3.2 The building is designed in brick to pay regard to the character and bulk of the existing 'castle' on the site, with fenestration in dark grey powder coated aluminium. The existing informal car parking areas to the south and east of the care home which provides approximately 24 spaces are proposed to be rationalised and extended to provide 34 parking spaces in total following the development.

3.3 The application is supported by a Design, Access and Heritage Statement setting out the design rationale for the development. A Transport Statement has been submitted with this proposal and contains background data regarding staff and resident numbers, and related car and cycle parking demand. The application is also supported by a Landscape Visual Impact Assessment and Arboricultural Assessment and Method Statement - the latter sets out proposals for the removal of trees within the main body of the site and also along the eastern boundary of the site with Towers Farm, with a Planting Plan also submitted setting out compensatory planting proposals. None of the trees proposed to be removed are the subject of Tree Preservation Orders.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

CS20 (Transport and Access Strategy)

CS21 (Developer Requirements)

DM7 (Elderly and Specialist Housing Provision)

DM8 (Conservation, Protection and Enhancement of Existing Natural Features)

DM10 (Pollution)

DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

DM17 (Contaminated Land)

DM20 (Historic Assets)

DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Grade II

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

The Arboricultural Method Statement and Tree Protection Plan submitted by Eco Urban Limited is comprehensive and I agree with the Consultants report and proposed tree removals. They are either of poor quality or their removal will not affect public

amenity. If permission is granted it should be conditioned that the work be carried out in accordance with this report and TPP.

Building Control, Havant Borough Council

The plans do not show adequate turning for a fire service vehicles. Consideration should be given to ensure adequate access and turning will be provided as detailed in Approved Document B Volume 2

Officer comment: *The agent has responded to this consultation reply with the following comment:*

"We understand from Approved Document Part B volume 2 that this matter can be addressed with the installation of a fire main which will have a benefit to the whole site."

As such, this is a matter to be resolved under the Building Regulations and is not considered to have a material bearing on the layout or design of the planning proposal.

Community Infrastructure

No comments received directly - however the team have handled the Unilateral Undertaking and associated payments required in order to provide mitigation for decreases in water quality arising from the development (Section 7 HRA/AA discussion refers).

Conservation Officer, Development Control

Background

Belmont Castle is Grade II listed building, first being listed in 1976 (listing entry number 1303449).

It is described as a house in the form of a Tudor Castle dated early 19th C. Notably interesting features are the crenelated parapet and the central round tower with the crenelated and machiolated parapet. It is built of red brickwork in a Flemish bond.

The house has been used as an elderly care home since the early 1990's. A two-storey extension was built to and attached to part of the north elevation in the late 1980's, in a style similar to the original castle. It overlooks a prominent position on Portsdown Hill and includes mature landscaping to the north of the site on the varying topography.

Legislative and Policy Context

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

The revised National Planning Policy Framework (NPPF) was published in February 2019 and sets down the policies that the Council must take into account when determining planning applications. The 'Historic Environment Good Practice Advice in Planning Note 2', states at paragraph 4:

'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest' and provides at paragraphs 8, 9 and 10 that in order for

the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

The revised NPPF (February 2019) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

‘184. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Considering potential impacts

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear

and convincing justification.

Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

Protects and where appropriate enhances the borough's statutory and non statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

Policy CP16 (1a) of the Core Strategy states Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax.

All development should demonstrate that its design:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.

Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant.

Proposal:

The proposal is for the construction of a detached part 2, part 3 storey building in the grounds of existing nursing home to enable increase in bedroom numbers to 88 with associated parking.

This follows on from a previous approval for a part 3 storey, part 4 storey building in the same location which was approved in 2014 (PP APP/14/00462). Following new ownership of the care home, a revised design has been submitted, taking into consideration new local policy and regulations.

Assessment of proposal

Like the approved scheme, the proposal will be partially submerged into the landscape at undercroft level. It has a larger footprint than that of the previously approved scheme, but the overall height is reduced with the removal of the top floor. A more modern design approach is still being proposed and it is considered that this still respects the style of the listed building without being a pastiche. It features similarities to the main building such as mass masonry and crenulation but in a simpler form. In particular the large bay window to the front of the building, adds an interesting and unique feature which breaks up the massing. The fenestration is more akin to a building of this character.

However, quality materials will be key to fulfilling the design approach. It is not possible to tell from the plans the details of the masonry design. The extension to the main building features a bond of 3 x stretchers + 1 x header. The main listed building itself is a Flemish bond. Given the extent of masonry proposed, it is imperative for a sample of brickwork, showing the bond, to be supplied and agreed prior to the commencement of any above ground development.

Due to the removal of a central external ramp which currently divides the rear garden (being considered under a separate application), the proposal would have a more integral connection to the listed building by virtue of sharing a central amenity space. The open courtyard will provide views from the existing care home and create a new amenity space for current and future residents, whilst providing a more sympathetic setting for the main listed building.

Subject to the conditions listed below, I raise no objection to the application and am of the view that the proposal is in accordance with the relevant legislation and national and local planning policies.

Conditions:

1. No above ground construction shall take place until details, including labelled samples (manufacturer, type and where it is to be used) of all external materials (including new external terrace materials), have been submitted to, and approved in writing by the local planning authority.

Reason - To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site.

2. No above ground construction shall take place until a 1m square panel of brickwork shall be prepared for approval by the local planning authority. The panel shall adequately demonstrate the brick bond and finish for the mortar. The approved sample panel shall provide the benchmark for all subsequent work.

Reason - To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site.

3. Notwithstanding the approved plans, no above ground construction shall take place until detailed drawings of the windows and doors have been submitted to, and approved in writing by the local planning authority. The details to comprise: -

a) Plans to clearly identify the window and door in question and its location within the building.

b) 1:20 elevation and plan; 1:5 section and full-size glazing bar detail. The details to include the position of the window within the opening (depth of reveal)

c) The materials used, method of opening and finishes.

The works shall be carried out in full accordance with such approval and be retained thereafter.

Reason - To ensure the windows and doors and their impact on the visual appearance of the building, are appropriate in the context of the setting of the adjacent listed building which forms part of the same site.

4. Details of the siting and design of any proposed external meter boxes/metal ducting/flues/guttering shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason - To ensure the details are appropriate in the context of the setting of the adjacent listed building which forms part of the same site.

Officer comment: *These conditions have been agreed by the applicant's agent.*

County Archaeologist, Strategic Environmental Delivery Group, HCC

Thank you for your consultation. From our records it appears that a large percentage of the footprint of the proposed new building was the subject of an archaeological evaluation that was carried out in 2015 in response to an earlier planning application (APP/14/00462).

This evaluation identified no significant archaeological features or deposits and the archaeological condition that had been attached to the planning permission was discharged. As the proposed new building is located in largely the same location as the previous proposal it is my opinion that all archaeological issues have been addressed by this earlier work and therefore I do not wish to raise any further archaeological issues in this particular instance.

Crime Prevention -Major Apps

No comments received.

Environmental Health

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

I have read the enclosed documentation provided by the applicant and can advise that I have no objection in principle to this application:

I would ask that the following condition be imposed, and informatives be added, if any consent were to be granted.

Condition 1: No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details. Reason: To protect both the occupants of the site in question and any other nearby residential properties from light disturbance / pollution.

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding Bonfires:

You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

Regarding Dust Control:

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

This is in order to protect the occupants of nearby residential properties from dust pollution.

Please do not hesitate to contact me if you wish to discuss any of the above matters

raised or would like further explanation.

Environmental Control Officer

I have reviewed the submitted application, and note that it is substantially similar to a draft proposal submitted under GEN/18/00091.

I would reiterate the comments made under that application, which as far as I can tell the applicant has not sought to address at this stage. I would therefore request that the following conditions be included on any consent granted in respect of this application.

Contamination (Standard) [1]

Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

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

- 1) A site walk-over survey &/or sufficient desk-based research to identify;*
 - All relevant previous uses of the site*
 - Potentially significant contaminants associated with those uses*
 - Uncertainties relating to previous use or associated potential contaminants*
 - A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;*
 - A summary of potentially unacceptable risks arising from contamination at the site.*
- 2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.*
- 3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;*
 - appropriately considered remedial objectives,*
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
 - clearly defined proposals for mitigation of the identified risks.*
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

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

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

Verification (Standard) [2]

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

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria

have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

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

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

Again, for clarity, and for the benefit of the applicant - this is a site where quality desk based information (or information gathered for geotechnical purposes) might be sufficient to dismiss the potential risk. The proposed Condition 1 is iterative, building upon information gathered at preceding stages to inform subsequent stages, or indeed in order to exercise the 'unless specifically excluded by the LPA[...]' clause. The applicant is encouraged to liaise with Environmental Health in order to ensure that the restrictions of the condition may be discharged at the earliest opportunity, and that undertaking of unnecessary works may be avoided.

Officer comment: *The pre-commencement condition has been agreed by the applicant's agent.*

Hampshire Highways

The existing egress point has adequate visibility and the existing highway has adequate visibility for drivers using the existing access point. I have no doubt the capacity of these access points will not be exceeded by this proposed development.

The construction traffic may require amendment to the access arrangement and I would therefore recommend the Highway Authority have no objection subject to a condition saying:-

Prior to construction of development commencing the applicant shall submit to and have written confirmation from the LPA drawings showing the tracking of all vehicle sizes likely to enter and leave the site during the construction period. The space used for this purpose shall be reserved for this purpose throughout the construction period.

Officer comment: *This pre-commencement condition has been agreed by the applicant's agent.*

Highways Engineer, Development Engineer

I note and agree with the concerns of the Traffic Team.

Landscape Team, Havant Borough Council

Initial comments

From a landscape perspective we have the following comments:

- The design and access statement mentions a visual impact assessment, which will need to be submitted for comment.
- The submitted arboricultural assessment suggests the removal of all trees on the eastern boundary adjacent to the proposed development. At present the existing boundary planting envelopes the site and offers valuable screening, as such any soft landscape proposals will need to include native tree planting on the eastern boundary to mitigate the loss of the existing trees.

- There is a lack of clarity on proposed building materials within the submitted documents. Any development should be in accordance with planning policy CS16 High quality Design 1-C Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing building lines, plot widths and depths, material and proportions of windows and doors; The quality of materials specification is key to integrating the proposed building with the existing grade 2 listed building.
- Boundary details requiring submission of fully annotated plans at sufficient scale showing the locations of existing, retained and proposed new boundary treatments, with scaled elevation drawings to show height, design, materials, type and colour of proposed new walling / fencing or other type of enclosure and associated gates.
- A detailed soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include plant specification schedules, comprising plant size, number and density.
- Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:
 - finished levels
 - hard surfacing material type / product reference and colour
 - laying bond
 - edging or threshold detail / type
 - retaining structures or steps

Updated comments following submission of Landscape Visual Impact Assessment

From a landscape perspective we have the following comments in relation to the submitted LVIA:

- The LVIA implies the visual impact of the development will be mitigate through the retention of existing mature trees, however the arboricultural assessment method statement indicates a significant loss of existing trees within the site. The design and access statement does hint at new tree planting as part of the existing tree strategy, however this needs to be clearly demonstrated within the required soft landscape plans that are recommended for submission.

Officer comment: A detailed planting plan has been submitted showing the provision of 28 new standard trees both along the eastern boundary (to replace those to be removed) and to the north of the new building.

Natural England Government Team

Initial comments

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any

adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission.

Solent Recreation Mitigation Strategy – no objection subject to mitigation

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. The appropriate assessment concludes that in this case, the development is not considered to require mitigation through the Solent Recreation Mitigation Strategy (SRMS). This is due to the nature of the development, as an 'extension to an existing care home for EMI patients (Elderly Mentally Infirm)'. Natural England concur with the conclusion of the appropriate assessment, providing that the following condition can be secured:

'The Care Home hereby permitted shall not be occupied other than by persons of limited mobility and who require full time nursing. Persons of limited mobility shall be defined as persons whose physical condition prevents the walking beyond 400 metres. Such a physical condition shall first be verified by the Care Home Operator by means of a referral from a General Practitioner prior to the occupation of the Care Home by any potential resident.'

Please refer to the appeal, ref: "APP/R3650/W/16/3150558 Former Weyburn Works, Shackleford Road, Elstead, Godalming, Surrey GU8 6LB", for more information on this precedent.

Nutrient Neutrality – no objection subject to mitigation

Natural England is aware that your authority has adopted a position statement, to ensure that development achieves nutrient neutrality through the agreed site-specific nutrient budget. Specifically, mitigation measures for this development involve the use of a specific on-site avoidance measure as well as the use of Warblington Farm as a specific off-site mitigation measure.

The nutrient budget calculated for this development, is 15.50 kg/TN/yr. As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation for this scheme would be £19,258.50.

Provided that the applicant is complying with the requirements of the Interim Strategy for 15.50 kg/TN/yr and that the Council, as competent authority, is satisfied that the approach

will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Updated comments following revised HRA/AA with updated nutrient calculations and further information regarding the relationship of the site to the coast for SRMS purposes:

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 7th 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 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.

Nutrient Team, Havant Borough Council

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

Planning Policy

Policy Status:

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the Borough. The Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30 January 2019 and is subject to public consultation until 5pm on Monday 18 March 2036. It can be attributed modest weight given the stage it has reached in its preparation.

The following policies in the adopted Local Plan are of particular relevance:

- " DM7 Elderly and Specialist Housing Provision
- " CS17 and AL2 Development in the Urban Area
- " DM13 and DM14 Car and Cycle Parking on Development
- " CS16 High Quality Design

In the Pre-submission Plan the following policies are of particular relevance:

- " H5 Retirement and Specialist Housing
- " E3 Landscape and Settlement Boundaries
- " IN3 Transport and Parking in New Development
- " E1 High Quality Design

Principle of Development

The site lies outside the urban area as defined by policies CS17 and AL2. These policies seek to guide development towards the urban area. However, it is noted that the proposed development would fall within Class C2 of the Use Classes Order and would meet an identified need for extra care housing.

Notwithstanding the site's location outside the urban area, the development would relate to an existing nursing home and help to meet an unmet need. Such a use could be accommodated elsewhere within the borough (e.g. within the urban area) and a policy objection would normally arise. Nonetheless, there are material considerations which indicate that it may be appropriate to make a deviation from this policy position.

Parking

Policy DM13 and DM14 of the adopted Local Plan deal with parking in new development and require local parking standards to be met. Minimum standards are

set in the Havant Borough Parking SPD (July 2016). The parking standards in the SPD apply to all developments for the provision of one or more residential units (gross) and all developments that result in the creation of non-residential floorspace.

It is noted that there has been no increase in parking proposed and that this approach has been informed by the applicants Transport Statement - Which suggests that the current use of cars to travel to work by staff will remain the same. This is unlikely considering the lifetime of the proposed development, and the view of the Council's Traffic Management Team should be sought to confirm the parking requirements required for this development.

High Quality Design

Policy CS16 of the adopted Local Plan and policy E1 of the new Local Plan seeks high quality design in all developments. This is particularly relevant considering the setting of the adjacent listed building, development outside the urban area and the wider landscape setting.

Policy H5 of the emerging Local Plan requires development of specialist housing to ensure that the activities or operations associated with the development do not result in loss of amenity to neighbours (including the existing care home) through increased noise and disturbance or obtrusive light. It is particularly noted that there is no reference to the location of bin stores on the application documents, nor whether additional outside lighting is proposed that may impact on neighbours.

Appropriate conditions should be imposed to ensure that any permitted development uses an appropriate quality of materials. The advice of the Council's Environmental Health Team should also be sought with regard to the impact on amenity of neighbours.

Conclusion

The principle of this development is supported by local planning policy due to the identified need proposed to be met by the development, and the extension would relate to an existing nursing home, but the level of parking proposed, and the detailed design should be key considerations in assessing the acceptability of this proposal.

Portsmouth Water Company

Portsmouth Water have no objects in principle to the proposed development, however due to the sensitivity of the groundwater environment of the proposed site we would wish to see more detail provided regarding the planned foundation designs and environmental management for the site.

Drainage

The proposed surface water strategy is disposal via soakaway, this is acceptable if this is a shallow system and for roof water only. If new car parking areas or roads are proposed to serve the new development Portsmouth Water would request further information relating to the number of parking spaces and any pollution prevention/mitigation measures proposed.

Piling & Foundations

Portsmouth Water require further information on foundation design be submitted for detailed consideration. 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, if any; and
- d) details of materials to be removed or imported to site.

Portsmouth Water would have an presumption against piling at this location and therefore, if piling is the proposed foundation solution, no piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, piling has the potential to impact on the underlying groundwater and the Havant and Bedhampton Springs public water supply.

Construction Environmental Management Plan (CEMP)

Portsmouth Water request a Construction Environmental Management Plan (CEMP) is provided for comment if there is storage of hazardous materials, chemicals or hydrocarbons on site. The plan should outline all pollution mitigation measures to be adopted during the construction phase. This should include management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure water resources are not put at risk from leaks or spillages.

Officer comment: *These pre-commencement conditions have been agreed by the applicant's agent.*

SE Hants Clinical Commissioning Group

Having reviewed the location of the development we have identified that it falls within the area managed Portsmouth Clinical Commissioning Group. We have therefore forwarded the planning application to Portsmouth CCG for their review and comment.

South Eastern Hampshire Clinical Commissioning Group does not wish to make any further comments at this time.

Traffic Management, East Hampshire District Council

The Traffic Team would like to raise the issue that the minimum parking standards for staff and visitors are not met, as per HBC Supplementary Planning Document July 2016. We would ask that should the proposal be agreed than an amount of £7000 is set aside for any Traffic regulation order that maybe needed on the surrounding road network in the 5 years after completion of the proposal.

Officer comment: *See Section 7 of this report for a discussion regarding parking requirements in connection with this application.*

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: 7

Number of site notices: One

Statutory advertisement: Yes

Number of representations received: 0

7 Planning Considerations

Habitat Regulations Assessment & Appropriate Assessment

- 7.1 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 (HRA), which includes an Appropriate Assessment (AA) of the proposed development.

Recreational Pressure

- 7.2 The project being assessed would result in a net increase of residential accommodation (albeit in a rest home setting rather than new dwellings per se) within 5.6km of the Solent SPAs. In line with Policy DM24 of the 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 new residential development is likely. As such, in order to lawfully be permitted, the development needs to include a package of avoidance and mitigation measures.
- 7.3 In this case, however, the proposed development is for a detached 48 bedroom extension to an existing care home that will run in conjunction with the existing home and will be for EMI patients (Elderly Mentally Infirm) and which will cover a need identified in the local area - a condition could be imposed restricting the use of the development to EMI patients only. The site is over 1km from the coast with significant gradients and transport infrastructure to negotiate in order to reach the coast from the care home. Accordingly it is not considered that any patients will undertake visits to the coast. The facility would be self-contained and secure - on-site facilities would include various communal spaces, kitchen and laundry facilities, balconies and terraces all set within landscaped grounds.
- 7.4 Furthermore, the proposed development would also not feature any on-site staff living accommodation and this could be secured by condition notwithstanding that there is no reference to such accommodation within the description of the proposed development nor is it shown within the submitted plans/drawings.
- 7.5 For the above reasons, the Council as competent authority has been able to conclude that the development is not considered to require mitigation through the Solent Recreation Mitigation Strategy (SRMS) due to the nature and type of development, the distance and terrain from the site to the SPA, the type of residents who will be living at the establishment and the conditions which will be applied restricting use to EMI patients with no staff accommodation.

Water quality

- 7.6 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.

- 7.7 Natural England have produced a national generic 'Nutrient Neutrality Methodology' for achieving nutrient neutrality for new development. 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 on Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has entered into a legal agreement to secure the mitigation package.

Appropriate Assessment conclusion

- 7.8 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment.

- 7.9 In other respects, having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) The design of the proposed building and the impact on the setting of the listed building
- (iii) Impact upon the character and appearance of the area
- (iv) Arboricultural implications
- (v) Access, highways and parking
- (vi) Impact upon residential amenity
- (vii) Environmental matters
- (viii) Developer contributions

- (i) Principle of development

- 7.10 The site is located outside the built up area abutting the boundary of the urban area defined by Policy AL2 of the adopted Havant Borough Local Plan (Allocations) 2011. This policy seeks to protect the undeveloped gaps between settlements. The policy sets out that development will be allowed within the undeveloped gaps that helps to define the separate identity of settlements and prevent their coalescence; and also meets an overriding public need (eg for community or recreation use) or meets the policies for exceptional development in rural areas set out in the NPPF.

- 7.11 Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. It also supports the retention and development of accessible local services.

- 7.12 Paragraph 84 of the NPPF goes further in stating:
Planning policies and decisions should recognise that sites to meet local business and

community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

- 7.13 Policy DM7 (Elderly and Specialist Housing Provision) of the Havant Borough Local Plan (Core Strategy) 2011 is also of relevance as it states:

Outside the defined urban areas, proposals for sheltered housing, facilities for the active elderly and for people with disabilities will only be permitted where the development involves an extension to existing facilities.

- 7.14 This planning application seeks to provide for a significant growth in the accommodation at this established care home site, providing a detached building to be run in conjunction with the existing home for Elderley Mentally Infirm patients. A total of 48 new ensuite bedrooms are proposed across 3 floors (undercroft; lower ground and upper ground) with each floor of the building featuring communal spaces and assisted bathrooms. The building is also supported by a dedicated kitchen and laundry facilities. The submitted plans show the garden area to the rear of the original building would feature the revisions and improvements secured through Planning Permission APP/18/01087, which would not be prejudiced by this permission.

- 7.15 Subject to detailed consideration of the design of the development and its impact on the undeveloped gap, the principle of improving the existing care home's facilities in this location is supported by local and national planning policy.

(ii) The design of the proposed building and the impact on the setting of the listed building

- 7.16 Belmont Castle is a Grade II listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 7.17 The National Planning Policy Framework (NPPF) sets out the policies that the Council must take into account when determining planning applications. It states:

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

192. In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.18 Policy CS11 of the Core Strategy states that planning permission will be granted for development that:
Protects and where appropriate enhances the borough's statutory and non statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.
- 7.19 Policy CP16 (1a) of the Core Strategy states: *Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site.*
- 7.20 Policy DM20 of the Allocations Plan states that development proposals must conserve and enhance the historic assets of Havant.
- 7.21 The current planning application follows an earlier approval (APP/14/00462) for an extension to the care home's facilities which proposed a building of similar scale and position on the site. Like the approved scheme, the proposal will be partially submerged into the landscape at undercroft level. It has a larger footprint than that of the previously approved scheme, but the overall height is reduced with the removal of the top floor previously approved - the current proposal being for a maximum 3-storey building as opposed to the maximum 4-storey development approved under APP/14/00462. A modern design approach is proposed utilising mass masonry with unadorned openings punched through - the Design and Access Statement submitted with the application describes the proposal as having been designed with the precedent of not just the existing Belmont Castle building but also other 'residential castles' such as Castle Drogo in Devon.
- 7.22 The Conservation Officer has advised that the revised proposal is considered to respect the style of the listed building without being a pastiche. It features similarities to the main building such as mass masonry and crenulation but in a simpler form; whilst the large bay window to the front of the building adds an interesting and unique feature which breaks up the massing. The Conservation Officer concludes by raising no objection to the application, subject to conditions, and advises that in their view the proposal is in accordance with the relevant legislation and national and local planning policies.
- 7.23 Having due regard to these considerations, and the planning history of the site, it can be concluded that the proposal would preserve the setting of the host Grade II listed building and would accord with the NPPF and Local Plan Policies CS11, CS16 and DM20.

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

- 7.24 As discussed at (i) above, the site is located outside the built up area abutting the boundary of the urban area defined by Policy AL2 of the adopted Havant Borough Local Plan (Allocations) 2014. The policy sets out that development will be allowed within the undeveloped gaps that helps to define the separate identity of settlements and prevent their coalescence - and therefore the impact of the proposed development in its wider context is of particular relevance to this policy.

- 7.25 The proposed building is to be located entirely to the rear of the existing two- to three-storey Belmont Castle building, on lower ground which continues to drop towards the rear of the site. As such, it will not be prominent in views from Portsdown Hill Road. Instead, the main impact upon the general character of the area will be when viewed from the north, an area of open countryside through which runs the A3(M) to the east of the site.
- 7.26 The impact of the proposed development to the north and east of the site has been assessed through the current application with the submission of a Visual Impact Assessment, which assesses the potential visual impacts of the development on the character of the area from all publicly accessible areas such as open access land, public open spaces, roads, bridleways and footpaths which have views towards the application site.
- 7.27 The conclusions of the Visual Impact Assessment set out that although the site occupies an elevated position, in all views the existing building 'nestles' into the landscape with the existing mature trees wrapping around the site. The line of mature Beech trees along the frontage are particularly important in views as these create a leafy backdrop to the site as a whole, and these are not affected by the proposed works. Whilst some tree loss is proposed in connection with the development (see (iv) below), this is local to the extension itself, and comprehensive landscaping works are proposed including the provision of new trees to the north and east of the extension within the application site boundaries. Furthermore, as an extension to an existing facility it is not considered that the development on this site will represent a new element in the overall scene.
- 7.28 In terms of materials, it is noted that the existing brick built Belmont Castle recedes in views due to the dark coloured brick used in construction - this is in contrast to some of its neighbouring dwellings which feature a more striking use of white render which is more obtrusive in views. The current application proposes the use of brick to all elevations with dark toned fenestration and no usage of render, and in this way the new development should recede into views in a similar way to the existing Belmont Castle building.
- 7.29 The conclusions of the Visual Impact Assessment are that the visual impact of the proposed development on the quality and character of the immediate and wider landscape will be limited, and this conclusion is accepted. It must also be recognised that planning permission was granted under APP/14/00462 for an extension in a similar position on the site which was of three- to four-storey scale, as opposed to the two- to three-storey scale development currently proposed.
- 7.30 Having due regard to these considerations and the planning history of the site, and notwithstanding the edge of countryside setting of the application site, it is considered that the extensions and alterations proposed would be in accordance with the objectives of Local Plan Policies AL2 and CS16.

(iv) Arboricultural implications

- 7.31 Belmont Castle benefits from expansive landscaped grounds to the north. A number of trees are located around the site, with prominent individuals and groups positioned on (or close to) the southern, eastern and western site boundaries. Additionally, a more wooded area is located to the north of the site and beyond the more formal landscaped areas of the property. The application is supported by an Arboricultural

Implications Assessment and Method Statement which assesses the impacts of the proposed development to the north of the host building and sets out a number of proposals for tree removal and replacement in order to accommodate it.

- 7.32 In terms of statutory protection, four individual trees (2 x beech; 1 x yew; 1 x sycamore) and one group of mixed native woodland are covered by Tree Preservation Orders on the site. One of the beeches, the yew and the sycamore are located adjacent to the existing access and hardsurfaced areas towards the front of the site, which will not alter in the vicinity of these trees' locations. The remaining beech is located in the courtyard garden to the north of the existing Belmont Castle and is shown to be retained as forming a focal feature for the new extension facing south - the Arboricultural Implications Assessment and Method Statement sets out tree protection measures for all of these trees during the construction phase.
- 7.33 With regard to the group of mixed native woodland, this is located approximately 120m north of the furthest extent of Belmont Castle currently - allowing for the new development there will still be a distance of approximately 90m separating the development from this protected woodland, with no adverse impacts likely as a result.
- 7.34 With regard to trees on the site which do not benefit from statutory protection, the Arboricultural Implications Assessment and Method Statement sets out that a total of 14 individuals or groups of trees are scheduled to be wholly or partially removed to facilitate the development proposal, with a further 4 individuals or groups having activities arising from the development occurring in their RPAs. The submitted report describes the trees to be removed to be for the most part small in size or positioned within the main body of the site with other trees around them, so that their loss is unlikely to have significant implications for the visual amenity of the locality. The most concentrated area of tree removal relates to two particular groups of trees on the eastern boundary, comprising one group of sycamore and norway maple, and one group of leyland cypress. As boundary trees their loss will be the most notable to surrounding properties, however they are categorised as being of low quality and therefore are not suitable for statutory protection.
- 7.35 The Council's Arboriculturalist has reviewed the submitted Arboricultural Implications Assessment and Method Statement and is of the view that it is comprehensive and they agree with its findings and proposed tree removals. Furthermore a comprehensive tree planting plan has been submitted as part of the proposals showing the provision of 28 new standard trees, both along the eastern boundary (to replace the block of trees to be removed here) and to the north of the new building. For the eastern boundary specifically, a line of native Hornbeams is proposed which is considered will re-establish screening along this boundary and provide an appropriate visual buffer to longer views of the development.
- 7.36 Taken together it is considered that the development has taken appropriate account of arboricultural matters, putting forward a suitable package of planting to compensate for the low quality tree cover to be lost; and providing tree protection measures for the retained trees on the site which have been agreed by the Council's Arboriculturalist. The development is considered to accord with the objectives of Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

(v) Access, highways and parking

- 7.37 The proposed extension to the care home will result in an additional 48 bedrooms

being provided at the premises, taking the total number of bedrooms to 88. This represents an additional 48 bedrooms from the existing number on-site and an increase of 12 bedrooms when compared to the extant scheme granted consent in October 2014 (APP/14/00462). The application is supported by a Transport Statement which analyses the access and staff parking patterns currently at the site in the context of that earlier approval, before assessing the likely requirements of the extended facility.

7.38 In terms of access, the site is currently served by two established access/egress points onto Portsdown Hill Road which are clearly signed to both arriving and departing traffic. The submitted Transport Statement demonstrates that sightlines of 2.4m x 59m are available to the east and west of both access points. The Statement sets out that it is anticipated that the development proposals will generate up to 2 additional two way trips during the peak periods in comparison to the consented scheme, which is not considered to result in a material impact on the highway network. This conclusion is accepted by the Highways Authority, who have stated they are content that the capacity of the access points will not be exceeded by the new development. The consultation response from the Highways Authority also advises that construction traffic may require amendment to the access arrangement and requesting tracking details for construction traffic to be agreed by way of a pre-commencement condition. This pre-commencement condition has been agreed by the applicant's agent.

7.39 In terms of car parking provision, there are existing unmarked car parking areas both to the front of the building and to its eastern side. The Transport Statement refers to there being 28 parking spaces available on site; although the submitted plans show only 24 available. Notwithstanding this, none of the available spaces are physically marked out on the site.

7.40 The Council's adopted Parking SPD sets out standards for car and cycle parking in respect of nursing and rest homes - these are:

Car: 1 space per 4 residents and 1 space per staff

Cycle: 1 long stay space per 6 staff and 1 loop/hoop per 4 units

Applying these standards to the proposal would suggest that a maximum demand for 55 car parking spaces could arise from the development (22 spaces related to residents; 33 staff members anticipated). However, the SPD also states that "*Given the broad range of accommodation available and the varying needs of occupants the Council will consider the parking requirements of older people's housing on a case by case basis*", and in that regard the Transport Statement provides data on the level of car usage by existing staff numbers to inform the proposal.

7.41 The Transport Statement advises that data provided by the care home shows that 16 out of the total of 44 staff on the payroll at the time of the report currently drive to the site, which indicates only 36% of staff presently travel to the site by car. Applying this to the proposals for 88 beds in total, 33 staff would be required on-site, resulting in a parking demand of 12 staff spaces overall (33 x 36%). The original proposals for the application showed a further 16 spaces for residents, below the standards for 88 residents - which would require 22 spaces in addition to the staff spaces.

7.42 The underprovision of car parking was highlighted in the initial consultation reply of the Traffic Team, who raised the potential need for a Traffic Regulation Order contribution in order to manage the prospect of overspill parking on residential roads in the local area. Following discussion with the applicants, the following amendments were made

to the parking layout proposed:

- (i) The existing car parking areas, which are presently unlined and therefore do not encourage efficient parking practices, are proposed to be formally marked out, which should have the effect of improving the capacity over and above that which exists at present;
- (ii) The eastern car parking area is proposed to be realigned and slightly widened, again to facilitate ease of movement and efficient parking practices;
- (iii) Six additional parking spaces have been provided within the plans to bring the total number of spaces to 34.

7.43 With 34 spaces provided, appropriately marked out and improving on the dimensions currently available on site, the development will meet its anticipated staff demand based on survey evidence from the care home, and will meet the parking standard in respect of visitors' demand for residents. Furthermore some incidental overspill spaces will still remain achievable within the overall layout in the event that parking demand on occasion exceeds that anticipated. On this basis it is not considered that the Traffic Team's request for contribution to a Traffic Regulation Order (which pre-dates the amended plans which increased car parking provision) can be substantiated in this case.

7.44 In relation to cycle parking provision, the expanded care home should be supported by 6 long stay spaces for staff and 12 loop/hoops for visitors in order to meet the Parking SPD's standards, which is acknowledged in the Transport Statement. No cycle provision is shown on the submitted drawings, however, and in order to address this a condition is recommended. Ample opportunity exists to provide such cycle parking within the grounds of the care home.

7.45 Subject to the condition in respect of cycle parking provision, the scheme is considered to be acceptable in respect of access and parking requirements and would meet the objectives of Local Plan Policies CS20 and DM14.

(vi) Impact upon residential amenity

7.46 The application site adjoins residential properties to both the west and east. To the west the site adjoins a private drive which serves No.22 Portsdown Hill Road (a 2-storey dwelling); No.24 (a ground floor flat adjoining the north side of No.22); and No.26 (a first floor flat adjoining the north side of No.22). In the case of No.22, this property's outlook and amenity space is focussed to the south, west and east, and in the latter case aligns with the existing Belmont Castle building. The new building proposed will be obliquely visible from the curtilage of No.22, however it will lie over 35m to the north west, well behind No.22's curtilage. Furthermore the scale of the new building is less than the existing Belmont Castle building owing to the lower ground level on which it is to be sited. As a result it is considered that the proposed new building will not appear overbearing or lead to any intrusive overlooking of No.22.

7.47 With regard to Nos 24 and 26, these flats each have their entrance doors and a high level corridor window facing east towards the existing Belmont Castle building. The principal aspects of these properties are, however, away from Belmont Castle, instead facing west over open fields. The east and north elevations of the flats lie approximately 30m away from the proposed new building, and as with No.22 the scale of the new building will appear less than the existing Belmont Castle building which more directly affects the outlook of the flats. Consequently the impact of the proposed development on the amenity of the occupiers of the flats is considered to be limited and acceptable, and it is noted that no representations have been received.

- 7.48 To the east, the application site adjoins Towers Farm, a mixed residential dwelling with guest accommodation and swim school premises set in substantial grounds. The new building will lie approximately 10m off the shared boundary with Towers Farm and approximately 22m from the nearest part of its expansive rear elevation. Currently the application site is well screened by the groups of norway maples/sycamores and leyland cypress which lie within the application site adjacent to the shared boundary and which dominate the immediate garden area of Towers Farm. As discussed at (iv) above, these two groups are proposed to be removed as part of the application proposals, and having visited Towers Farm the case officer considers that this will have some benefits in opening up this boundary with improved light and a more open outlook, given the height, density and nature of the trees to be lost. It is also noted that the Arboricultural Officer has no objection to the proposals. Nevertheless it would result in a potentially bleak and unrelieved aspect of the new building presenting itself to Towers Farm, albeit at some distance from the boundary, and to that end replacement tree screening has been secured as part of the application
- 7.49 Such replacement planting comprises the provision of a line of 6No. standard Field Maples along the eastern boundary which, once mature, will have the effect of maintaining tree cover to this boundary and filter views of the new development as viewed from Towers Farm. In this regard it is noted that, as with the properties to the west, no representations have been received to the application from any of the properties to the east, and with the replacement tree planting proposals it is considered that the impact of the new building on the amenities of Towers Farm will be limited and acceptable.
- 7.50 The residential properties on the southern side of Portsdown Hill Road will be unaffected by the proposals, as the existing Belmont Castle building will effectively screen the new works.
- 7.51 Taken together it is considered that the impact of the proposed development on the amenities of adjoining residential properties would be limited and acceptable, and would meet the requirements of Local Plan Policies CS16 and DM10.

(vii) Environmental matters

- 7.52 The consultation reply from the Council's Environmental Health Team makes reference to the potential for contamination risks at the site, following earlier pre-application advice. That pre-application advice is repeated here for the sake of context and completeness:

In terms of potential contamination sources associated with the land;

- ☐ *Land adjacent to the plot was originally a farm complex (Towers Farm) - Farm buildings being typically associated with localised contamination.*
- ☐ *The adjacent Farm was associated with a number of reasonably sized glasshouses (>185 sq.m), presumably productive (often associated with lead, copper, arsenic, hydrocarbon, and PAH Contamination).*
- ☐ *A substantial 'tank' feature is marked on plot of Towers Farm, around 36 sq.m, in plan area, shown on one map issue with banked earth on all sides, indicating (probably) an open tank.*
- ☐ *Being a pre 1900's high status historic property situated within a generous plot, the presence of a midden is possible, and this might be a localised source of contamination.*

□ A substantial pit feature is shown on site, within the footprint of the proposed building. The feature is not shown up to 1954, is present in 1969, and is not shown from 1971. It's plan area approximates to ~900 sq.m.

In terms of risks to the development;

□ Farm Buildings are typically associated with spatially limited contamination, comprising waste materials & combustion residues within made ground, and fuels & oils whose mobility is reasonably well retarded by organic material within soils. The distance to the proposed development is such that only a substantial / bulk release from a source at the former farm

complex is likely to be capable of materially impacting future occupants of the development.

□ No boiler house or chimney is noted on the site of Towers Farm, and the glasshouses, while likely to be productive, are of moderate scale. As with the farm complex itself, it is not

considered that this feature is likely to pose a significant risk to the development.

□ The tank feature is unusual in both its scale and its form. Depending upon the nature of the farm, it could represent an animal 'dip' feature (though its form is not typical), a slurry pit or

an open reservoir (water tank). It could however equally represent a store of a potentially contaminating material - though there are no adjacent high risk landuses which might be

associated, and it is of a scale incompatible with its being fuel storage for architectural use or glasshouse heating.

□ If present, a midden could represent a deposit of material that could be considered to be contamination, but contents typical of this type of feature are not typically of high risk to

adults via exposure pathways that relevant to a development of the type proposed.

□ The potential filled land feature arguably represents the greatest potential risk to the development. The proposed landuse is contamination sensitive, likely more so for indoor inhalation pathways for this development than it would be for working age adults (due to exposure duration, and pulmonary sensitivities / likelihood of pre-existing medical conditions). That the pit is shown as a clay pit where Geological information indicates no clay should be present is an oddity, and the short duration as a pit feature is also anomalous as this suggests it was excavated and filled within a short period. If landfilled with waste materials, it is possible that this could represent a high risk feature to overlying living accommodation. It is equally possible that the pit feature corresponds to extant topography, and does not represent an environmental risk at all.

7.53 Accounting for the above, pre-commencement conditions are recommended by the Environmental Health Officer to secure relevant investigations of the site, and these have been agreed by the applicant.

7.54 Portsmouth Water have responded to the application advising that whilst they have no objections in principle, due to the sensitivity of the groundwater environment of the proposed site - which lies adjacent to a Source Protection Zone - they would wish to see more detail provided regarding the planned foundation designs and environmental management for the site. To that end pre-commencement conditions have been recommended by Portsmouth Water requesting further information in respect of the foundation designs and the need for a Construction Environmental Management Plan. These conditions have been agreed by the applicant.

(viii) Developer contributions

- 7.55 As an extension to an existing care home, the Council's Developer Contribution Guide confirms that the additional floorspace is not liable for Community Infrastructure Levy (CIL) payments.
- 7.56 As discussed above at paragraph 7.7, the requisite Unilateral Undertaking and payment in respect of nutrient neutrality have been secured from the applicants as part of the HRA/AA process.

8 Conclusion

- 8.1 The application seeks to provide a substantial addition to the number of residents capable of being accommodated at the Belmont Castle care home, together with external works to improve and expand car parking facilities at the site and a comprehensive tree planting plan to compensate for those lost to accommodate the development.
- 8.2 In principle the expansion of the care home outside of the built up area can be supported, and will not harm the character and appearance of the wider area. The design of the extensions is considered appropriate to the Grade II listed status of the host Belmont Castle building, and will preserve the building and its setting. The development can be carried out without detriment to neighbouring residential amenity, whilst the car and cycle parking demands associated with the expanded site are considered to have been appropriately addressed and accommodated on site.
- 8.3 The necessary mitigation package has been secured in respect of nutrient neutral development. Contamination risks and the protection of ground water resources can be appropriately safeguarded through conditions.
- 8.4 The application is therefore recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00003 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location & Block Plan 4055-1100 Rev C
Proposed Undercroft Layout 4055-1260 Rev G
Proposed Lower Ground Floor Layout 4055-1270 Rev G
Proposed Upper Ground Floor Layout 4055-1280 Rev G
Proposed Roof Layout 4055-1290 Rev C
Proposed North Elevation 4055-1320 Rev B

Proposed East Elevation 4055-1340 Rev B
Proposed West Elevation 4055-1350 Rev B
Proposed South Elevation 4055-1370 Rev B
Proposed Section A-A 4055-1400 Rev B
Proposed Drainage Layout 4055-1500 Rev B
Sketch Perspective Views 4055 1600 Rev A
Planting Plan 2018-0101 Rev A
Ecourban Ltd Arboricultural Implications Assessment and Method Statement
dated 14 September 2018
Motion Transport Statement Rev A dated 17/10/2018

Reason: - To ensure provision of a satisfactory development.

- 3 Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.
- The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;
- 1) A site walk-over survey &/or sufficient desk-based research to identify;
 - o All relevant previous uses of the site
 - o Potentially significant contaminants associated with those uses
 - o Uncertainties relating to previous use or associated potential contaminants
 - o A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;
 - o A summary of potentially unacceptable risks arising from contamination at the site.
 - 2) Site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.
 - 3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - o appropriately considered remedial objectives,
 - o an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
 - o clearly defined proposals for mitigation of the identified risks.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at the site in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

- 4 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 3 above shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan"). The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at the site in association with deposits of made ground at the site, specifically within the footprint of the proposed building, that could pose a risk to future occupants.

- 5 Prior to the commencement of development details and drawings of the tracking of all vehicle sizes likely to enter and leave the site during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The space approved for this purpose shall be reserved and kept available throughout the construction period.

Reason: In the interests of highway safety and having due regard to Policies CS16 and CS20 of the Havant Borough Local (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Prior to the commencement of development details of the foundation design for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details shall 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, if any; and
- d) details of materials to be removed or imported to site.

In the event that piling is the proposed foundation solution, no piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved plans.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, piling has the potential to impact on the underlying groundwater and the Havant and Bedhampton Springs public water supply. This is having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

- 7 Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, setting out the arrangements for storage of hazardous materials, chemicals or hydrocarbons on site and all pollution mitigation measures to be adopted during the construction phase, including management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and temporary drainage infrastructure to ensure water resources are not put at risk from leaks or spillages.
The development shall thereafter be carried out in accordance with the approved details.
Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways. Therefore, piling has the potential to impact on the underlying groundwater and the Havant and Bedhampton Springs public water supply. This is having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.
- 8 The development shall be carried out in strict accordance with the Ecourban Ltd Arboricultural Implications Assessment and Method Statement dated 14 September 2018, and all tree and ground protection measures shall be implemented as set out in Section 5 of that report, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to Policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 No above ground construction shall take place until details, including labelled samples (manufacturer, type and where it is to be used) of all external materials (including new external terrace materials), have been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 10 No above ground construction shall take place until a 1m square panel of brickwork shall be prepared for, and approved in writing by the Local Planning Authority. The panel shall adequately demonstrate the brick bond and finish for the mortar. The approved sample panel shall provide the benchmark for all subsequent work.
Reason: To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 11 Notwithstanding the approved plans, no above ground construction shall take place until detailed drawings of the windows and doors have been submitted to, and approved in writing by the Local Planning Authority. The details to comprise: -
- a) Plans to clearly identify the window and door in question and its location within the building.
 - b) 1:20 elevation and plan; 1:5 section and full-size glazing bar detail. The details to include the position of the window within the opening (depth of reveal)
 - c) The materials used, method of opening and finishes.
- The works shall be carried out in full accordance with such approval and be retained thereafter.
- Reason:** To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 12 Details of the siting and design of any proposed external meter boxes/metal ducting/flues/guttering shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground development taking place. The development shall thereafter be carried out in accordance with the approved details.
- Reason:** To ensure the materials and finishes to be used are appropriate in the context of the setting of the adjacent listed building which forms part of the same site, and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.
- 13 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.
- Reason:** To protect both the occupants of the site in question and any other nearby residential properties from light disturbance / pollution, and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 14 The development hereby approved shall not be occupied until a plan and particulars specifying the provision to be made within the site for cycle parking to support the increased occupation of the care home have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be made available prior to the occupation of the new bedrooms, and shall thereafter be retained and used solely for those purposes.
- Reason:** In the interests of providing sustainable travel options and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 15 The landscaping scheme hereby approved, as shown on Planting Plan Drawing Number 2018 - 0101 Rev A shall be completed prior to first occupation of the development, or such other date as may be agreed in writing

with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season with species of the same type, size and location.

Reason: To ensure that the landscape scheme is completed in the interests of the appearance of the development and character and amenities of the area, and having due regard to Policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 The development shall not be brought into use until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.

Reason: In the interests of highway safety and amenity and having due regard to Policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 The development hereby approved shall be occupied by EMI (Elderly Mentally Infirm) patients only.

Reason: To accord with the terms of the application submitted and to ensure that the development remains in accordance with the Habitats Regulations Assessment and Appropriate Assessment undertaken in respect of it, and having due regard to requirements under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), Article 6 (3) of the Habitats Directive and having due regard to the Council's duties under Section 40(1) of the NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 18 No on-site staff living accommodation shall be provided in the development hereby approved.

Reason: To accord with the terms of the application submitted and to ensure that the development remains in accordance with the Habitats Regulations Assessment and Appropriate Assessment undertaken in respect of it, and having due regard to requirements under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended), Article 6 (3) of the Habitats Directive and having due regard to the Council's duties under Section 40(1) of the NERC Act 2006, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

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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.

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.

- 20 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