

DELEGATED OFFICER REPORT

PROPOSAL	Application to determine if Prior Approval is required for proposed Change of use from Office (Use Class E) to 19 Residential Units (Use Class C3).
LOCATION:	McCormack House, 56A East Street, Havant, PO9 1BS
REFERENCE NO:	APP/25/01005
APPLICANT:	Livelihood Technology Ltd
APPLICATION TYPE:	Prior approval Part 3 Class MA: Commercial, business and service uses to dwellinghouses
CONSULTATION EXPIRY DATE:	07/01/2026
APPLICATION EXPIRY DATE:	30/01/2026
WARD:	St Faiths
SUMMARY RECOMMENDATION:	PRIOR APPROVAL BE GRANTED

1. Site Description

- 1.1 The site comprises a two-storey building with associated car parking and hardstanding, located adjacent to The Spring Arts and Heritage Centre.
- 1.2 The lawful use of the Site is as offices – this use falling within Use Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.3 The site has a shared access and car parking to the east, including the public car park (Town End House Car Park).
- 1.4 Surrounding the site are residential properties to the north-east, east, south and south-west of the site. To the immediate north is a Post Office, with additional residential development further north. To the immediate west is The Spring Arts and Heritage Centre, and further west is additional residential development.
- 1.5 The site is:
 - within the Havant Town Centre boundary;
 - allocated for development (including residential) under Policy HB3 (ref H72) of the Havant Borough Local Plan (Allocations, adopted July 2014);
 - in the St Faiths Conservation Area;
 - not statutorily or locally listed;
 - in flood zone 1 (lowest probability of fluvial flood risk); and
 - in the Solent Special Protection Area 5.6km buffer zone.

2. Planning History

The Site's relevant planning history comprises:

- APP/23/00996 - Change of use from office use (Class E) to education use (Class F1) and associated external alterations to the building and its curtilage, including provision of a multi-use games area (MUGA) and new fencing – withdrawn 19 February 2025;
- APP/18/01161 - Retrospective planning application for erection of a free-standing, open front, smoking shelter – approved 4 February 2019; and
- APP/16/01270 - Erection of free-standing open fronted smoking shelter – approved 21 April 2017

3. Proposal

3.1 Application to determine if Prior Approval is required for proposed Change of use from Office (Use Class E) to 19 Residential Units (Use Class C3).

3.2 The proposal would provide:

- 13No. 2 bed units
- 4No. 3 bed units
- 2No. 4 bed units

Total 19 units

3.2 Minor external changes to the building are proposed to window and door positions to suit the proposed residential units, with primarily internal works to facilitate the development.

3.3 The development would offer 30 car parking spaces within the existing car park to the south of the site and to the front of the site, with each residential unit allocated at least one car parking space. A cycle stand for 6 bicycles would also be provided for residents.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Parking SPD July 2016
Havant Borough Local Plan (Core Strategy) March 2011
Havant Borough Local Plan (Allocations) July 2014

Havant Borough Local Plan (Core Strategy) March 2011

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

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
AL1	(Presumption in Favour of Sustainable Development)

DM18	(Protecting New Development from Pollution)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan

N/A

Listed Building Grade: N/A

Conservation Area: St Faiths

5. Statutory and Non Statutory Consultations

Conservation Officer – No Objection

Site/Location

The application site relates to a large two-storey building known as McCormack House. The building has previously been used for offices and is located at the edge, but within, the St Faiths Conservation Area, adjacent to the Hayling Billy Trail. Part of the building is attached to the Havant Spring Arts Centre. The building is served by a car park which is adjacent to the Billy trail, at a lower ground level to the building.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

Planning (Listed Building and Conservation Areas) Act 1990

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.

National Planning Policy Framework (revised December 2024)

Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 202-221. The following are most relevant:

Para 212 states that:

‘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’.

Para 214 states that:

‘Where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve

substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development

Para 215 states that:

‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’.

Policy CS11 (4) states that planning permission will be granted for development which:

‘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 CS16 – High Quality Design

Policy CP16 (1a) of the Core Strategy states that:

‘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:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site’.
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 states that;

‘Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.
2. Sets out the impact of the development on the heritage assets and mitigation that is

proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

Assessment

The application is to determine if Prior Approval is required for a proposed change of use from the existing office use (Class E) to 19no. residential units (Use Class C3).

The site is located within the St Faiths Conservation Area. A heritage technical note by SLR Ltd, has been submitted with the application. This advises that the proposed works are entirely internal and involve the reconfiguration of the existing office spaces. No changes are proposed to the building's external appearance, including its roofline, materials or fenestration, nor the surrounding landscape.

On this basis, it is considered that there would be no harmful impact to the significance of the conservation area, nor any nearby listed, or non-designated heritage assets within a 250m study area as defined by the heritage assessment.

Conclusion

NO OBJECTION

Councillor Berwick – No Comment

Councillor Collings - Objection

Whilst I do not object to the repurposing of the building to become 19 residential homes which I do feel is a great opportunity for local families - my objection is to the use of permitted development rights to achieve them which would remove the oversight of the planning committee. I do not believe that McCormick house has been in continuous use for 6 of the 36 months required to meet eligibility for PD rights in CIL form 1.

I also have concerns that I feel need to be addressed prior to any application progressing. Within the documents, the allocated car parking to be associated with the properties is noted to be the spaces within the south car park of the site (the north car park is a HBC P&D car park) however it doesn't mention the livelink spaces adjacent to the site and The Spring which include some disabled car park spaces and two spaces which benefit from EV charge points. Can we expect the disabled spaces to remain as such for the benefit of the public and will the spaces with EV charging points form part of the parking offer for residents of the pending properties?

The entry from Hampshire Highways dated 15th December 2025 highlighted traffic incidents but failed to mention a recent incident they are aware of that occurred 24th October 2025 in the Southern end of the car park. The Shipwrights Way is a PROW which runs through the centre of the Car park forming part of the highway. It is my understanding that bollards had been installed without permission by the applicant (or on their behalf) within the south part of the car park causing a cyclist to collide with them, they also resulted in traffic backing up on to East Street one evening as the car park became full and as the turning circle in the south part was now inaccessible, vehicles had to reverse back through the car park, up the curved ramp whilst trying to negotiate other vehicles trying to access the site. Chaotic and dangerous as they had to reverse onto East Street into traffic. Several concerns had been raised with HBC and HCC. The Bollards

have been lowered but still remain. I'm concerned that the attitude towards appropriate behaviour, responsibility and accountability is somewhat lacking which along with the dubious timing of the application makes me somewhat suspicious of intentions of a harmonious development and should give weight for the need of oversight by the planning committee to ensure a successful high quality application can be secured.

Officer Comment: *The applicant's agent has confirmed that the building has been in continuous office use for at least six months within the relevant 36-month period. On this basis, the proposal meets the eligibility requirements for permitted development rights under Class MA.*

As to the parking the agent has confirmed that the 30 spaces include the 6 spaces to the north (front) of the site. The remaining 24 spaces would be provided in the private car park to the southeast. The parking spaces would be available to the development, together with the EV points.

The application has been submitted under the prior approval provisions of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Under the GPDO, applications for prior approval are subject to a statutory determination period of 56 days, beginning on the date the application is received, which may be extended only with the applicant's agreement.

Where a local planning authority does not issue a decision within this prescribed period, prior approval is deemed to be granted automatically by operation of law.

In practice, Planning Committee timetables are unable to guarantee determination within the statutory 56-day window, particularly where reports must be prepared, agendas published, and meetings scheduled in accordance with constitutional and statutory requirements. As a result, referral of a prior approval application to committee would create a material risk of non-determination within the statutory period, leading to prior approval being deemed granted automatically by operation of law without any formal decision being issued by the Council.

For this reason, and to ensure lawful and timely determination, the Council's scheme of delegation grants full delegated authority to the Development Manager to determine applications for prior approval. This approach ensures compliance with the GPDO, avoids the risk of deemed consent, and enables the Council to properly assess the proposal against the limited matters that may be considered under the prior approval process.

Accordingly, the application falls to be determined under the Council's delegated powers rather than by the Planning Committee.

As regards the bollards this does not form part of the application and therefore is not material to the determination of the application. Nevertheless, the applicant's agent has advised that the bollards were not installed by their client.

Councillor Harris – Support, with request determined by Planning Committee

Regarding the planning application for McCormack House APP/25/01005, I note that there are quite a number of objections on the planning portal, and so whilst I support the application, would request that this goes to planning committee.

Officer comment: *For the reasons given above in response to Cllr Collings request the application must be determined under the Council's Scheme of Delegation.*

Councillor Munday – Support

I support this application. We need additional dwellings in our town centre. This will help our shops to increase footfall and provide more accommodation for our residents.

Councillor Forrow – Objection

I hope I'm not too late to comment on APP/25/01005, Change of use, McCormack House, both as a Councillor, and a cycle campaigner with Cycle Hayling, Portsmouth CTC, Sustrand and Cycling UK.

I couldn't get access to the Public Register before due to an IT issue, and I don't seem to be able to comment today.

The totally inadequate parking provision would effectively block the only safe way to cycle into East Havant from Langstone and Hayling Island, for around 20,000 people. This is on the Shipwright's Way, National Cycle Network 2 (NCN2).

There have been many accidents and near misses there, cycling, walking and vehicular, including the blind entrance to East Street, where the bridge reduces traffic visibility, and the ridiculous invisible bollards installed last year which brought down at least one cyclist.

The Billy Trail was a train track for public transport for 100 years, then converted to a public walking and cycling track. It is heavily used by everyday and sports cyclists, by walkers, and by parents and school children.

There's already clearly a significant parking problem in the area, and this application will simply make it worse. Average car ownership and car size is increasing. 19 big flats could bring upwards of 40 vehicles, without considering the associated delivery vehicles, tradesmen, etc. The turning space is totally inadequate, even when it isn't blocked with vehicles.

Driving and parking cars for a very few people should not take priority over a whole community's ability to walk and cycle safely.

The Hampshire Highways comment that a £20k CIL payment would be sufficient is completely irresponsible. LTP4 is supposed to support active travel and cycling, so condoning the blocking of the only cycle route into east Havant is beyond belief. £20k to be spent somewhere else in the Borough is totally inadequate. It's a drop in the ocean - it would barely cover painting a few lines.

You have to insist on a fresh application that can be considered properly.

Officer Comment: *response to Cllr Forrow's objection is set out in Section 7 and Other Matters.*

Development Infrastructure Team (CIL & S106)

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>. If prior approval is granted we will require a CIL Form 5: Notice of Chargeable Development prior to commencement.

Mitigation

As this is a prior approval application, payment in respect of mitigation is required up front before commencement. However, we strongly recommend the applicant puts the required mitigation in place prior to the decision being made. If a prior approval is implemented without having met the obligations under the Habitat Regulations, there will be a breach of planning control.

Bird Aware Solent Revised Strategy

If the applicant chooses to address the likely impact of bird disturbance utilising the Bird Aware Solent Revised Strategy, we can issue a unilateral undertaking on request. More information on our website here:

<https://www.havant.gov.uk/planning-services/planning-policy/community-infrastructure-levy-cil/section-106-legal-agreements-3> Nutrient Neutrality To mitigate against the increased nutrient load at the Solent European Sites, the developer will need to purchase third party mitigation and supply additional documentation. More information on our website here: <https://www.havant.gov.uk/planning-services/planning-policy/supplementary-planning-documents/nutrient-neutrality/nutrient-0> Please note that there is a monitoring charge of 1% of the third party mitigation cost.

County Highways Team

Final Comment – No Objection

The Highway Authority remain of the view that requesting a financial contribution of £20,419.90 towards wider sustainable transport improvement within Havant Town Centre is suitably justified. Whilst it is acknowledged that there is a net reduction in two-way trips present on the network, the site still has a responsibility to ensure LTP4 compliance by facilitating meaningful opportunities for pedestrian and cycle uptake to be sought. Furthermore, there is an accident cluster at the East Street/Town Hall/Beechworth Road crossroads which remains unmitigated. The contribution request would not only ensure the sites compliance with LTP4, but the facilitation of pedestrian and cycle movements through local improvement schemes would offset any additional car trips through this junction, minimising the likelihood of any further conflicts occurring and improving the perception of safety at this key crossing point. This narrative has been set out within our formal comments.

That being said, if you as the Planning Authority are minded to determine the application in the absence of the contribution being secured, then the Highway Authority would not seek to recommend refusal on the basis of the nature of this application being for prior approval.

Initial Comment – No Objection

The applicant is seeking prior approval for a change of use from offices to 19 residential units. To support this application, a Transport Technical Note dated 16 October 2025 has been submitted which the Highway Authority have reviewed and have the following comments to make.

Planning History

The site has been subject to a recent planning application (APP/23/00996) for a proposed change of use to a SEN school. Whilst the application was withdrawn prior to planning committee, importantly, the Highway Authority provided no objections to the application subject to conditions and s106 obligations. This is important context and consideration of this planning application.

Sustainable Access

The site is located within Havant Town Centre and is therefore in a generally highly accessible location to local facilities and services as summarised within Table 2-1 of the TN.

Walking and Cycling

The site benefits from continuous footway infrastructure of variable widths providing access to Havant Town Centre. Tactile Paving is provided at key 2 junctions, and the routes are generally street lit. In terms of cycling, cyclists are expected to cycle on-carriageway with no dedicated cycle infrastructure present.

Public Transport

Bus stops are located on East Street within 50.0m of the site access arrangement. These stops are service by routes 27 and 700 providing services to Portsmouth, Emsworth and Chichester. Havant Bus Station is also c. 500m west of the site providing a wider range of services to local towns and cities. Havant railway station is located c.600 north of the site and can be reached via bus, cycle or on foot. The station offers frequent services to major destinations including Brighton, Southampton, Portsmouth, and London.

Personal Injury Accidents (PIA) Data

PIA data has been obtained by the applicant for a 36-month period from 01 December 2022-30 November 2024. It is noted that this does not cover a full 5-year period and therefore the Highway Authority have undertaken an internal review for a period from 01 June 2020-31 May 2025 to ensure the accident data presented is reflective of current trends. No further accident trends are noted during this greater study period. The accident data summarised within Figure 2-6 and Table 2-4 of the TN outlines a cluster of 6 'slight' accidents at the East Street/Town Hall/Beechworth Road crossroads in the vicinity of a key crossing point for future residents.

Through the extant planning application (APP/23/00996) the Highway Authority agreed a contribution of £20,419.90 for the following sustainable transport improvement schemes in Havant Town Centre (in no priority order):

1. Pedestrian and Cycle improvements from Harts Farm Way along the Solent Road corridor
2. Missing cycle infrastructure on West Street/Park Road South between and including the junctions of West Street and Elm Lane
3. Extension of the cycle track from the B2149 Petersfield Road to Barncroft Way including upgrading g the controlled crossing provision on New Road
4. Havant Footbridge replacement to facilitate cycling

The Highway Authority consider that this remains necessary to support this prior approval application, to encourage sustainable modes over the private car. Not only would this ensure the sites compliance with LTP4, but the facilitation of pedestrian and cycle movements through local improvement schemes would offset any additional car trips through this junction, minimising the likelihood of any further conflicts occurring and improving the perception of safety at this key crossing point.

Site Access Arrangements and Servicing

The site access arrangements are to remain as existing with swept path analysis provided within drawings 433.066582.00001/AT/A03, 3 433.066582.00001/AT/A01 and 433.066582.00001/AT/A02 for a large car, 11.20m 'super large' refuse vehicle and fire tender respectively. Whilst the fire tender subject to the tracking exercise does not comply with HCC TG2, given the refuse tracking provided the Highway Authority are content that there is suitable space within the turning area of this car park for vehicles to manoeuvre to access and egress in forward gear. The Planning Authority should be satisfied that these vehicles are able to access the building in line with Building Regulation and Manual for Streets standards.

Given that the access arrangement was previously considered acceptable for the previous planning application on this site the Highway Authority have no further comments to make on this matter given the overall net reduction in trips as discussed further within this response.

Parking Provision

The applicant intends to utilise the existing parking area available to the site with 30 parking spaces available to the development. These are intended to measure 2.4m x 4.8m which accords with the minimum width set out within Havant Borough Council's Parking SPD. A 6.0m aisle width is present to provide suitable spaces to access and egress into these spaces. Havant Borough Council should confirm in their capacity as the Local Parking Authority whether the quantum is considered appropriate considering the location and type of development.

Trip Generation

The applicant provides a trip generation assessment utilising the TRICS database to establish the net vehicular impact as a result of the proposed change of use application. Whilst the Highway Authority do not necessarily agree with the assessment parameters utilised within the TRICS outputs, the Highway Authority have run their own TRICS assumptions and are content to agree the assumptions provided within the TN with an overall net reduction in two-way trips present on the network. The Highways Authority are therefore content that the proposed change of use would not have a detrimental impact on the wider highway network.

Recommendations

Having regard to the above the Highway Authority recommend no objections to this prior approval application subject to a s106 obligation securing a financial contribution of £20,419.90 towards the following schemes (in no priority order) to mitigate the impact of the development at the East Street/Town Hall/Beechworth Road crossroads:

1. Pedestrian and Cycle improvements from Harts Farm Way along the Solent Road corridor
2. Missing cycle infrastructure on West Street/Park Road South between and including the junctions of West Street and Elm Lane
3. Extension of the cycle track from the B2149 Petersfield Road to Barncroft Way including upgrading g the controlled crossing provision on New Road
4. Havant Footbridge replacement to facilitate cycling

I trust that the above is clear but please do not hesitate to contact Sophie Osborne on the above contact details should you require any further clarification.

Officer Comment: *See Paragraphs 8.12-8.21 for discussion of the highway related matters relevant to this application.*

Environmental Health – Pollution - No Objection

Having reviewed the submitted Planning Statement and considered the context of the local area, I am satisfied that publicly available mapping sources indicate no significant commercial or industrial noise sources in the vicinity of the proposed development that would be expected to give rise to adverse noise impacts for future occupants.

However, the submitted information does not clarify whether any external mechanical plant associated with The Spring Arts and Heritage Centre (located immediately adjacent to the site) is present and operational. External air-handling or ventilation plant has the potential to generate noise that could affect the amenity of future residents, particularly during evening or nighttime operation.

The applicant is therefore requested to confirm whether any external plant is present at The Spring Arts and Heritage Centre or in proximity to the proposed residential units.

If no external plant exists, this should be stated clearly in writing.

If external plant is present, a Noise Impact Assessment prepared in accordance with BS 4142:2014+A1:2019 will be required. The assessment must be carried out by a suitably qualified acoustic consultant and should establish representative background noise levels, assess rating levels from all relevant plant items, consider typical hours of operation, evaluate the likely noise impact at the façades of proposed habitable rooms, and recommend mitigation where required to secure acceptable internal and external noise environments.

This information is necessary to ensure that future residents are protected from potential noise impacts arising from nearby non-residential uses.

Officer Comment: *the applicant's agent has "...clarified that no external plant is present in proximity to the proposed residential units."*

Environmental Health – Contamination – No Objection

Ground Contamination

The site appears to have been first formally developed for administrative use at some time after 1867 & before 1898. Prior to this, land was greenfield &/or in use

as a fruit orchard. The latter is potentially contaminating, depending upon the intensity of production (pest control practices), but it is noted that this use principally falls outside the planning red-line, and does not correspond to amenity land associated with the development (and therefore is not a particular source of concern).

Subsequent to the initial construction of administrative buildings however, there is a long history of modest extensions, additions and alterations, followed by a comprehensive redevelopment of the expanded office complex. The car park is also located on the former Hayling Railway line, awarded consent in connection with an office expansion. As such, the site is brownfield, and not entirely without risk; with sources principally represented by the potential for the presence of deposits of asbestos (containing materials, or fibres) associated with prior demolition and construction activity. Related consents are dated between 1956 & 1981, a period when asbestos containing products were routinely used in construction.

I am comfortable that the residual risk associated with railway use is negligible given the overlying land use to be retained (car parking, remote from accommodation and from amenity space); it is the prior demolition and construction activity that gives rise to a modest concern.

The application documents do not make clear how the proposed residential units will relate to the amenity land - it is assumed that the grounds will be available to all. In reality, the status of the grounds that are within the planning red-line are only likely to be relevant insofar as whether the appropriate land use type for risk assessment purposes should be treated as residential open space without plant uptake, or public open space (park). This is potentially relevant to asbestos in conceptual terms (due to tracking dust into the dwelling), but in practice it makes little material difference to screening levels for a non-threshold contaminant.

In terms of risks, the schedule of accommodation, which notably includes 2 bed & 4 bed units, does not naturally deter family occupation, and so the most sensitive human receptor (child aged 0-6) may be expected to be reasonably present.

Residential land use does have a different risk profile to commercial use, and notwithstanding that no development groundworks are proposed, it is relevant to the development (being a change of use which relates to both the buildings and associated land). I would like to draw a distinction between the possibility of asbestos being present within the building and that which might be present in/on/under the land – the former is not a material planning matter, and is instead controlled by a separate regime (Control of Asbestos Regulations) that the LPA may assume will operate effectively to ensure that harmful materials within the building are removed, or clearly identified and safely retained to prevent release of fibres into the indoor air, or any exposure via inadvertent/accidental/unknowing physical disturbance during the residential tenure. Whilst asbestos (fibres, and fibre-containing materials) are common contaminants in soils on both residential and commercial sites, it remains a policy-relevant contaminant with potentially serious health implications, and for this reason, I think that Prior approval is required on contamination grounds, and should be approved subject to a condition to ensure that grounds are confirmed suitable for residential land use, via a limited physical site investigation.

I would suggest that the area of the site greatest risk of deposits of made soil are likely to coincide with the former footprint of the Havant & Waterlooville UDC

Offices, in the NW of the greenspace (close to the subject building) and at the access point to the S of the greenspace. The investigation needs only target shallow soils (0-1.0m below existing), with broad coverage to confirm absence of significant made deposits. Samples should be taken from any soils with evidence of construction/demolition materials. I don't see a need for a full suite of CLEA metals, hydrocarbons and PAH – asbestos present in made soils represents the principal contaminant of concern. Consequently, no environmental desk study is necessary, and similarly, given the absence of need for any substantive groundworks, there is no need to formalise any contamination watching brief, nor to impose a 'prior to commencement' clause. It may be appropriate to include an informative to this effect, in or to avoid the applicant commissioning unnecessary work, or incurring excess cost or delay.

Suggested condition wording below;

Contamination (Minimal – omitting EDS) [1]

Prior to the occupation of any relevant part of the permitted development, 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) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

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

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete.

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

Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and constriction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework '24.'

Verification (Minimal) [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.

Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and constriction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework '24.'

Informative – Contamination conditions [1] & [2] T

he range of contaminants of concern within the context of this development is limited; asbestos containing materials (ACM) and free-fibres originating from building materials representing the principal risk. It is not anticipated that significant desk-based research will be required in order to provide the necessary surety as to the suitability of the amenity land for ancillary residential use/access; it is expected that it will be sufficient to proceed directly to a physical inspection of the land. It is similarly expected that sampling may be limited to an asbestos screen (present/not present), with type-identification and mass-quantification only needed where fibres &/or fragments of ACM are present. It is not anticipated that CLEA metals, petroleum range hydrocarbons (TPH) or polyaromatics (PAH), soil vapour or soil gas will need to be included with the scope of the investigation. If included, TPH and PAH presented as 'total' (not speciated) will be accepted as suitable quantifications for screening purposes. Investigation need only target shallow soils (up to 1.0m below current / proposed ground levels; whichever is shallower), but it is expected that sampling will focus upon identifying & characterising soils which contain identifiable anthropogenic inclusions (fragments of building materials, etc.). Sample locations should include areas of the amenity land that correspond with the footprint of former structures (e.g. NE of amenity land), or access points (e.g. S of amenity land, where hardcore may have been deposited as a construction material or to form temporary trackway)

The proposal is therefore acceptable in highways and transportation terms.

Officer Comment: *If approval is granted then the above conditions and informative are recommended, which have been agreed with the applicant's agent.*

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice	2 Site Notices Displayed	17/12/25	7/1/26	Is advertised in the public interest

				Is in a Conservation Area
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Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 46

Number of representations received: 14

Objection 10

Support 4

Objections

Comment	Officer Comment
<p>Cramped with limited internal space, poor layout, inadequate levels of daylight and amenity.</p> <p>The building unsuitable for residential conversion; its loss would be harmful to the town centre.</p> <p>Car parking insufficient</p> <p>Previously installed bollards, obstruct the Shipwrights Way public right of way and give rise to highway safety issues.</p>	<p>See Section 7 below</p> <p>See response to Cllr Collings' objection</p>
<p>Objection to the timing of the application being submitted over the Christmas period.</p> <p>Inadequate public consultation and site notices – not consulted</p> <p>Should be determined through a full planning application and Planning Committee.</p> <p>Will the 19 units be sold, rented for social housing</p>	<p>See Other Matters Below</p> <p>This is not material to the determination of this prior approval application.</p>

Support

Comment	Officer Comment
The building is under-used for office purposes - conversion would secure its continued occupation and upkeep.	See Section 7 below

<p>Office demand has reduced significantly since the Covid-19 pandemic, making continued office use unlikely.</p> <p>The proposal would provide much-needed housing within Havant town centre.</p> <p>The site is sustainably located close to shops, services and public transport, including the railway station.</p> <p>The development is likely to increase town-centre footfall and support local businesses.</p> <p>The existing car park is regarded as sufficient to serve the proposed number of residential units.</p> <p>The change of use is seen as an appropriate and efficient use of an existing building.</p>	
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Material planning considerations are addressed in Section 7.

7 Preliminary Matters

- 7.1 Paragraph 3 (1) 'Permitted development' of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") states:

"Subject to the provisions of this Order and regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017, planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

- 7.2 The Conservation of Habitats and Species Regulations 2017 were amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 7.3 Whilst no mitigation has been submitted as part of this application for prior approval, it is not a criterion to be considered at this stage. However, in order to comply with Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 the proposal would require a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA) as the proposal is likely to have a significant effect on several Solent European Sites due to both the increase in recreation and the decrease in water quality that would result from the proposed development as a result of the additional residential flats. As such, if prior approval were granted any works could not begin until such time as the applicant receives written notification (approval of the local planning authority) having carried out such assessments as the competent authority.

- 7.4 Furthermore, paragraph 3 (2) 'Permitted development' states:

"Any permission granted by paragraph (1) is subject to any relevant exception, limitation or condition specified in Schedule 2."

- 7.5 Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.
- 7.6 In addition, Article 3 (9A) does not grant permission for, or authorise any development of, any new dwellinghouse:
- (a) where the gross internal floor area is less than 37 square metres in size; or
 - (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.
- 7.7 In this instance all nineteen flats meet the minimum size requirement set out in the nationally described standards for their relevant 2 bed, 3 bed units and 4 bed units and as such would comply with Article 3 (9A), providing an acceptable level of accommodation for future occupiers.

8 Planning Considerations

- 8.1 The GPDO grants at Schedule 2, Part 3, the general permitted development rights for changes of use. Class MA sets out the principle of the proposed change of use from Class E commercial uses to C3 dwellings, such that it is only the matters set out in the relevant 'prior approval' process that can be considered.
- 8.2 Class MA of the GPDO sets a number of conditions and limitations (MA.1.) as follows:
- 8.3 **MA.1. - (1) Development is not permitted by Class MA –**

- (a) criteria deleted by later legislation
- (b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

Officer comment: The Office (Use Class E) has been in use for a period of at least two years prior to the application. The agent has advised that, "This is confirmed via the Havant business rate records, which list the property as 'Offices and Premises', with the rates being in effect since 2014'

- (c) criteria deleted by later legislation
- (d) if land covered by, or within the curtilage of, the building—
 - (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;

Officer comment: None of the above apply.

- (e) if the building is within—
 - (i) an area of outstanding natural beauty (now called National Landscape);

- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981
- (iii) the Broads;
- (iv) a National Park; or
- (v) a World Heritage Site;

Officer comment: None of the above apply.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

Officer comment: The site is not occupied under an agricultural tenancy.

(g) before 1st August 2022, if –

- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

Officer comment: This is not applicable to the application proposal.

8.4 **Conditions**

MA.2. - (1) Development under Class MA is permitted subject to the following conditions:

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks in relation to the building;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where—
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor,
 - the impact of that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; **(Officer comment: n/a)**
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, **(Officer comment: n/a)** the impact on the local provision of the type of services lost; and

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building (***Officer comment: this applies to developments that are 18m high or 7 storeys or more – in this case it is not, development is 2 stories only - therefore n/a***)

- 8.5 ***In this case, having reviewed the application, the local planning authority has determined that prior approval is required in this instance for MA.2 - (2) - (a), (b), (c), (d), (e) & (f).***
- 8.6 The Local Planning Authority (LPA) may refuse the application where it considers that the proposal does not comply with the limitations or restrictions that are applicable to such permitted development.
- 8.7 The provisions of the GPDO require the LPA to assess the development proposals solely on the basis of the limited number of considerations set out above. It should be noted that privacy and amenity impacts arising from overlooking are not included in the list of considerations for this type of application and cannot therefore be taken into account.
- 8.8 Development Plan Policies and the National Planning Policy Framework can be considered relevant to prior approval cases insofar as they relate to the development and prior approval matters.
- 8.9 Development must be completed within a period of 3 years starting with the prior approval date.
- 8.10 Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
- 8.11 **The Procedure for determining applications for Prior Approval under Part 3 must follow the provisions given in paragraph W.**

Assessment

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

- 8.13 The site is located within Havant Town Centre, a highly accessible and sustainable location. As recognised by the Havant Borough Council Car Parking Supplementary Planning Document (July 2016), the Town Centre represents the most sustainable area in the Borough, with excellent access to services, facilities and public transport. Future residents would therefore benefit from the existing infrastructure in the immediate vicinity of the site and have ready access to a range of sustainable transport modes.

Access

- 8.14 Access to the site will continue via a simple bellmouth priority junction. This shared access also serves The Spring to the west, the Town End House pay-and-display public car park, and the applicant's private car park to the south-east of the proposal.

- 8.15 The application is accompanied by a Transport Technical Note. A trip generation assessment shows that the proposal will result in a net decrease in vehicle movements compared to the lawful use of the premises as offices. Therefore, it is considered that that the proposed development will not result in a detrimental impact to the highway network and will not result in a severe impact as referred to within the NPPF.
- 8.16 The Highway Authority has advised that, notwithstanding the identified net reduction in vehicle movements associated with the proposed change of use, a financial contribution of £20,419.90 be sought towards off-site sustainable transport improvements within Havant Town Centre. However, both the submitted Transport Technical Note and the Highway Authority's own assessment confirm that the proposal would result in an overall net reduction in two-way vehicular movements when compared with the existing lawful office use. Having regard to the site's highly accessible Town Centre location, and the absence of any identified highway safety concerns by the Highway Authority, it is not considered that the development would give rise to additional transport impacts requiring mitigation. In these circumstances, the seeking of a financial contribution is not considered to meet the tests of necessity or proportionality under Regulation 122 of the Community Infrastructure Levy Regulations 2010. Furthermore, the Highway Authority has raised no objection to the proposal, confirmed that the site access arrangements and parking provision are acceptable, and advised that it would not recommend refusal in the absence of the contribution. Having regard to the limited scope of matters that may be considered under Class MA and to the National Planning Policy Framework, which advises that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe, it is concluded that there are no defensible highway or transport grounds upon which to refuse the application on the grounds that a financial contribution has not been secured. A decision will therefore be made without the provision of a financial contribution.

Parking

- 8.17 The access road to the east is an adopted highway that serves both the Town Hall Road car park and the applicant's private car park located further south. This highway, formerly part of a disused railway line, forms part of the National Cycle Network and the Shipwrights Way. Directly south of the site is a Public Right of Way linking the eastern car park to Town Hall Road.
- 8.18 The development would provide 30 car parking spaces within the existing private car park to the east of the site and to the front, ensuring that each residential unit is allocated at least one space. No alterations are proposed to the layout or operation of the car parking. There is adequate manoeuvring space between the parking bays to enable vehicles to turn on site and to access and egress the car park in a forward gear.

Havant Car Parking SPD

- 8.19 The following car parking is required for these 19 units.

Beds	Numbers	Maximum
2 bed	13	13
3 bed	3	6
4 bed	2	4
Visitor Parking 20%	9	5

Total:		28
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8.20 Therefore, the proposal would slightly exceed the maximum car parking requirement in Havant Town Centre by two spaces. However, given that the development utilises existing car parking, this level of overprovision is considered acceptable in this instance. Furthermore, occupiers would also benefit from 2 EV points.

8.21 In addition, future residents will have access to the existing Sheffield-style cycle stand located at the site entrance. The agent has confirmed that this stand provides six cycle spaces. However, this falls short of the level required by the Havant Borough Council Parking SPD, and additional provision can be secured by condition if prior approval is granted.

(b) contamination risks in relation to the building

8.22 The Council's Environmental Health Team (Contamination) has been consulted raising no objection, subject to conditions and an informative, which are recommended.

(c) flooding risks in relation to the building.

8.23 The proposal is accompanied by a Flood Risk Assessment, which identifies that the site is located within Flood Zone 1. Based on current information the site is not subject to any additional risks associated with climate change. National Guidance states that Flood Zone 1 is suitable for all types of development.

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

8.24 The site is located within a town centre setting where a certain level of background noise is anticipated. If the proposal is approved, the existing commercial use of the building would cease, and therefore the intended occupiers would not be affected by noise associated with that use. However, the site is located opposite The Spring Arts and Heritage Centre and Environmental Health (Pollution) sought clarification on whether any external plant is present associated with this site. The agent has clarified that there is no external plant present and therefore there is no objection to the proposal by Environmental Health.

(e) where—

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

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

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

8.25 The site is located within the St Faiths Conservation Area and the proposal involves a change of use for the entire building. Minimal external alterations are proposed; the main conversion works would be confined to the building's interior.

8.26 The proposal is accompanied by a Heritage Technical Note. The Council's Conservation Officer has been consulted and advises that, as the proposed works are primarily internal and involve the reconfiguration of the existing office spaces only, with no significant changes proposed to the building's external appearance, including its roofline, materials or fenestration, nor to the surrounding landscape, no objection is

raised to the proposal. It can therefore be concluded that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which 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, is met in this case.

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

- 8.27 The proposal is accompanied by a Daylight and Sunlight Report with clarification confirmed in a letter of 16 January 2026 regarding daylight and sunlight that the principal living areas within Units 2 and 10 will enjoy. The Report concludes:

“11.2 The results of the analysis have been considered with reference to the recommendations set out in Appendix C of the Building Research Establishment’s publication “Site layout planning for daylight and sunlight. A guide to good practice.” (2022) (BRE guidelines) that references BS EN 17037.

11.3 The analysis demonstrates that when applying the recommended methodologies set out in the BRE guidelines, the proposed accommodation will enjoy good levels of daylight and sunlight.”

- 8.28 Following clarification on the daylight and sunlight Units 2 and 20 would enjoy, the LPA concurs with this conclusion.

9.0 Other Matters

- 9.1 In response to the comments raised in the objections, the Local Planning Authority has no control over when an application is submitted, with the legislation providing for the submission of proposals under the prior approval regime. As such, a full planning application is not legally required for the proposed development.
- 9.2 Matters relating to the determination of the proposal by the Planning Committee are addressed above in response to Councillor Collings’ objection.
- 9.3 In accordance with normal practice, adjacent properties were notified, and two site notices were displayed, with comments required within 21 days: one on East Street to the front of the site, and a second in Town Hall Road.

10 Conclusions

The proposal has been assessed against the limitations and conditions of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), together with the procedural requirements of paragraph W. The building meets the eligibility criteria in respect of lawful Class E use, minimum floorspace standards and applicable location-based restrictions, and the matters for which prior approval is required – including transport impacts, contamination risks, flooding, noise from commercial premises, conservation area considerations and the provision of adequate natural light have all been assessed and found acceptable, with potential contamination risks capable of being controlled by condition. Accordingly, the development complies with the relevant provisions of Class MA.

9. RECOMMENDATION:

That Prior Approval is required and that the Development Manager be authorised to **GRANT PRIOR APPROVAL** for application APP/25/01005, subject to the following conditions:

GENERAL

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

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

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

Plans

Existing & Proposed Site Plan, Location Plan & Existing & Proposed Roof Plan – Drawing No. 24038-PL-001- Rev PO3
Elevations Proposed - Drawing No. 24038-PL-007 – Rev PO1
Plans – Proposed Ground Floor - Drawing No. 24038-PL-003 Rev PO4
Plans – Proposed First Floor - Drawing No. 24038-PL – 005 Rev 003

Documents

Application Form, uploaded 2/12/25
Transport Technical Note, uploaded 2/12/25
Heritage Technical Note, uploaded 2/12/25
Daylight & Sunlight Report, uploaded 2/12/25
Flood Risk Assessment, uploaded 2/12/25

Reason: - To ensure provision of a satisfactory development.

- 3 The building hereby permitted to be used as dwellinghouses by virtue of Class MA of the Town & Country Planning (General Permitted Development) (England) Order 2015 shall remain in use as dwellinghouses within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is incidental to the use as a dwellinghouse.

Reason: To ensure the retention of these dwellinghouses in compliance with Class MA of the Town & Country Planning (General Permitted Development) (England) Order 2015 having due regard to Policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

PRIOR TO OCCUPATION

- 4 Prior to the occupation of any relevant part of the permitted development, 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) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

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

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete.

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

Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and construction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework 2024.

- 5 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [4] 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.

Reason: Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and construction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework 2024.

- 6 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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

- 7 Prior to the occupation of the development hereby approved, details of cycle provision in accordance with the requirements of the Havant Borough Council Parking Supplementary Planning Document shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle provision shall be fully implemented prior to occupation and thereafter retained for its intended purpose.

Reason: In the interests of sustainable development and to ensure adequate cycle provision, having due regard to Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 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. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

POST OCCUPATION

- 9 At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out

regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Informative

- 1 In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

Offering a pre-application advice service, and

Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

You were updated about issues after the initial site visit, additional details submitted, making your proposal acceptable.

- 2 The range of contaminants of concern within the context of this development is limited; asbestos containing materials (ACM) and free-fibres originating from building materials representing the principal risk. It is not anticipated that significant desk-based research will be required in order to provide the necessary surety as to the suitability of the amenity land for ancillary residential use/access; it is expected that it will be sufficient to proceed directly to a physical inspection of the land. It is similarly expected that sampling may be limited to an asbestos screen (present/not present), with type-identification and mass-quantification only needed where fibres &/or fragments of ACM are present. It is not anticipated that CLEA metals, petroleum range hydrocarbons (TPH) or polyaromatics (PAH), soil vapour or soil gas will need to be included with the scope of the investigation. If included, TPH and PAH presented as 'total' (not speciated) will be accepted as suitable quantifications for screening purposes. Investigation need only target shallow soils (up to 1.0m below current / proposed ground levels; whichever is shallower), but it is expected that sampling will focus upon identifying & characterising soils which contain identifiable anthropogenic inclusions (fragments of building materials, etc.). Sample locations should include areas of the amenity land that correspond with the footprint of former structures (e.g. NE of amenity land), or access points (e.g. S of amenity land, where hardcore may have been deposited as a construction material or to form temporary trackway)