

3 Proposal

- 3.1 The proposal is an outline planning application for 43 dwellings. All matters with the exception of access would be reserved for future consideration. Access would be taken off Woodcroft Lane at the southeastern corner of the site and the submitted indicative plan indicates the nature of development of the site which could be achieved, with a mix of detached, semi-detached and terraced dwellings, arranged around a main spine road. The development is indicatively shown as being 2 and 2.5 stories in scale, and 30% of the units would be affordable.
- 3.2 The proposed access off Woodcroft Lane would result in the loss of layby parking and replacement parking would be provided adjacent the southern school boundary as part of the proposed development. An emergency access is also proposed from Eagle Avenue which would provide for pedestrians and cyclists and give a direct link to Eagle Avenue and a nearby bus stop. The access would be located towards the eastern end of the frontage away from the mature trees. All dwellings are indicatively shown as being provided with car and cycle parking in accordance with Havant Borough Council's 'Residential Parking and Cycle Provision SPD March 2010'.
- 3.3 The outline application is accompanied by a range of supporting documentation including:-
- Site survey
 - Location Plan
 - Layout Plan
 - Planning Statement
 - Ground Investigation Report
 - Planning Statement
 - Design and Access Statement
 - Ecology Report
 - Arboricultural Impact Appraisal and Method Statement
 - Transport Statement and vehicle tracking plans
 - Drainage strategy
 - Noise Assessment
 - Archaeology and Heritage Assessment
 - Flood Risk Assessment

4 Policy Considerations

National Planning Policy Framework 2012

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)
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from

AL2 Residential Development)
(Urban Area Boundaries and Undeveloped Gaps between Settlements)
WA1 (Waterlooville Housing Allocations)

Supplementary Planning Documents

Borough Design Guide SPD (Adopted Dec 2011)

Housing SPD (Adopted July 2011)

Residential Parking and Cycle Provision SPD (Adopted March 2010)

The Havant Landscape Character Assessment

The Hampshire Landscape checklist

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency

No objection

Arboriculturalist

The supporting arboricultural evidence for APP/15/01235 Land adjacent to Woodcroft Primary School, Woodcroft Lane, Waterlooville, PQ8 9Q is comprehensive and professional, however I make the following comments:

- The original survey was carried out in 2011, arb surveys are usually considered valid for a period of one year from submission, and as such the site should be revisited so as to ensure any changes are identified and noted.
- Post report the British Standard (BS5837) has been updated from 2005 to 2012, hence the report will need to be revisited and any changes picked up and changed to reflect the current standard.
- A large part of the community / school planted copse is highlighted for removal, this is unacceptable in arb terms due to importance it plays as a woodland area. Justification for removal other than unit numbers has not been given for its removal.
- Should the copse be removed then like for like replacement should be considered on the part of the site that is remaining within the ownership of the school. Although not a justification for tree removal it would go some way in adequate mitigation planting.
- Full landscaping will need to be discussed with Michelle Good – Senior Landscape Architect. Tree planting will need to be agreed with myself.

Provided that the methodology prescribed in the AMS & TPP report is strictly adhered to including a pre start meeting with the Arb Consultant, Site Manager and HBC Arb, and that site monitoring exercises are undertaken I would expect the retained trees to survive the development unscathed and to continue to grow on in the future.

County Minerals

Due to the scale of development it is expected that safeguarded brick making clay resources in the area would not be impacted - no objection.

Building Control, (Fire Access Consultation)

Consultation with HFRS required

HFRS

No specific advice given - general comments provided

County Archeologist -

No objection

Education Department

Contribution not required.

Engineering/Drainage

Proposals contained within the Flood Risk Assessment for attenuating surface water to the Southern Water system are appropriate at this stage of the application process, and are subject to consent by Southern Water as per their separate response. More detailed design of the SuDS system can be conditioned. A Bond will be required when the SuDS system comes to be built (through S106).

Hampshire Highways-

HBC Highways to comment due to size of scheme.

Development Engineer - Highways

The application includes a Transport Assessment that quantifies the effect of the increased traffic on local junctions. Given the guidance within the Government's National Planning Policy Framework paragraph 32 this application can not be prevented or refused on transport grounds as the Transport Assessment demonstrates that the residual cumulative impacts of development on the transport network are not severe.

The proposed cycle/footway link from the proposed development to Eagle Avenue should have a Grampian condition imposed on any permission stating that the route has to be completed before the occupation of any property. The other indicated footway at the eastern end of the cul-de-sac is a temporary footway/cycleway until the new access is built and should be covered a Grampian condition .

Ecology

Comments on original submission:

The application is accompanied by an Ecological Appraisal (HCC, October 2015) which provides an assessment of the potential ecological impacts of this proposal. The application site comprises an area of mostly poor semi-improved/improved amenity sward which has been left unmanaged for some time, alongside associated boundary vegetation such as hedgerows and trees. Overall, the site is considered to be of limited ecological value. The application must be viewed in conjunction with the approved Woodcroft Farm development to the north and west (APP/13/00804) as it impacts the same habitat. The western boundary of the current application site will abut the proposed new access road for the Woodcroft Farm site, which will itself require the removal of a number of trees, some of which offer bat roosting potential. There have not, as far as I am aware, been any detailed bat surveys of the proposed Woodcroft Farm road so it is not known at present whether bat roosts occur. If trees immediately west of this application site do support bats then there may be need to amend the assessment to take account of potential impacts.

In terms of impacts, the proposals will result in the severance of boundary habitat to the east (main access off Woodcroft Lane) and the south (emergency access onto Eagle Avenue) as well as the loss of the majority of grassland habitat. Indirect impacts may occur to boundary habitats during construction and through the use of excessive lighting post-construction. It is stated that all trees to be removed offer negligible

potential for supporting roosting bats, although it is not immediately clear whether the route of the proposed emergency access has been assessed: the text suggests not. I would also note that there may be impacts to biodiversity associated with boundary vegetation e.g. from the proximity of rear gardens (waste dumping, pruning etc.) and from lighting (will the new emergency route require lighting? What impact might lighting have on bat species?). These potential issues are not discussed within the ecology report but must be included within an outline application if potential impacts are to be understood at the point of determination.

In terms of protected and notable species, the site has been shown to support a small number of slow-worms and it is likely that the species breeds on site in low numbers. In summary, I consider that there are several issues that require clarification.

Officer note - the ecology report has been revised in response to these comments and in particular the potential of trees adjacent the site to support bat roosts, and assessment of the emergency access impacts. The Council's Ecology consultant is now satisfied with the submission.

Housing

The proposal is for 43 residential dwellings and as such this proposal would need to comply with Core Strategy policy CS9.2 and provide 30-40% affordable housing on-site; this would equate to a minimum of 13 units (rounded up from 12.9 units). Ideally these should be of mixed tenure (Rented and Shared Ownership) with approximately a 70/30 split in favour of the rented units. These homes should be indistinguishable from the open market homes on the site and should be dispersed throughout the development.

Demand for affordable housing continues to rise in the Havant area; as at 23/11/2015 there are 2313 households registered on Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 730 are waiting for two bedrooms. Many of these are looking to downsize which would in turn free up larger affordable homes that can be used more effectively by providing accommodation for families.

Should this proposal proceed to final development it will help to improve the supply of this very limited resource and at the same time help towards the overall housing numbers required by the Borough. The homes will provide much needed accommodation in a popular, desirable location with excellent links to transport, education and amenity facilities.

The affordable homes will be advertised by Havant Borough Council through Hampshire Home Choice, our sub regional choice based lettings scheme and a Community Lettings Plan would be suggested to the Registered Provider with the aim of creating a sustainable community.

The Design and Access Statement para 6.5 makes mention of affordable housing provision with an indicative layout however does not give full details of numbers, sizes and house types. The sizes of the individual units on the site will be reviewed having regard to the Nationally Described Space Standard.

Landscape Team

I note the proposals state an improvement to *'public walking and cycling routes through the site from Woodcroft Lane and Eagle Avenue, making it easier for local people to get to and from the Primary School, Wecock Recreation Ground, and shops on Milton Road.'*

The ramped route (Eastern boundary) and the southern link should both be sufficiently wide to comfortably accommodate pedestrians and cyclists (minimum 3m with space to turn / rest), with appropriate road crossing points that are carefully coordinated with

the wider footway / cycleway network.

The intended Woodcroft Primary access that connects to these new routes will require clear definition.

Specific design measures are also required to prevent casual '½ on pavement' parking by vehicles which can obstruct and hinder safe access for pedestrians and cyclists. I anticipate the pavement adjacent to the school (further west of the proposed replacement layby parking) and around the open space will be particularly vulnerable.

There is scope for tree planting adjacent to plots 40 – 43 to screen the future Woodcroft Farm access.

I would recommend the following conditions:

Soft landscape – requiring submission of a fully annotated planting plan to identify individually planted trees, shrubs, hedges and any areas of grass. Ornamental 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 planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed planting implementation programme.

Hard landscape - requiring submission of a fully annotated plan to identify finished levels, hard surfacing material type / product reference, laying bond, colour and edging.

Boundary treatments - requiring submission of a fully annotated plan 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.

Crime Prevention -Minor Apps

An appropriate device should be installed within the emergency access route to prevent it being used by motor vehicles in circumstances other than an emergency.

To provide for the safety and security of residents and visitors an appropriate level of lighting should be provided throughout the development.

Planning Policy

Policy Status

The Local Plan (Allocations) has now been adopted by the Council. The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough. It should be noted that Saved Policies are no longer relevant.

Principle of Development

The proposal lies within the urban area and is consistent with policy CS17 which seeks to concentrate new housing within the five urban areas, including Waterlooville. The policy also priorities the use of previously developed land and part of the site falls under this definition. The site is also allocated for residential development under Policy WA1 (ref. W130) in the adopted Local Plan (Allocations) and therefore the principle of development is acceptable.

Whilst the proposal results in the loss of playing fields, I note that Sport England have been consulted accordingly and raise no objection to the proposal due to the extant planning permission for new sports provision on land north of the primary school (APP/15/00538).

Promoting Havant Borough's Economy

Policy W130 requires an Employment and Skills Plan to support any planning application for the site. There is no evidence of this.

Housing

It is disappointing that the proposed number of dwellings falls short of the allocation figure of 52. However, it is broadly consistent with this indicative number set out in Policy WA1 and will contribute towards the borough's housing requirement of 6,300 new dwellings between 2006 and 2026, in accordance with policy CS9(1).

Policy CS9(2) requires the provision of affordable housing. At 30% this would equate to 12.9 dwellings. The proposal includes 9 social rented units and 4 intermediate units which would satisfy the requirements of this policy.

Parking Provision

The level of parking proposed is in line with the requirement set out in the adopted parking SPD and therefore would appear to comply with Policy DM13 Car and Cycle Parking on Residential Development. For allocated parking, one parking space per 1 bed dwelling, two spaces per 2/3 bed dwelling and three spaces per every 4+ bed dwelling should be allowed. For the whole development this would be 89 spaces which is the number indicated on the application form. The level of long stay cycle parking is also satisfactory. Visitor cycle spaces will also need to be provided but it is noted in the Design and Access Statement that the details of this are a reserved matter.

Access

The case officer should ensure that the land that has been left to allow access to the Woodcroft Farm strategic site in accordance with Policy W130 is sufficient and suitable.

Infrastructure

The proposal will need to comply with all aspects of policies CS20, DM11 and DM12.

Community Infrastructure Levy

Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the Borough.

Also, the SRMP contribution will be payable in accordance with policy DM24.

Conclusion

The proposed development is acceptable in principle.

Public Spaces Development Manager

No comments received

Sport England

This application would result in the complete loss of playing field south of Woodcroft Primary School. It would also result in the loss of 0.4 ha circa of playing field which is currently located to the west of the new primary school hard play area whilst retaining a small area circa 0.15 ha of playing field. Whilst this proposal would result in the complete loss of the southern part of playing field, Hampshire County Council as Local Planning Authority granted planning permission (APP/15/00538) 11 September 2015 for the change of use from a paddock to grass playing field on land north of the primary school. The new (not yet delivered) playing field site would be capable of accommodating one youth 11v11 pitch (88m x 56m including run off) which would be managed by the primary school. The proposed play provision drawing E1653-L-104 which was approved as part of planning permission APP/15/00538 also included a small sports pitch to the west of the hard informal play space along with two MUGAs to

the east of the primary school. Sport England considers it necessary to ensure all sports provision at the primary school is provided. It is understood the sale of the primary school playing field is needed in order to deliver the playing field. This live application should be considered concurrently with the extant permission (APP/15/00538) for the new playing field and approved layout for school sports provision.

Assessment against Sport England Policy

This application relates to the loss of existing playing fields field however the as planning permission has already been granted for the delivery of a replacement playing field, this development is considered against exception E4 of the above policy which states:

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development Sport England was consulted on the original planning application for the new school (09/59532/002), but regrettably was not consulted on the planning application for the replacement playing field other than at pre-app stage. At pre-app stage Sport England in letter dated 23 May 2012 shared some concerns with having two separate areas of playing field. Sport England requested details of the MUGAs and requested the school to makes its facilities available to the community for use.

Subject to the delivery of the replacement sports facilities (including new playing field north of the primary school, two MUGAs east of the primary school and the small area of playing field to the west of the primary school hard play area) in advance of the loss of the current sports facility, the development could be considered against Exception policy E4.

Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception E4 of the above policy. The absence of an objection is subject to the following condition being attached to the decision notice should the local planning authority be minded to approve the application:

The development hereby permitted shall not commence until the new sports facilities shown within the land edged red and blue on drawing numbered E1653-L-104, identified on planning permission APP/15/00538, have been constructed and made available for use.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Development Plan Policy .

Southern Electric

No comments received

Southern Water

Condition and informative requested.

Traffic Management Team

Funding for a TRO requested, and existing layby parking should be retained until the replacement layby parking is provided. The actual cost of the TRO is dependant on the amount of work required so, for the purpose of the S106 agreement, an estimated figure of £3,000 is stipulated.

Waste services

The layout will need to provide for bin storage and collection including access by a 26 tonne vehicle

Havant Area Disability Group.

- a) Fails to satisfy multiple requirements laid out in the Core Strategy Document CS16, specifically in the lack of consideration of school traffic, the layout of the development to handle surges of traffic, there is no consideration to the inclusion of disabled people and their families in the development of the housing
- b) Existing SPD's on parking have not been fully implemented
- c) The SCI (Statement of Community Involvement) is, in spirit at least, intended to be used in advance of submission of a development plan, at a stage where the feedback will be of realistic use should changes be required. This too is supported within the 2011 Localism Act.
- d) Hampshire County Council, as both developer AND Highways Authority has chosen to accept the 'Manual for the Streets' as proper guidance, yet has taken no account of the obligations under section 6.1. If you adopt guidance, it is unsupportable to follow only the parts which are convenient.

Officer Note: The current application is for outline consent in respect of access to the site only, and detailed matters in respect of layout and arrangements for disabled access would need to be considered as part of a subsequent reserved matters submission.

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: 54

Number of site notices: Yes

Statutory advertisement: Yes

Number of representations received: 5

Summary:

- Removal of the layby in Woodcroft Lane is a highway safety issue as parents will continue to park in this area, narrowing the width of the road and will also need to walk in the road.
- Access is on a bend, near Renown Gardens and will be extremely dangerous at school opening and closing times - access should be off Eagle Avenue.
- Loss of mature trees and adverse impact on the character of the area.
- The best and most obvious solution is for the primary access to this development to be from the new road which will be created for the Woodcroft Farm development. On this application, that road is already indicated (Figure 25) with the main road through this application ending just short of it. If this proposal was implemented, Woodcroft Lane would then provide the emergency access only and none of the new problems identified above would materialise.
- This solution would put the extra traffic from the new development on to the Eagle Avenue/Milton Road mini-roundabout rather than the Tesco/Woodcroft Lane/Lovedean Lane/Milton Road avoiding congestion that we have at the moment.

Comment:

See section 7

7 **Planning Considerations**

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

- (i) Principle of development
- (ii) Nature of Development and Impact on Character and Appearance of the area
- (iii) Impact on existing Residential Amenity
- (iv) Access and Highway Implications
- (v) Impact on Trees
- (vi) Impact on Ecology and European and Internationally Important Sites
- (vii) Flooding and Drainage
- (viii) Archaeology
- (ix) CIL and Legal Agreement

(i) Principle of development

7.2 The proposal lies within the urban area and is consistent with policy CS17 which seeks to concentrate new housing within the five urban areas, including Waterlooville. The policy also prioritises the use of previously developed land and part of the site falls under this definition. The site is also allocated for residential development under Policy WA1 (ref. W130) in the adopted Local Plan (Allocations). The allocation of this site for residential development in the adopted Local Plan means the principle of the proposal is acceptable and supported subject to other Development Management/Planning Considerations.

7.3 Whilst the proposal results in the loss of playing fields Sport England have been consulted and raise no objection to the proposal due to the extant planning permission for new sports provision on land north of the primary school (APP/15/00538). A condition is proposed to secure the provision of these facilities prior to the commencement of development, as Sport England request.

(ii) Nature of Development and Impact on the Character and Appearance of the area

7.4 The application seeks outline permission for a total of 43 dwellings, and the indicative plans indicate a mix of detached, semi-detached and terraced dwellings could be provided on the site. This equates to a density of approximately 30 dwellings per hectare. Whilst the resulting density from the proposed 43 dwellings is less than the local plan allocation which identifies the site as having the potential for 52 dwellings, there are a number of constraints such as proximity and layout in relation to the school, the need to consider the access for the development of the Woodcroft Farm housing site which lies to the north, and also the topography which need to be taken into consideration.

7.5 Core Strategy Policy CS9 (Housing) states that planning permission will be granted for housing proposals which (amongst other matters) 'Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form'.

7.6 Supporting text of the Core Strategy paragraph 6.21 provides further guidance stating that:

The density of new housing will depend on its design and appropriateness to its location. As a guide the following minimum density thresholds have been developed using the Havant Borough Townscape, Landscape and Seascape Character Assessment and the levels of accessibility to a range of facilities:

High Density – Minimum of 60 dwellings per hectare

Medium Density – Minimum of 45 dwellings per hectare

Low Density – Up to 45 dwellings per hectare

- 7.7 Under this assessment the density of development can be considered to be within the Low Density category.
- 7.8 Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process.'* The NPPF states that *'To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density.'* Given the site's constraints including topography, and location, the proposed density is considered acceptable; and the 43 dwellings proposed would still make a valuable contribution to the Council's overall housing targets.
- 7.9 In terms of the overall impact of the development on the character and appearance of the area, whilst the site is well screened by planting and buildings, it nevertheless occupies an elevated position in relation to Eagle Avenue. However, much of the planting on this boundary could be retained and new planting would be provided to the boundaries of the site. The proposed development is considered to be capable of achieving a harmonious relationship with the pattern of development found elsewhere along Eagle Avenue, both in terms of the nature of the development and the degree of set-back from the highway. The indicative plan also illustrates that the site could be satisfactorily developed with 43 dwellings with a layout and spatial arrangements in accordance with the Borough Design Guide and achieving a satisfactory relationship between the new dwellings.
- 7.10 It is recognised that both the anticipated layout and the introduction of the emergency access arrangements will require the loss of existing tree planting on the site, including part of a small copse towards the centre of the site - the implications of this loss is considered in 7(vi) below.

(iii) Impact on the existing Residential Amenity

- 7.11 The main external impacts in residential amenity terms arising from the development relate to properties in Woodcroft Lane, and in particular the loss of the layby in Woodcroft Lane which is used for school drop off and collection, and the impact of the associated traffic. These traffic impacts including the arrangements for a replacement layby are considered in 7(v) below.
- 7.12 With respect to privacy and outlook impacts on adjoining properties, the development is considered capable of being set off the boundaries and the layout shows that separation distances according with the guidance in the Borough Design Guide could be achieved. That said, as this is an outline application the layout is indicative, and a full or reserved matters application would continue to need to demonstrate accordance with the guidance in the Borough Design Guide including separation distances.

(iv) Access and Highway Implications

- 7.13 The access and highway implications of the proposal have been assessed by the Council's Development Engineer and the wider Traffic Management team. The submission provides a Transport Assessment that sets out the following:
- the new access from Woodcroft Lane will be provided with visibility splays which accord with the guidance in Manual for Streets, and it will accommodate refuse vehicle movements;
 - the Council's car and cycle parking standards will be met;
 - safe and convenient pedestrian access into and throughout the site will be provided

in the form of footways on both sides of the estate road, with a secondary pedestrian and cycle link achieved through the emergency access;

- the capacity of local junctions to accommodate the traffic associated with the development has been modelled taking into account the committed Woodcroft Farm strategic site development. These include the Woodcroft Lane/Lovedean Lane priority junction and the Lovedean Lane/Milton Road junction. Both junctions are forecast to operate within their theoretical capacities following the development proposed.

7.14 In light of the findings of the Transport Assessment the Development Engineer has advised that given the guidance in the National Planning Policy Framework paragraph 32, that *"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"*, this application cannot be prevented or refused on transport grounds as the Transport Assessment demonstrates that the residual cumulative impacts of the development on the transport network are not severe and would in fact be acceptable. The Traffic Management Team have requested funding for a TRO and that the existing layby parking should be retained until the replacement layby parking is provided. Conditions and S106 obligations are recommended to cover these aspects.

7.15 The representations received in connection with the application raise the possibility of access direct from Eagle Avenue, either by upgrading the proposed emergency access or a new access from the proposed access road to the Woodcroft Farm housing site. These suggestions have been considered in consultation with the Development Engineer. With respect to upgrading the proposed emergency access, owing to the steep gradient this is only suitable for emergency traffic and would not be appropriate as the main means of access. With respect to the suggestion of taking access from the proposed road to the Woodcroft Farm Housing site, ground levels along Eagle Avenue mean that the Woodcroft Farm access road has to be cut in, and it does not return to grade until the boundary of the Woodcroft Farm site itself, which lies adjacent to the north western boundary of the application site. This in turn means that land along the western boundary of the former school site will be required to be raised above the level of the new road, with a tapering embankment, some 3 metres high adjacent to Eagle Avenue, running along the entire length of the current application site. As a consequence, a vehicular access for the proposed development off the Woodcroft Farm Development access road into the former school site would also need to be cut in and would not return to grade within the application site for some distance. The result of this would be a reduction in the capacity of the site. The current proposal for 43 dwellings is already below that specified in the Local Plan Allocation and any further reduction would not make best use of available land. Even if taken close to the northernmost point along the western boundary where level differences are reduced, an access into the western boundary would significantly impact the provision of external play and sports facilities for the newly created Woodcroft Primary School.

(v) Impact on Trees

7.16 The Arboriculturalist has identified that the submitted tree survey is out of date. However, a method statement and tree protection plan have been submitted and subject to strict adherence including a pre start meeting with the Consultant, Site Manager and HBC Arboriculturalist, and a requirement that site monitoring exercises are undertaken, the Arboriculturalist would expect the retained trees to survive the development unscathed and to continue to grow on in the future. As this is an outline application and the layout is indicative, in the event that permission is granted it can be conditioned that the reserved matters application should provide an up to date tree survey to inform the layout.

7.17 With respect to the copse lying within the site, a substantial proportion of which will

require removal, this comprises relatively small trees which are not prominent from outside the site, and currently do not satisfy the criteria for a TPO. They were however, planted by the school as a conservation resource and form an attractive feature. Ideally the group would be kept in its entirety, however, this would significantly impact the potential density of the development, and given that a TPO could not be supported, it would be difficult to justify refusal of permission on grounds of tree loss especially as part of the copse would be retained. The Arboriculturalist has advised that should the copse be removed then like for like replacement should be considered on the part of the site that is remaining within the ownership of the school. The applicant has advised that this would be difficult to achieve, and such compensatory planting is therefore not proposed.

7.18 In weighing these respective views, it is considered that given the current limited public visual amenity of the copse from beyond the site, and the fact that the copse falls within a part of the site which was a school resource which is no longer required, it would not be appropriate to require replacement planting within the retained school grounds. However, it remains the case that a full landscaping scheme, which can accommodate some replacement tree planting, would be required at the reserved matters stage. It is therefore concluded on this issue that the residential on-site planting that can be achieved through a reserved matters application, when combined with planting surrounding the new playing pitch approved under APP/15/00538 and which is now within the County Council's control, can provide sufficient mitigation for the loss of trees envisaged in this application.

(vi) Impact on Ecology and European and Internationally Important Sites

7.19 The Ecology Consultation response raised some concerns regarding the submission and in particular:-

- Trees adjacent to the site may support bat roosts
- Clarification that the emergency access has been assessed

7.20 The Report has been revised to address these issues, however the changes made do not change overall the conclusions, or the recommended mitigation/enhancements. The most significant of these recommendations is regarding the production of a more detailed lighting strategy, and an ecological mitigation and enhancement plan, which need to be delivered at Reserved Matters stage. The Council's Ecologist has confirmed that the revisions now address his concerns.

7.21 The application has also been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1) (a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA). Furthermore the development is not necessary for the management of the SPA. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project at a scale of £174 per dwelling (net) (plus monitoring and administration fees). Subject to this mitigation package being secured through a S106 Agreement, the level of mitigation provided is considered sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. As such, an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.

(vii) Flooding and Drainage

7.22 This is an outline proposal and therefore further consideration of the drainage will be required at the detailed stage. The supporting information indicates that there will be opportunities for Sustainable Urban Drainage Systems (SUDS). However, it will be

important to demonstrate that the site drainage can be provided on SUDS principles even though the submitted information indicates that Southern Water will allow for both surface and foul water to go into the existing systems. A condition in respect to SUDS is proposed and its on going maintenance would need to be the subject of a legal agreement.

(viii) CIL and Legal Agreement

7.23 On the 20 February 2013, the Havant Borough Council approved the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule took effect from the 1st August 2013. The required payment for the development is based on the approved floor space and is £80 per square metre plus indexing.

7.24 A S106 is required with respect to :-

- The management arrangements for new roads, including street cleaning and street lighting;
- The contribution in respect to the Solent Recreation Mitigation Project at a cost of £174 per dwelling
- Management and maintenance of communal areas/features - on site open space, non adopted roadways, acoustic fencing and drainage.
- A bond in respect to Suds
- Affordable housing
- An Employment and Skills Plan
- Funding for a Traffic Regulation Order

8 Conclusion

8.1 The site is allocated for residential development and the principle of releasing this site for development has therefore been established.

8.2 The indicative layout plan illustrates that the site can satisfactorily accommodate 43 dwellings, albeit that there is some loss of trees, however, the majority of trees including part of the central copse of young trees would be retained and some degree of replacement planting can be secured through both the reserved matters submission and the new playing pitch approved under APP/15/00538. The proposed access arrangements are considered acceptable and no objection has been raised by the Highway Authority.

8.5 A package of planning obligations will be delivered through a Section 106 Agreement which will mitigate the impact of the development.

8.6 In summary, the proposed development is considered to comply with the Local Plan's Core Strategy and Allocations Plan documents and the NPPF. As such the recommendation is for outline planning permission subject to a Section 106 Agreement and planning conditions.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT OUTLINE CONSENT** for application APP/15/01235 subject to:

(A) The completion of legal agreement(s) under Section 106 of the Town and Country Planning Act 1990 and other relevant legislation, incorporating the terms

set out in paragraph 7.24 to this report (subject to such changes as the
of Planning Services and the Solicitor to the Council may determine); and

Head

(B) subject to the following conditions

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - the appearance; landscaping; layout; and scale.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

- 3 No development shall commence until the replacement layby parking has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved parking shall be retained and maintained thereafter unless otherwise agreed by the Local Planning Authority.

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

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

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

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

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

- 5 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority in consultation with

Southern Water. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

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.

- 7 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, fences or other means of enclosure at the road junctions shall be set back to the sight lines shown on the approved drawing and these visibility splays shall be kept free of obstruction.

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

- 8 No dwelling hereby permitted shall be first occupied anywhere on the site until the road(s) serving that dwelling have been laid to at least base course.

Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The dwellings hereby permitted shall not be occupied until plans and particulars specifying the provision to be made for external lighting of the same and the type of street lighting including calculations, contour illumination plans and means to reduce light pollution for that phase have been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved. The approved details shall be adhered to at all times.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 No development shall commence until details of the emergency link and footpath link to the west, including details of the road crossing point, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved plans prior to occupation of any dwelling unless otherwise agreed by the Local Planning Authority.

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

Framework.

- 11 The development hereby permitted shall not commence until the new sports facilities shown within the land edged red and blue on drawing numbered E1653-L-104, identified on planning permission APP/15/00538, have been constructed and made available for use.
Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 12 No development shall commence until the proposed ecology mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 13 No development shall commence until a Arboricultural Impact Assessment and Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The proposed works shall be carried out in accordance with the approved details.
Reason: To ensure the trees are not adversely affected by the construction of the development and having due regard to policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and National Planning Policy Framework, March 2012.
- 14 The development hereby permitted shall be carried out in accordance with the following approved plans:

list of approved plans

Reason: - To ensure provision of a satisfactory development.

Appendices

- A - OS location plan
- B- Indicative layout plan
- C- Woodcroft Lane access