



consideration. The Borough's five year supply of deliverable land for housing is also a material consideration. Whilst the Borough has a five year supply, this is reliant on development taking place at Forty Acres. Without the proposed development, the Borough would not have a five year housing land supply. Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, along with research into previous proposals in similarly sensitive locations, resulting in the plans being significantly improved and amended to address concerns; revising the design, layout and improving landscaping, which has improved the impact of the development on neighbouring residential properties. The application is supported by an Infrastructure Delivery Statement (IDS) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. Full extended publicity has been undertaken on the initial and amended plans including consultation, notification of neighbours, site notices and adverts in the press.

The proposal is for a cul-de-sac development with dwellings of traditional design, ranging in size from 1 bed to 4 bed and in height from 2 to 3 stories. 30% of the dwellings would be affordable. Vehicular access would be off Havant Road and would take the form of two vehicular accesses, with associated right-hand turn lanes provided when travelling east along Havant Road. Pedestrian and cycle links, are proposed to connect the site to Westways and connect with a circular walk around the open space, which would provide a trim trail and opportunities for outdoor activity.

Following extensive review and consultation to address concerns over pedestrian and cycle access, across the Rusty Cutter roundabout, revised improvements have been proposed, in agreement with the Highway Authority and Highways England. This will provide controlled crossing facilities to allow pedestrians and cyclists to cross the roundabout to Bedhampton Hill and to balance these requirements against the vehicle capacity needs of the junction. These improvements, which have been subject to a Road Safety Audit, will allow connection from the site to Bedhampton and Havant areas providing appropriate sustainable access to the site and key facilities.

The site is in flood zones 1, 2 and 3 and the proposal includes significant flood mitigation measures in the form of raising levels across the site, additional flood storage basin capacity, and incorporates sustainable drainage. Whilst an element of the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed housing within the borough. In addition, the Environment Agency and Local Lead Flood Authority have raised no objection to this development, and are content with the measures in place to ensure that the development is free from the risk of flooding and that the site is sustainably drained.

Through considerable consultation and the subsequent amendments, the impact of the development on the character, setting and appearance of this area, and impact on amenities of neighbouring properties in Westways has been significantly improved, when compared to the original submissions. When this more sensitive design is considered in conjunction with the provision of housing, it is considered that the impact on the landscape, whilst altered, is not so detrimental when weighed up against the other material considerations as to warrant a refusal.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under

Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area (SPA) requiring mitigation. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy, Position Statement on Nutrient Neutral Development and the Solent Waders and Brent Goose Strategy Guidance. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur.

To conclude, it is considered that the scheme would contribute to the need for housing in the Borough and would provide an attractive development with an acceptable impact. In assessing the proposal (including associated evidence) against the adopted local plan, the National Planning Policy Framework (NPPF), in combination with the direction of travel of the emerging local plan, and given the need to maintain a five year supply of deliverable housing sites, it is considered to represent sustainable development and is therefore recommended for permission.

## **1 Site Description**

- 1.1 The site comprises an open area of land to the south of Portsdown Hill, which is used for farming and has been previously used for local events, including car boot sales. A small cluster of farm buildings associated with fruit picking exists in the southernmost part of the site. Within this cluster of buildings is a flint cottage which is a building of local interest. The site lies close to the administrative boundary with Portsmouth. The site sits 7.5 km north east from the city centre of Portsmouth, and 2.5 km west from the town centre of Havant. The site is an approximate rectangle shape covering 22.9 hectares. It comprises several agricultural fields divided by mature tree lines, for which some are covered by Tree Preservation Orders (TPO's). The existing farm buildings, known as Forty Acre Farm, which sit adjacent to the site's southern boundary, are the only existing buildings within the site. The existing site is accessed via a single bellmouth taken from Havant Road. Opposite the existing site access is a right-turn lane providing access into residential development on Auriol Drive.
- 1.2 The land gently slopes north to south accommodating a 6m change in level, with a steep change in level, of approximately 2.5m, along the northern boundary. The site is located within Flood Zones 1, 2 and 3. Flood zone 3 is in the southern part of the site. A gas pipeline runs through the north-east corner of the site.
- 1.3 The site is bounded to the north by Havant Road (A2030). There is vegetation along some parts of this boundary, screening the road from the site. To the east, the site is bounded by vegetation screening the site from the slip road and A3(M) motorway beyond. The site is bounded to the south by vegetation alongside the adjacent railway line. To the west the site is bounded by the rear gardens of residential properties on Westways, and by a line of vegetation.
- 1.4 The majority of the development in the vicinity consists of suburban housing developed throughout the twentieth century. Many of these houses, such as those on Fortunes Way, are semi-detached two-storey houses. However, the series of houses which overlook the site on Auriol Drive are detached. There are also a number of three-storey apartment blocks in the area to the west of the site, in the Portsmouth City Council administrative area.

## **2 Planning History**

- 2.1 APP/19/00374 - To create a Habitat Mitigation Zone for Brent Geese and Solent Waders (linked to the current planning application APP/18/00450). Withdrawn 28/6/2019
- 2.2 GEN/17/00884 - Development Consultation Forum (DCF) - Residential proposal for 322 new homes (30% affordable housing), care home, allotments, ecological mitigation areas and public open space. The DCF took place on 9/11/2017
- 2.3 GEN/17/01388 - Screening Opinion - Residential proposal for 322 new homes (30% affordable housing), 60 bed care home, allotments, community building, habitat mitigation zone, provision of public open space and associated infrastructure. Environmental Impact Assessment not required, decision issued 04/01/2018
- 2.4 APP/14/01261 - Change of use from agricultural building to a flexible use (within classes A1, A2, A3, B1, B8, C1 or D2) subject to prior approval covering flooding, highways and transport issues, noise impact and contamination risks on site., Prior Approval approved,28/01/2015.
- 2.5 APP/12/00285 - Change of use of land to allow car boot sales on 24 days per annum, Withdrawn,13/08/2012
- 2.6 08/56092/008 - Change of use from Agricultural Building to meat packaging and Farm Shop, Permission, 29/05/2008
- 2.7 06/56092/007 - Renewal of Planning Permission 03/56092/004 to allow for continued use of land as a maize maze, incorporating car parking, temporary structures, portable toilets, ticket and refreshment facilities during the period June-October., Temporary Planning Permission ,27/04/2006
- 2.8 05/56092/006 - Renewal of Planning Permission 03/56092/005 for change of use of part of the existing building for fresh flower packing for a further 5 years., Temporary Planning Permission,06/02/2006
- 2.9 03/56092/005 - Renewal of temporary permission for change of use of part of the existing building for fresh flower packaging for a further 5 years., Temporary Planning Permission,14/07/2003
- 2.10 03/56092/004 - Change of use of existing agricultural land to a maize, incorporating car parking, timber footbridge with incorporated observation platforms, portable toilets and refreshment facilities during the period from mid July to mid September., Temporary Planning Permission,31/03/2003
- 2.11 00/56092/001 - Change of use of part of existing building for fresh flower packaging, Permission,02/10/2000

## **3 Proposal**

- 3.1 The proposal is for the erection of 320 dwellings including a 30% provision of affordable homes, 66 bed care home, provision of public open space, habitat mitigation zone, allotments and associated infrastructure following demolition of the

existing buildings.

- 3.2 The development will provide a variety of dwellings ranging from 1 to 4 bedrooms in size. The majority of the development will consist of 2 storey houses, with some 2.5 storey houses and a number of 3 storey apartment buildings placed strategically within the core of the scheme.
- 3.3 The proposed high dependency care home is positioned to the north-west corner of the site and will provide 66 single occupant bedrooms with shared communal facilities (including a lounge, dining areas, bistro, bathrooms etc.) This facility will create 60 full time jobs. The proposed care home will not exceed 2.5 storeys in height and benefits from a “horse shoe” design which generates a relatively large proportion of shared amenity space for the residents of the care home. The building has been designed to incorporate unique and attractive glazing features with projecting gable fronts which are set back from the main highway.
- 3.4 The southern part of the site is identified as being situated within Flood Zones 2 and 3, and it is also noted that the water table on site is tidally influenced. A hydraulically modelled surface water drainage strategy has been provided as part of the application, which outlines that a small portion of the residential element lies within flood zones 2 & 3, which has the highest probability of flooding from the sea. In order to address this issue, the application proposes, amongst other measures, to raise the levels gradually from north to south across the residential and open space parts of the development. The submitted levels strategy indicates that the maximum raising of the land would be approximately 3.2 metres, which would be located around the location of the southern residential element.
- 3.5 The proposed scheme for the site has continued to evolve since the submission of the original application in response to comments from the internal and external consultees, local residents and officers at the Council. The amendments made to the scheme from the original submitted layout including:-
  - The footpath to the north of the site has been amended so that it links into the Westways development;
  - The parking throughout the development has been broken up with soft landscaping;
  - Additional landscaping has been provided at the entrance to the site to improve the initial vistas when entering the site;
  - A hard-landscaped path has been provided from the car park to the front doors of plots 157-181 to facilitate access;
  - Bollards have been provided to the central linear park to clearly delineate these areas for pedestrians only;
  - Bollards have been provided to the footpath which runs north of the site to prevent the use of this area as an access road for vehicular traffic;
  - The informal kick about space has been relocated to provide additional space for people playing sport;
  - Parking has been provided for the Allotments;
  - Further trees have been incorporated within the landscape buffer separating Havant Road and the development to soften the view;
  - Further trees have been added in the streetscape and open space areas;
  - A landscaping buffer has been included along part of the western boundary with the properties in Westways;
  - Buffer planting has been implemented around the Habitat Mitigation Area. The boundary fence has also been amended to timber post and cleft rail to soften the view;

- Additional planting has been provided around the picnic benches;
- All properties with a rear access now have a hard surfaced path which connects to the front of the property;
- The road has been extended adjacent to plots 122, 107 and 215 to replace the areas of block paving
- The housing mix has been amended, which is outlined below.
- Off site highway works, which will be outlined in detail further in this report.

#### Nature of housing proposed

- 3.6 The proposed scheme will provide 320 dwellings, of which 30% (96 dwellings) will be delivered as affordable housing. The affordable housing element comprises 29 shared ownership units and 67 affordable rent units. The proposed housing mix is as follows:

Dwelling size	Private Housing Total	Affordable housing Total	Total	%
1 bed unit	0	20	20	6.25
2 bed unit	67	36	103	32.19
3 bed unit	127	36	163	50.94
4 bed unit	30	4	34	10.62
	<b>224</b>	<b>96</b>	<b>320</b>	<b>100</b>

- 3.7 The development provides 13.83 ha of open space and a Sustainable Urban Drainage scheme (SUDs) would deal with surface water flows at the site. This is outlined in section 7 of this report.

#### Habitat Mitigation Zone

- 3.8 The habitat mitigation zone is located to the Eastern boundary of the application site and will be secured by timber post and cleft rail fencing, so that general public access is restricted to avoid disturbance. The existing grass and seeding within the fence line will be retained. The mitigation zone is 3.47ha in size.
- 3.9 Some of the existing trees within this area will be removed to maximise the opportunities for feeding for migratory geese. The inclusion of a mixed native hedgerow and trees along the eastern alignment of the residential boundary will also act as a buffer between the development parcels and the habitat mitigation zone.
- 3.10 A circulatory pedestrian loop will also be created around the habitat mitigation zone with signage integrated along the route.

#### Nature Park

- 3.11 The Nature Park will be located to the south of the residential development. The proposal will include areas of attenuation basins which will be both permanently and seasonally wet and planted with appropriate native wetland species. A series of seasonally wet attenuation basins are proposed to be created. An area of informal open space is also proposed within this area. This will provide opportunities for play and informal recreation. Natural play space will be integrated into the parkland to provide opportunities for informal, improvised play. The area is proposed to use natural materials such as tree trunks, boulders and changing topography to allow the play area to sit naturally within the wider landscape.

#### Nature Park- Play

- 3.12 The design and arrangement of the play area has been subject to detailed discussions, and takes into account the key landscape features identified on the masterplan. This includes its location adjacent to an area proposed as permanently wet attenuation, a picnic and kick-about area and set within an area of open space overlooked by surrounding residential parcels, to ensure natural surveillance of this area.

#### Nature Park- Attenuation Zone

- 3.13 The area of land immediately south of the development is designed to act as the termination of the SUDS strategy through the inclusion of areas of seasonally wet attenuation basins. Relatively inaccessible areas are to provide an undisturbed natural habitat for local wildlife, left to the natural processes of decay and regeneration with minimal intervention in terms of management. This area is proposed to provide mitigation for habitat loss because of development elsewhere on site and a wet habitat rich in ecology.
- 3.14 Access to the water's edge will be controlled by planting and the strategic placement of natural barriers as required.

#### Nature Park- Allotment and Orchard

- 3.15 The proposal includes the provision of allotments and an orchard, which are located to the south west of the residential development. Parking is also provided for the allotments. The community orchard is proposed to the east of the allotments as part of the food growing area of the site.
- 3.16 The areas of open space outlined above, are found in the table below:

Open Space type	Area (sq m)
Natural and Semi-Natural Green / Open Space – including footpath and land surrounding Mitigation Zone	93,725
SUDS Basins	5,879
Wildlife Scrapes / Mudflats	885
Equipped Play Area	1,860
Green Corridors / Informal Green spaces within the residential area	12,106
Northern Green Frontage	4,218
Mitigation Land	37,701
<b>TOTAL</b>	<b>138,308 sq m</b> (approx. 13.83 ha, 60% of the total Site area of 22.90ha)

#### Proposed Access and parking

- 3.17 The site would be served by two vehicular access points onto Havant Road. Both accesses would be of bellmouth arrangements 7m wide supported by 15m radii. The access roads would reduce in width to 5.5m approximately 20m into the site. Such dimensions would allow two vehicles to pass when concurrently turning in and out of the access and would allow large vehicles to enter and exit the site safely without utilising the other side of the road. The accesses would be constructed to adoptable standards.
- 3.18 Both accesses would be flanked by 2.0m wide pedestrian footways either side which

would connect to a 3m wide footway/cycleway creating a continuous footway/cycleway along the southern side of Havant Road between the Forty Acres Westbound bus stop and to a point opposite the Havant Road East-bound bus stop.

- 3.19 A 3m wide footway/cycleway will be created from the existing isolated bus stop on the southern side of Havant Road, located close to the Rusty Cutter roundabout. This would extend across the site frontage to an improved pedestrian crossing to the west of the site to the northern side of Havant Road. The proposed internal foot/cycle path running alongside the northern boundary, will connect up with Westways to the west, and provide access on the eastern boundary, to the proposed ramp up to the A3(M) slip road, which will then link up with the proposed off-site highway works outlined below. These amendments were sought to improve connectivity and permeability of the site as well as ensuring all parts of the site are easily accessible.
- 3.20 Residential car parking within the scheme has been designed in line with the Havant Borough Council Parking SPD (July, 2016). In accordance with this document there is a total of 758 parking spaces for the general housing with 694 spaces for residents and 64 visitor parking bays, which consist of garages (3 x 6m), open parking spaces in private parking courts, on curtilage parking, lay-bys and visitor spaces. The development would also provide cycle parking in accordance with adopted standards. The care home would have 28 parking spaces and 8 cycle storage spaces.

#### Off-site Highway Works

- 3.21 A package of offsite highway improvements are proposed as part of the development. This includes the provision of a 3m wide footway/cycleway along the southern side of Havant Road and improvements along the pedestrian route to Bidbury Infant and Junior Schools. Along this route it is proposed to extend the existing footway/cycleway from the Rusty Cutter roundabout up to the junction of Bedhampton Hill and the Rusty Cutter Beefeater Restaurant. These enhancements also include upgrading an existing pedestrian crossing and implementing a new pedestrian island to facilitate east to west movements across Bedhampton Hill. In addition, a 'Park and Stride' site, utilising the existing car park at Bidbury Mead Recreation Ground, is proposed to assist with sustainable access towards the Bidbury Schools.

#### Proposed improvements at Rusty Cutter Roundabout

- 3.22 Extensive discussions have taken place between the applicant, Havant Borough Council, Hampshire Highways and Highway England. A sustainability review was undertaken following concerns raised by both Highway Authorities, about the original proposed improvements works to the Rusty Cutter. These works comprised the signalisation of the Havant Road Arm and Circulatory West traffic arms of the Rusty Cutter roundabout, in order to provide a safe period for pedestrians/cyclists to cross the existing crossing located on the north bound on-slip of the A3(M). The concerns were that these measures would lead to additional delay and disruption on the Rusty Cutter Roundabout.
- 3.23 The review was conducted to understand whether a pedestrian route around the south of the Rusty Cutter roundabout would be feasible, utilising the existing traffic lights to provide safe access across the roundabout. The proposed works would tie the site to the southern side of the Rusty Cutter roundabout by a graded ramp from within the site. This then leads to the southern A3(M) northbound off-slip signals which are proposed to be altered to provide controlled crossing facilities for pedestrians and cyclists. Pedestrians and cyclists can then follow a shared use path around the roundabout to the southbound A3(M) off-slip, again crossing under signal control to Bedhampton Hill. This will provide direct provision from the site to the improvements at Bedhampton Hill and onwards along Bedhampton Road. These enhancements are

shown in appendix H.

3.24 The planning application includes the following documents:

Statement of Community Involvement  
Statement of Conformity with the emerging Local Plan  
Air Quality Assessment  
Archaeological Desktop Assessment  
Land Contamination Assessment  
Ground Conditions Report  
Affordable Housing Statement  
Infrastructure Delivery Statement  
Ecological Mitigation and Management Plan  
Wintering Bird Survey Report August 2019  
Report to inform Habitats Regulations Assessment Stage 1 and 2 – August 2019  
Reptile Survey Report  
Bat Activity Survey Report  
Extended Phase 1 Habitat Survey  
Revised Transport Assessment  
Revised Travel Plan  
Sustainability Review Report  
Arboricultural Impact Assessment and Method Statement  
Flood Risk Assessment  
Utility Service Statement  
External Lighting Report  
Landscape Masterplan  
Landscape & Visual Impact Assessment  
Tree Report  
Tree Protection Plan  
Noise Impact Assessment Covering Letter  
Noise Impact Assessment – August 2019  
Planning, Design & Access Statement  
Planning Layout (Site Layout)  
Economic Benefits Statement

**4 Policy Considerations**

National Planning Policy Framework 2019

The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. There is a general presumption in favour of sustainable development and (unless material considerations indicate otherwise). Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require a local planning authority determining a planning application to do so in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan. The proposed development is not supported in principle by the adopted Development Plan.

The following policies are particularly pertinent to the determination of this application:

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM1	(Recreation and Open Space)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM6	(Coordination of Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

The following policies are particularly pertinent to the determination of this application:

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
DM23	(Sites for Brent Geese and Waders)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Local Plan Housing Statement

The Local Plan Housing Statement (the Housing Statement) was adopted by the Council on 7 December 2016. It represented the first stage in the preparation of the Havant Borough Local Plan 2036. The Housing Statement also identified that it was necessary to maintain a supply of housing onto the market in order to meet the requirements for a five year housing land supply.

As such, ten sites were identified for 'early release' and that the Council would support the principle of development on the sites prior to the adoption of the Havant Borough Local Plan 2036. The Housing Statement was revoked at the same time as the Pre-Submission Havant Borough Local Plan 2036 was approved by the Full Council. Nonetheless, the preparation of the site began during the lifetime of the Housing Statement and it represents a significant step to the site coming forward.

Pre-submission Havant Borough Local Plan 2036

The Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30 January 2019 and was subsequently published under Regulation 19 of the Town

and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 4 February 2019 to 18 March 2019. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced below are currently afforded some weight, dependent on the level of objection received to each individual policy during the consultation process.

The relevant planning policies of the emerging Local Plan are:

The Pre-submission Havant Borough Local Plan 2036 was approved by the Council on 30 January 2019 and was subsequently published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 1 February 2019 to 18 March 2019. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption.

Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced below are currently afforded limited weight, dependent on the extent of objection received during the consultation process.

The relevant planning policies of the emerging Local Plan are:

- DR1 – Delivery of Sustainable Development
- DR2 - Regeneration
- IN1 - Effective Provision of Infrastructure
- IN2 – Improving Transport Infrastructure
- IN3 – Transport and Parking in new development
- IN5 – Future management and management plans
- E1 – High Quality Design
- E2 - Health and wellbeing
- E3 – Landscape and settlement boundaries
- E6 – Best and most versatile agricultural land
- E9 - Provision of public open space in new development
- E12 – Low Carbon Design
- E13 – Historic Environment and heritage assets
- E14 – The Local Ecological Network
- E15 – Protected Species
- E16 – Solent Special Protection Areas
- E17 – Solent wader and Brent Goose feeding and roosting sites
- E18 – Trees, hedgerows and woodland
- E19 – Managing flood risk in new development
- E20 – Drainage infrastructure in new development
- E22 – Amenity and pollution
- H1- High Quality Homes
- H2 – Affordable Housing
- H3 – Housing Density
- H4 – Housing mix
- H5 – Retirement and specialist housing

H14 – Land at Forty Acres

Supplementary Planning Documents

The following Supplementary Planning Documents (SPDs) are also relevant:  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

**5 Statutory and Non Statutory Consultations**

**Planning Policy**

Initial comments

Draft Local Plan 2036

The Council is also preparing a new Local Plan and consulted on a Draft (Regulation 18) version of the Havant Borough Local Plan 2036 (HBLP 2036) between 8 January to 16 February 2018. Whilst the Plan has limited weight in decision-making at this stage in the plan preparation, the Draft Local Plan and particularly the emerging site allocation policy at Forty Acres is of relevance in setting out the Council's direction of travel.

In this case, emerging Policy E17 (Brent Goose and Wader Feeding and Roosting Sites) is also of relevance in terms of setting out the Council's proposed approach to the implementation of the forthcoming Brent Goose and Wader Strategy. Members have also recently informally considered a report setting out a summary of the responses to the consultation on the Local Plan and the proposed changes. A copy of this report, alongside a copy of the raw representations including comments from statutory consultees will be available at: [www.havant.gov.uk/localplan](http://www.havant.gov.uk/localplan)

Principle of Development:

In the adopted local plan, the site lies outside of the urban area as defined by policies CS17 and AL2. These policies seek to restrict development in these locations, except in exceptional circumstances. I do not consider that any of the exceptions in the policy apply here, the proposal being a major scheme on greenfield land.

By contrast, the Pre-submission Local Plan includes a site allocation for the land at Forty Acres (Policy H14), continuing the direction of travel that was set in the Local Plan Housing Statement in 2016 and the subsequent draft Local Plan consultation in 2018.

Overall, while the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle of development, and this must be given weight in the determination of this application.

Development Requirements

The emerging site allocation policy sets out development requirements which should be considered during the determination of this application.

Hampshire Highways and Highways England should be consulted on the proposed highways improvements needed to secure safe access to Bidbury School.

Housing Density

The Pre-Submission Local Plan includes Policy H3, which requires residential development to 'maximise its contribution to addressing housing need' and expects a minimum density of 40dph (net developable area). I consider that the proposal meets the minimum density standard within the Pre-submission Local Plan Affordable Housing and Housing Mix.

Under the emerging Local Plan, policy H2 deals with affordable housing. 30% affordable housing is expected, with 10% of the total number of homes to be shared ownership (in line with the NPPF, which expects 10% affordable home ownership products as part the affordable housing to be provided on sites). The applicant's Affordable Housing Statement sets out that 96 affordable dwellings will be provided making up 30% of the total quantum of development. Of the 96 affordable dwellings, 29 are confirmed as shared ownership and thereby meeting the associated requirement.

Policy H4 of the Pre-Submission Local Plan expects new development to provide a range of dwelling types and sizes in order to meet locally identified need. It is noted and supported that the proposed housing mix is in conformity with Policy H4 in the new Local Plan.

#### Specialist Housing

The proposed 66 bed care home is noted, and the principle of this particular element of the scheme and would help to meet a locally identified need in line with Policy H5 of the new Local Plan.

#### Technical Standards

There is no evidence that the proposed residential dwellings would meet the national prescribed space standards, or the enhanced accessibility and adaptability standards, as required by policy H1 in the Pre-submission Local Plan. However, it is noted that the inclusion of the nationally prescribed space standards and the enhanced accessibility standards within the emerging plan were not communicated to the applicant through the pre-application process. Due to the detailed design work that has already been undertaken by the applicant, it is considered that only very limited weight is applied to these elements at this stage in the plan-making process.

#### Pollution

The site overlays a Principal Aquifer and the developer should be aware of the possible constraints to construction methods with regard to protection of the water environment in line with policy E21 and/or further advice from Portsmouth Water.

The effect of noise from the A3023 and A27/M27 has been considered in the noise report submitted by the applicant. The Council's Environmental Health Team will be able to provide guidance on the acceptability of the mitigation measures proposed.

#### Ecology

The eastern part of the site is identified as a secondary site for Solent Waders and Brent Geese, whilst the western part of the site is identified as a low use site for Solent Waders and Brent Geese under emerging policy E17. As such, the application proposals must be assessed and subject to the tests of the Habitat Regulations in order to determine the levels of impact, alone and in combination with other plans and projects.

The submitted Planning Statement indicates that a mitigation area would be established with suitable improved grassland to provide an optimal food source for Brent geese, as well as the creation of wader scrapes within the public open space to the south of the development.

It is noted that a Winter Bird Mitigation Strategy has been submitted in support of the application, and it is recommended that the Council's Ecologist is consulted accordingly.

#### Conclusion

The principle of the development of this site is supported in policy terms, based on a policy position that has been emerging for over two years.

In terms of the detailed Development Management policy considerations, an assessment will need to be made regarding the weight which should be afforded to emerging policies against the adopted Local Plan. The applicant's statement of conformity with the emerging Local Plan should be used to inform that assessment.

#### Revised comments, following the submission of further information:

Policy comments were previously supplied in February 2019, setting out the position in regard to the adopted and the emerging Local Plan. These are not repeated here, save to say that the principle of development on the site is accepted through the Pre-submission Local Plan 2036, but that this must go hand in hand with complying with the policy provisions in that plan.

One particular requirement, which remained to be resolved at the time of the last comments, was that set out in criterion e. of Policy H14:

e. Off-site highway improvements are made, including a pedestrian and cycle crossing on the Rusty Cutter roundabout and a crossing to the north side of the A2030.

Following extensive discussions with the Highways Authorities a route for pedestrians and cyclists is now proposed from the site, and around the Rusty Cutter roundabout. The current proposal at the roundabout is for a signalised crossing on the Northbound A3(m) off-slip, and a 3m route running south around the inside of the roundabout.

While the draft policy specified a route around the north of the roundabout, that was based on information available at the time. If the Highways Authority considers the southern route to be safe and acceptable, including as a route to school, then in policy terms this would be supported.

#### **Building Control, Havant Borough Council**

Bin storage for each plot to be clarified.

A public surface water drain runs through the site. Consultation with Southern Water will be needed.

#### **Coastal Engineering**

No objection to the proposed development in principle, subject to Havant Borough Council's satisfaction that the requirements of both the Sequential and Exception Tests have been met.

#### **Community Infrastructure, Planning Policy & Urban Design**

The CIL liability for this site currently stands at £2,275,029.32 based on the figures set out in CIL Additional Information form. This is net of Mandatory Social Housing Relief. This relief can only be granted subject to the CIL Regulations on receipt of CIL Form 2.

### **Conservation Officer**

No Objection - Within the proposed site is an existing flint cottage that is identified as a building of local interest. Whilst it does not benefit from the level of protection that a statutorily listed building would, it is considered to have heritage value. This is covered by local plan policy CS11 - Protecting and Enhancing the Special Environment and Heritage of the Borough. This policy advises that development should protect and where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to consideration areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, building of local historic or architectural interests.

It is proposed as part of the development to demolish the building which will make way for open space.

Whilst the building is of some historic merit largely due to the age of the structure it has been in a particularly poor state of repair for what appears a long period of time. Part of the roof is open with the rest covered in corrugated steel sheeting which has meant the building has been open to the elements. This has affected some of the flint walls with many areas of structural cracking evident. The cost to restore the building would therefore be substantial. I would of course have preferred a scheme to come forward to restore the current building, but it appears from the information that this is not viable. Therefore, on balance the unfortunate demolition of the building appears appropriate.

### **Arboriculturalist**

No Objection - I have worked with the applicant's Tree Consultant and have ironed out a number of concerns that I previously raised regarding the site.

The supporting arboricultural evidence is comprehensive and outlined in the following points:

A number of tree removals are required to facilitate development and comply with ecological conditions on site.

The trees proposed for removal are all of a lower value and grading and most could have been removed for sound arboricultural reasons regardless of any redevelopment proposals. (The TPO Alder trees shown for removal are suffering from Phytophthora and will slowing move in to decline).

The Landscape Master Plan must include high levels of shrub and tree planting as well as other landscape features to enhance this site - newly planted trees must be of a standard size so as to give immediate impact and amenity benefit.

Provided that the methodology prescribed in the AMS & TPP report is strictly adhered to and a site monitoring exercise is undertaken I would expect the retained trees to survive the development unscathed and to continue to grow on in the future.

### **County Archaeologist, Strategic Environmental Delivery Group, HCC**

The site contains the potential for well-preserved archaeological features dating from the later prehistoric and Roman periods. Therefore, while there is no indication that archaeology presents an overriding concern I would advise that the assessment, recording and reporting of any archaeological deposits affected by construction be secured through the attachment of suitable conditions to any planning consent that might be granted.

### **Crime Prevention -Major Apps**

1. For a number of properties rear garden access is via a rear access footpath or

from a parking area. Some acquisitive crimes such as burglary and theft are often facilitated by access to the rear of the property. Planning guidance advises that "Planning should promote appropriate security measures" it goes on to say "Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits." To reduce the vulnerability of the dwellings to crime I recommend that all rear garden access is in curtilage. If this is not desirable all rear garden access gates should be fitted with a key operated lock that operates from both sides of the gate.

**Officer comment:** *All rear gardens will be fully secured and enclosed. Properties which benefit from rear garden access will have a gate fitted with a lock to prevent unauthorised access.*

2. The rear boundary treatments for plots 132 to 140 (there are other dwellings in a similar situation) and between the two parking areas to the rear of these properties is shown as dwarf wall topped with a low fence giving a combined height of 1.8m, between pillars 1.8m high. This style of boundary treatment is not appropriate in this position, the low wall provides a step on to which a person can stand to climb over the low fence, which increases the opportunities for crime. Planning guidance advises that "Planning should promote appropriate security measures" it goes on to say "Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits." To reduce the opportunities for crime and anti-social behaviour, boundary treatments of this type to the rear of dwellings and between car parks should be replaced with a 1.8m high wall.

**Officer comment:** *The areas within the proposed development where a dwarf brick wall is proposed with brick piers and a timber infill panel (at a height of 1.8 metres), all benefit from a high level of natural surveillance by virtue of properties directly overlooking these areas through surrounding windows. On this basis, it is not considered that the proposed boundary treatment would cause any detrimental impact or increase opportunities for crime.*

3. A parking court is shown to the rear of plots 162 to 170 (there are others), a gated pedestrian access has been provided between plots 155 and 170, there is no natural surveillance of the vehicles parked within this car park. These attributes increase the vulnerability of the car park to crime. Planning guidance advises that, "Natural surveillance of parked cars is an important consideration." To reduce the vulnerability of this (and other similar) car park(s) to crime natural surveillance of the car park must be provided. The pedestrian access should be fitted with a locking mechanism that provides for authorised access / egress only.

**Officer comment:** *All areas within the development, which benefit from parking courts, are considered to have appropriate natural surveillance. The Planning Portal defines Natural Surveillance to be "the discouragement to wrongdoing by the presence of passers-by or the ability to be seen out of surrounding windows. Also known as passive surveillance". All parking courts within the development benefit from residential properties which surround them. On this basis and by virtue of the number of surrounding windows which face onto these areas, it is considered that all parking courts proposed are appropriate and all benefit from natural surveillance.*

4. The plan shows a number of "off plot" parking spaces adjacent to the area of open space to the south of the development. It appears possible to access the

vehicles using these spaces from the open space, which increases the vulnerability of the parking spaces to crime. Planning guidance advises that “Planning should promote appropriate security measures” it goes on to say “Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits.” To reduce the vulnerability of these parking spaces to crime I recommend that they are isolated from the open space by the provision of a robust boundary treatment, perhaps hoop topped railings, approximately 1m high.

**Officer comment:** *The parking spaces referred to (towards the southern end of the development and adjacent to the open space) are all associated with the properties directly opposite. Many of the parking spaces referred to are in “shared surface areas” and as such do not comprise robust boundary treatments, as this would compromise the character of these areas. It is not considered by virtue of their position and connection with the properties opposite that the parking spaces proposed to the south would result in any vulnerability to crime given their relationship with their associated property.*

5. A large area of open space is provided to the south and east of the development. There is very limited visitor parking for such a large space, which will place an additional burden on the “on street” parking provision and possibly cause visitors to park within the “off plot” residential parking spaces adjacent to the open space. Such parking may cause conflict between residents and visitors. Therefore, to reduce the opportunities for conflict I recommend that a visitor’s car park is provided for those visiting the open space.

**Officer comment:** The appropriate number of visitor parking spaces have been provided in accordance with the Adopted Parking Standards.

6. The cycle stores are constructed of wood, the wooden walls are topped with 300mm of trellis and they have a double door. To provide for the security of the pedal cycles, the cycle stores should be of brick construction, there should be no gap between the top of the walls and the roof. The door should be a robust, single door fitted with a lock that provides for authorised access only. The stores should be fitted with lights and cycle anchor points.

**Officer comment:** *The cycle stores proposed will be fully secured, enclosed and provided with a lock to prevent unauthorised entry. It is not considered that they will result in any increased risk of security, are considered appropriate and fit for purpose and will be constructed using a robust timber material. It is considered important to provide a variety of materials within the development to deliver a sense of place and as such, the timber cycle stores, in the proposed locations, are considered to be appropriate aesthetically, thus providing a variety of materials and boundary treatments within the development.*

7. Within the grounds of the care home there are a number of ground floor patios, each with a door from the associated apartment. The patios are accessed from a communal garden or the rear garden footpath. Easy access to the rear gardens of these apartments increases the opportunities for crime. Planning guidance advises that “Planning should promote appropriate security measures” it goes on to say “Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits.” To reduce the vulnerability of the apartment to crime each garden should be enclosed by a boundary treatment, perhaps hoop topped railings, approximately 1m high. A boundary treatment should be fitted to

prevent access to the rear garden, the boundary treatment should be 1.8m high. The gates providing access to the rear garden footpath should be 1.8m high and fitted with a locking mechanism to prevent unauthorised access.

**Officer comment:** *It is not considered necessary to have defensible space for the care home as this is a private and secure area. Each set of double doors has its own patio area, and this clearly suggests that this is for use of the occupant of each room and not for members of the public or other residents. In addition, due to the nature of the care facility, there will be staff on site 24 hours a day thus providing a high level of natural surveillance.*

8. The plan shows allotments along the western edge of the area of space to the south of the development. There is little if any natural surveillance of the allotments from the nearby dwellings, there is some natural surveillance across the open space itself. This increases the vulnerability of the allotments to crime and anti-social behaviour. Allotments are places that can at times suffer high levels of crime. To reduce the opportunities for crime the allotments should be moved to a place with much greater natural surveillance from the nearby dwellings. The allotments should be enclosed within a boundary treatment at least 1.8m high, the boundary treatment should be visually permeable, perhaps hoop topped railings. Gates within the boundary treatment should be of a similar height and construction to the adjacent boundary treatment, they should be fitted with a locking mechanism that provides for authorised access only. Care should be taken during the construction of the gates to ensure that locks and bolts etc. do not create handholds and footholds that facilitate climbing the gates.

**Officer comment:** *A mesh fence at a height of 1.8 metres will secure the allotments, which is visually permeable. Access into the allotments will be via a secured gate (of the same specification) which is capable of being locked, thus preventing unauthorised access into this area. There are properties directly opposite the Allotment area and also to the right, all which benefit from surrounding windows, which face directly onto this area. Furthermore, the open space to the south provides a degree of natural surveillance by virtue of passers-by. As such, it is considered that the Allotments are appropriate in this position and will benefit from an appropriate degree of natural surveillance.*

## **Southern Water**

### Initial comments:

No Objection subject to conditions - In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission.

Revised comments: Southern Water has recently undertaken more detailed network modelling as part of a network growth review. The results of this assessment, to our current modelling procedures and criteria, indicates that the additional foul sewerage flows from the proposed development will not increase the risk of flooding in the existing public sewerage network. Southern Water can hence facilitate foul sewerage disposal to service the proposed development.

## **Portsmouth Water**

No objection, subject to conditions- The proposed development is located south of Havant and Bedhampton springs; an essential public water supply source. Groundwater flow is likely to be south west and thus away from the spring source, therefore the risk to this source is negligible.

The proposed surface water drainage strategy is SuDs encompassing attenuation basins and ponds prior to final discharge to Langstone Harbour via surface water outfalls and existing watercourses. Portsmouth Water have no concerns on this drainage strategy as the SuDs features and discharges are situated in the south of the site and thus south of the Havant and Bedhampton springs.

The proposed foul water drainage strategy is to an existing main sewer, this is acceptable to Portsmouth Water in relation to groundwater protection and we have no further comments on the foul drainage strategy for the site.

### **Local Lead Flood Authority HCC**

#### Initial comments:

#### Surface Water Drainage

The general principles for the surface water drainage proposals are acceptable; we would recommend that further information on the proposals be submitted as part of a more detailed design phase, which will be secured through a condition.

It is important to ensure that the long-term maintenance and responsibility for Sustainable Drainage Systems is agreed between the Local Planning Authority and the applicant before planning permission is granted. This should involve discussions with those adopting and/or maintaining the proposed systems, which could include the Highway Authority, Planning Authority, Parish Councils, Water Companies and private management companies.

Where the proposals are connecting to an existing drainage system it is likely that the authorities responsible for maintaining those systems will have their own design requirements. These requirements will need to be reviewed and agreed as part of any surface water drainage scheme.

#### Revised comments, following the submission of further information:

Following from our response dated 15.06.2018 we have improved our processes and therefore require certain additional information at this stage to ensure that surface water is managed adequately:

- The drainage proposals are very high level and at this stage we would expect a full drainage scheme to have been developed including pipe runs, pipe flow direction arrows, gradients, sizes and inverts. Drawings should include site proposals; site; plans of surface water drainage and any SuDS features within the scheme.
- Confirmation of how the proposed surface water will discharge away from the site. The FRA states the “proposed discharge from the residential portion of the site would continue to Langstone Harbour, via the existing watercourse and Southern Water surface water outfall.” Provide details of the agreement with Southern Water to discharge to their surface water network. Provide records showing the invert level of the southern water manhole where it is intended to discharge to. If applicable provide details on any proposed connections to the existing watercourse and any agreements to discharge to the watercourse.
- Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

Further amended comments following information submitted by applicant:

On the basis of the additional information provided by the developer then I would be happy that a condition is applied with regard to ensuring that discharge rates, mimic greenfield runoff rates at the different return periods.

### **Environment Agency**

No Objection subject to conditions:

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Flood Risk Assessment (dated 20th April 2018) submitted with application HA/2018/120436/01-L01 are implemented and secured by way of a planning condition on any planning permission.

### **Education Department**

This application has been the subject of a great deal of discussions over the last year or so and it has culminated in the County Council not requiring a contribution towards the expansion of educational facilities provided that a safe crossing route can be found over the Rusty Cutter roundabout to allow the pupils to get to the Bidbury pair of schools at Bedhampton.

If a safe route cannot be provided I am reserving the right to comment again on this proposal and, if required, to seek a contribution to expand a school on the western side of the A3(M).

### Updated response

It is noted that highway works have been agreed in principle with the Highway Authorities. Provided the work to the Rusty Cutter roundabout is part of a s106 agreement in order to be legally binding (and the proposed work provides a safe access route across the roundabout) then I can confirm that I will not be seeking a contribution towards additional school places from this development.

Further to our original response HCC Early Years and Portsmouth City Council look to secure further day care provision in the area as there is currently a shortage of such provision.

Request that an area of approximately 0.75 acres (0.3 ha) is set aside to allow a third party provider to consider providing a new day care facility to accommodate the yield from the development.

**Officer Comment:** *The safe route across the Rusty Cutter roundabout has now been secured, see Highway Authority response later in this report.*

*Regarding the early year provision request for pre-school children and an area to be set aside for such a use. Given the late nature of this request, this is not part of the current planning application and is therefore not included within the description of development. The submitted technical assessments, most notably the Transport Assessment and Flood Risk Assessment, have not included such a facility as part of the proposed development. Furthermore, it is considered that it would be inappropriate and contrary to policy to reduce the area of green space or the biodiversity area to accommodate such a use. However, the Community Infrastructure Levy Charging Schedule includes nursery schooling as a type of community infrastructure eligible for funding through CIL payments, and as such this development could contribute to the need for such places through those means.*

## **Environmental Health Manager, Community Group**

### Initial comments

We are of the opinion that the current noise report demonstrates that the existing night time internal L<sub>Amax</sub> noise levels in the proposed residential units are unacceptable, even with the windows closed. In addition to the current mitigation proposals, we would like to see an assessment of the suitability and effectiveness of an optimised noise barrier, installed along the southern boundary of the site, to mitigate noise from the A27, A3(M) and the railway line to the proposed residential units.

At the detailed design stage the internal layout of the properties should be considered. Noise sensitive rooms such as bedrooms and living rooms should, as far as reasonably practicable, be placed on the quietest façades of the proposed dwellings. Bathrooms, kitchens, hallways, stairwells should be located on the noisiest facades (ie those facing main roads and/or the railway line), as far as reasonably practicable, to minimise noise impact on occupants.

### Response to amended Noise assessment

No objection, subject to condition – The revised details demonstrates that the acoustic treatment identified will provide sufficient noise mitigation to ensure a suitable internal acoustic environment in the dwellings as described.

It is noted that the report also now states that the internal arrangements will be carefully orientated to avoid sensitive rooms being located on noisy facades as far as possible.

A condition is required to install glazing and associated ventilation as specified in the report to ensure that the development does go ahead as per the detail here please. Similarly, the layout should be optimised both externally and internally as per the detail here.

## **Environmental Health Manager, Pollution**

No Objection subject to conditions:

### Gas Pipeline

I note that the HSE concur with my assessment that development near the gas pipeline is acceptable, subject to observance of the SGN procedures. This is considered to address the principle of development.

### Surface water

As regards surface water drainage strategy, I am satisfied that the extensive use of surface-conveyance & storage SuDS will provide more than the minimum required pollution attenuation & treatment capacity. I also note that the detailed maintenance plan (landscape) includes comprehensive provision for SuDS.

### Air quality

It is clear that new dwellings are unlikely to be located in a region where air quality can be expected to be poor (in breach of NAQS objectives), and it is probably reasonable to conclude on balance that the 'real world' impact of the development will be somewhere between 'negligible' and 'slight adverse' at existing sensitive receptors

### Contamination

The risks are expected to be low-moderate, and limited to particular areas of the site. In this respect, it is perfectly acceptable to defer assessment until consent status is certain, this can be secured by means of a suitable condition.

## **Hampshire Fire & Rescue**

No objection, note that the development must comply with Building Regulations.

## **Hampshire Highways**

Objected to initial scheme.

In response to the Highway Authority's original letter dated 16th July 2018, the applicant has submitted an amended transport assessment and sustainability review report with the aim of addressing the concerns raised within this response.

### Personal Injury Accident Data

The accident data has been provided for the 5-year period January 2012 to December 2017. This is now 18 months out of date and HCC have therefore reviewed records of accidents within the study area internally.

The accident analysis identifies a cluster of accidents on the Bedhampton Hill approach to Rusty Cutter Roundabout. As requested in the previous response, the applicant has assessed the level of additional traffic as a result of this development which would be added to this approach to the roundabout. This has demonstrated during the peak hours an additional 4 vehicle movements in the AM peak and 5 in the PM peak. Given this level of increase, the additional risk as a result of additional demand on this arm could not be considered to exacerbate the existing accident problem.

The Revised TA highlights a cluster of accidents at the Rectory Road/Havant Road junction. This junction sits within the Portsmouth City Council area and therefore comments should be obtained from them.

## **Sustainable Transport Accessibility**

### Walking and Cycling Accessibility

The site is located on the edge of Bedhampton to the south of the A2030. The applicant has undertaken a review of key facilities and the walking/cycling distance to these destinations. This has identified that the Bidbury Infant and Junior school sit within 2km of the site and therefore within the maximum acceptable walking distances from the site. It is acknowledged however that improvements to this route are required in order to facilitate these movements safely, to encourage walking and cycling to school and reduce the reliance on the private car.

The Education Authority has confirmed that the catchment secondary school for this site will be Warblington School which is located just over 2.7 miles or 4km from the site. This is above the recognised preferred maximum walking distance however does fall within a recognised acceptable cycling distance of 5km. The route has been considered further by the applicant regarding sustainable access and the opportunities for travel to the school.

A limited assessment of nearby amenities has been carried out, with no assessment carried out for doctor's surgeries, Havant town centre, South Downs or Havant College, for example. Of those amenities reviewed, the assessment demonstrates that the proposed development is not within recognised walking distances to key amenities. However, the proposed improvements to the Rusty Cutter roundabout and Bedhampton Hill (detailed later in this response) are considered to overcome the additional walking distance and promote sustainable access to and from the development site to key amenities.

### Access to Primary School

The expected catchment area for this development site has been identified by the Education Authority to be Bidbury Infant and Bidbury Junior Schools. The applicant has provided a commentary on the walking and cycling routes to these schools within the Sustainability review report.

From the centre of the proposed development site these schools have a walking distance of 1.8km to the pedestrian entrance of the site. The rear pedestrian entrance to the school via the Rights of Way network (Footpath 40) leads to the school playing field via a tarmac path.

Improvements have been proposed by the applicant to the route to Bidbury Infant and Junior School. These include improvements across the site frontage, Rusty Cutter roundabout and Bedhampton Hill Road and provision of a £2000 contribution to allow provision of park and stride signage and literature to advertise appropriate sites. Havant Borough Council have, at this time, agreed to the use of the Cricket club car park adjacent Bidbury Park and are aware of other sites which may be appropriate and can be explored by HCC's school travel plan team with the agreed funding.

The applicant has also proposed a controlled route across Rusty Cutter roundabout which will facilitate safe access across the strategic network, enabling a safe walking route to school. Details of the scheme shall be discussed further within this response.

### Access to Secondary School

As the secondary catchment school, access to Warblington School has been assessed within the Sustainability Review undertaken by the applicant.

It is noted that bus route number 23 runs from the frontage of the proposed development every 10 minutes and goes to Havant Bus Station in 15 minutes. From here students would be required to walk 17 minutes from the site via School Lane to Warblington School.

There is a direct line from Bedhampton Railway Station to Warblington Station which would serve to access the school. The frequency of this route however is low with suitable trains at 07:35 and 07:52. Walking to Bedhampton Station is 25 minutes and whilst this mode is present as an option it would not be considered attractive against the existing and potential bus provision.

The provision of the shared use path at Rusty Cutter roundabout will aid facilitating cycling to school for secondary aged children and provide a direct and safe all-purpose route for these journeys.

### Car Parking

Determination of the required parking levels within the site is a matter for Havant Borough Council as the Parking Authority. However, it is understood that the parking provision has been reviewed and is considered to meet the required standards for the residential aspect of the site, but not for the care home. To prevent any overspill parking from the development onto local residential roads, a TRO contribution is being secured by the Traffic Management team.

### Site Access

The proposed site accesses consist of two priority junctions with ghost island right turn lanes on the A2030. The principle of these access arrangements is acceptable to the Highway Authority and shown in drawings 041-0023-003 Rev G and 041-0023-004 Rev G. A stage 1 Safety Audit has been undertaken for the scheme and whilst items have

been raised, the Highway Authority is satisfied that these can be dealt with at the detailed design stage.

Proposals to implement a shared use footway/cycleway across the site frontage are indicatively shown in drawing number 041-0023-005 Rev G, connecting the site to the eastern bus stop on Havant Road and the western crossing point near Rectory Avenue. The applicant is also proposing to provide a shared use path internal to the development to connect to the locations noted above. Provision of a shared use connection from the site to Rectory Avenue and the eastern bus stop will need to be secured within the S106 agreement to ensure sufficient linkages are in place to these locations.

Further investigation has been carried out into the crossing provision on the A2030. The designated crossing points to the east and west of the site accesses are considered sufficient in catering for the pedestrian and cyclist desire lines from the development, alongside the proposed walking/cycling route across the Rusty Cutter roundabout.

### **Proposed Pedestrian/Cycle Improvements**

#### Havant Road A2030 Corridor

There are no walking and cycling facilities on the southern side of the A2030. As part of the proposed development the applicant is proposing a shared use path to be provided across the site frontage along with uncontrolled crossings facilities. These improvements are shown in drawings 041-0023-003 Rev G, 041-0023-004 Rev G. The general principle of these improvements were considered acceptable within the previous response in so far as they provide connections to existing routes.

The internal layout of the site has been amended to include provision of a shared use path from the eastern access running within the site to the proposed graded ramp to bring pedestrians and cyclists up to the southern side of Rusty Cutter Roundabout. The ramp and path from the development will be provided at a width of 3m to accommodate for both pedestrians and cyclists. The ramp should be delivered by the developer through a S278 agreement with the Highway Authority.

A suitable mechanism needs to be agreed regarding obtaining rights of access over this route. The path should either be adopted as part of the s38 works, dedicated as a right of way or right secured in perpetuity through a suitable condition.

#### Access to schools

Given the need to provide suitable connections to the schools, as outlined above, further consideration of crossing facilities along the corridor were required, in particular improvements to the crossing of the A27/A3(M) slip roads. It is noted that a pedestrian route exists on the Portsdown Hill Road bridge which may provide a route across the A3(M) and onwards to local schools. However, the gradient on approach from Glebe Park Avenue, as well as the need to cross Portsdown Hill Road does present some difficulties with this route.

Revised improvements have been proposed at Rusty Cutter roundabout as a result of the review undertaken by the applicant for sustainable access to the site. The main aim of the proposed improvements are to provide controlled crossing facilities to allow pedestrians and cyclists to cross the roundabout to Bedhampton Hill and to balance these requirements against the vehicle capacity needs of the junction. The proposals are shown in drawing 041.0023.014 Rev D and 041.0023.018 Rev A. The works proposed tie the site to the southern side of Rusty Cutter roundabout by a graded ramp

from within the site. This then leads to the southern A3(M) northbound off-slip signals which are altered to provide controlled crossing facilities for pedestrians and cyclists. Pedestrians and cyclists are then taken across the circulatory carriageway again under signal control to the central refuge island where they can follow a shared use path around the junction to the southbound off-slip, again crossing under signal control to Bedhampton Hill. This will provide direct provision from the site to the improvements at Bedhampton Hill and onwards along Bedhampton Road.

There are two proposals for the scheme with relation to the works under the A3(M) bridge. The first as shown in drawing 041.0023.014 Rev D shows a 2.1m wide footway/cycle width under the bridge with cyclist dismount signs and utilises the existing width available with the existing kerb line. The second option shown in drawing 041.0023.018 Rev A shows a footway/cycleway width of 3m with narrowed lanes for vehicle traffic to 3.3m. The Highway Authority will require drawing 041.0023.018 Rev A to be secured within the agreement with the option to narrow the footway/cycleway width being considered acceptable in the detailed design stage should cyclist dismount signs be considered not to be required over a localised narrowing.

Proposals have also been put forward for shared use path provision on Bedhampton Hill from the Rusty Cutter Roundabout along the northern side of Bedhampton Hill crossing at a new refuge island at Maple Wood. These are shown in drawings 041.0023.010 Rev B. The principle of these improvements are agreed and subject to delivery via a s278 agreement, with the option for the a contribution to be provided in lieu of works.

The above improvements allow connection from the site to Bedhampton and Havant areas providing appropriate sustainable access to the site and key facilities.

All elements of the scheme have been subject to Stage 1 Road Safety Audit and the Highway Authority are satisfied that all matters can be suitably dealt with at the detailed design stage.

The Highway Authority notes aspirations to improve the Rusty Cutter roundabout, as part of the Transforming Cities Fund (TCF) bid. Successful submission of the bid would provide funding towards infrastructure projects within Havant and Portsmouth. Whilst the position is not committed, the outcome of this bid will not be known until February 2020 at the earliest. In this regard, the Highway Authority have agreed to secure the Rusty Cutter walking/cycling route and Bedhampton Hill improvements as S278 works within the S106 agreement, with a contribution value of £954,176 to be provided in lieu of the works should the bid be successful. If funding is secured via the TCF bid, HCC will implement the walking/cycling improvements, alongside a larger improvement scheme at the roundabout which is currently being designed. However, this mechanism also allows the applicant to deliver the works through a conventional S278 agreement with the Highway Authority.

On the basis of the above, a level of occupations on site are likely to take place before the works at the roundabout have been implemented. Further discussions have taken place between the Highway Authority and the applicant to discuss school travel for primary aged children during the initial absence of the walking/cycling route. During this time, travel to school will need to be funded by the applicant in the absence of a safe route to school from the site. A contribution value of £217,350 has been agreed by the applicant and will be secured within the S106 agreement, with any unspent monies returned based on the timescales associated with the TCF bid and the build out of the Rusty Cutter works.

### Internal Site Layout

It is understood that the roads and footways relating to this are being put forward for adoption by the developer. As such, an assessment of the submitted drawings has been undertaken accordingly and amendments to the internal layout made.

However, it should be noted that these planning application consultee comments have been made utilising the plans submitted. With adoption required, the S38 process will still need to be undertaken in addition to any planning approval that may be granted by the Local Planning Authority, and the details of this process can be found via the following link - <https://www.hants.gov.uk/transport/developers/constructionstandards>. This process will require additional information to that submitted to date, and require formal engineering drawings for assessment which may result in updates to the layout being required.

### Traffic Impact

Assessments have been undertaken at a number of nearby junctions including:

- Site Accesses
- Rusty Cutter Roundabout
- A27 Teardrop Junction
- Havant Road/Auriol Drive
- Havant Road/Bedhampton Hill

These junctions have been assessed at the recorded network peak hours of 7.30-8.30AM and 4.00-5.00PM. For all junctions the following scenarios have been modelled

- Baseline 2016
- Baseline 2023
- Baseline 2023 + Committed Development
- Baseline 2023 + Committed Development + 50% of Proposed Development
- Baseline 2028 + Committed Development
- Baseline 2028 + Committed Development + Proposed Development

A sensitivity test has also been undertaken to 2036 to understand the cumulative impact of the wider emerging Local Plan allocation which is considered necessary given the allocation of this site within the emerging local plan and current progression of the local plan evidence base yet to demonstrate the cumulative impact of development in the area.

### Eastern and Western Site Accesses

The site accesses have been modelled in the 2023 and 2028 scenarios with committed and proposed development. A review of the modelling parameters has been undertaken on both modelled junctions.

A Junctions 9 model has been developed using a 3 Arm 'T' Junction, with the site access labelled as the minor arm. A CAD layout has not been provided for the junction. Geometric parameters have been checked by scaling the site layout plan (Drawing No. PL04A Proposed Site Layout Plan) in the TA to the CAD base and measuring from this. Whilst this method of inspection gives only an approximate result, the geometric parameters modelled are deemed to be sensible with the exception of the major carriageway width which has been significantly over-estimated, possibly by including the width ghost island arrangement in the calculation.

The site access road has previously been modelled as one lane but has since been updated to one lane plus flare which is in line with TRL guidance. The geometry inputs for minor road are in accordance with scaled CAD plan measurements.

The AM and PM peak hours used in the model do not correspond to the TA report but will not have a material impact. The correct flows have been inputted into the model.

### Rusty Cutter Roundabout

Revised junction modelling has been undertaken to address the comments raised by Highways England. The latest model takes account of the southern route around the roundabout and the resulting set back in the stop lines to facilitate the walking area.

Under the 2028 baselines + committed development + development traffic, the A3 Northbound Off Slip and Circulatory South are approaching/at capacity. The Highway Authority is aware of aspirations to improve capacity at the Rusty Cutter as part of the TCF bid. The larger improvement scheme will feed into the pedestrian/cycle improvements which will either be delivered or contributed towards by this development.

### A27 Teardrop Junction

This junction falls under the jurisdiction of Highways England.

### Havant Road/Auriol Drive

Overall the junction is forecast to be operating within practical capacity in all scenarios in both peak periods and therefore no improvements are sought at this junction.

### Havant Road/Bedhampton Hill

Overall the junction is forecast to be operating within practical capacity in all scenarios in both peak periods and therefore no improvements are sought at this junction.

### Travel Plan

Within the previous response it was recommended that the Travel Plan is updated to include the following:

- Provide a statement with respect to the developers policies on sustainable travel;
- Review objectives to ensure they are site-specific;
- Update accessibility map to show isochrones which cover the all services and facilities outlined in Table 2. The map would also benefit from cycle routes and cycling parking locations;
- Evidence of liaison with Public Transport providers should be provided;
- Further Census data analysis to present forecast trip purpose and destination;
- Reconsider Residential Travel Plan targets;
- Confirm that a travel survey will be undertaken for the Care Home upon occupation;
- Provide Travel Plan targets for the care home (it is acknowledged these will be focused on staff travel);
- Provide evidence that a steering group will be set up to support the TPC's;
- Provide further clarification with respect to Action Plans and ensure consistency with Travel Plan;
- Provide a recommended minimum response rate;
- Provide details with respect to the long term strategy for the Travel Plan;
- Reference to school travel information packs and targets
- Commits to HCC travel plan bond requirements.

All matters relating to the above have been dealt with within the revised travel plan dated January 2019. The travel plan is therefore agreed and shall be required to be secured through the S106 agreement along with the appropriate approval and monitoring fees as bond.

Measures within the travel plan include provision of school travel information packs for households with school aged children. These packs will be specifically targeted and encouraging sustainable travel choices to school and promoting the sustainable travel options available to the new residents.

### Recommendation

The additional information suitably addresses all outstanding Highway matters relating to this application.

Therefore, the Highway Authority raises no objection to the application, subject to securing the following obligations and other relevant conditions:

#### S106 Obligations

- Delivery of site access works via a S278 agreement, shown in principle in drawing numbers 041-0023-003 Rev G and 041-0023-004 Rev G, prior to commencement;
- Delivery of the ramp connection to the Rusty Cutter roundabout via a S278 agreement as detailed in drawing number 041.0023.013 Rev A prior to occupation;
- Delivery of a shared use connection from the development to Rectory Avenue and the eastern bus stop on Havant Road prior to occupation;
- A contribution of £954,176 towards the Rusty Cutter Southern Footway/Cycleway provision and Bedhampton Hill Footway/Cycleway works, as detailed in drawing numbers 041.0023.018 Rev A and 041.0023.010 Rev B to be provided in lieu of S278 works;
- Should further aspirations at the Rusty Cutter roundabout not be pursued, delivery of the southern walking route via a conventional S278 agreement with the Highway Authority;
- A contribution figure of £217,350 towards free school travel in the temporary absence of a safe route to school prior to commencement;
- Contribution of £2000 for provision of promotional material for the park and stride sites to be made prior to commencement;
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
- Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan prior to occupation.

#### **Highways England**

Objected to initial scheme.

In response to the Highways England's original consultation, the applicant has submitted an amended transport assessment and sustainability review report with the aim of addressing the concerns raised within this response.

The following subsequent response was received: No Objection:

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

In the case of this development proposal, our interest is in the A3(M) and A27.

This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and Highways England (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit

these works.

Having examined the above application, we have no objection to this application. However, we request that the following condition (this has been agreed with the applicant) is attached to any planning permission you chose to give for this proposal. This relates to the implementation of the Sustainable Southern Link at Rusty Cutter Gyratory.

### **Traffic Management**

No Objection - If permitted then the Traffic Team would want a provision to be made for a sum no less than £5000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed ending 5 years from commencement of the development. The TRO is required to ensure that any parking from the development does not interfere with the capacity, operation or safety of the local highway network.

### **Housing Manager (Development)**

Support, subject to a further understanding of the size of the affordable units against nationally described space standard, as a number of units fall short of these requirements which is within the emerging local plan.

***Officer comment:** Policy H1 is proposed within Draft Local Plan which would secure new housing developments to provide adequate internal and external space to ensure appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. However, this policy currently has limited weight by virtue of the number of objections that have been received on this policy and could not therefore, at this point, in the local plan process be refused on this matter.*

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 69 units on this site which would be secured via a section 106 agreement.

The applicants have provided an Affordable Housing Statement which confirms their intention to provide 30% affordable Housing (96 units split 67 Affordable Rent/ 29 Shared Ownership which is acceptable). Following the previous consultation in June 2018 the applicant's proposals now include 4 No 4 bed units for Affordable Rent, which is very welcome.

The demand for affordable housing remains high within Havant borough; as at 24th July 2019 there are 1697 households registered on Hampshire Home Choice (HHC) seeking accommodation in our area and of these 805 are waiting for a one-bedroom home, 573 for a two bed, 250 for a 3 bed, and 69 for a 4+ bedroom home. Waiting times on Hampshire Home Choice represent a significant number of years. Between April 2018 to March 2019. For Band 3 applicants the time between registration and nomination was an average of between 2 to 5 and a half years depending on the property size.

Once developed, and subsequently transferred to a Registered provider, the Affordable Rent homes will be required to be advertised through Hampshire Home Choice, and the weekly rental will be capped at Local Housing Allowance Rates at first, and every subsequent letting.

The Shared Ownership homes will be marketed through Help to Buy South, our local

Help to Buy Agent, and will be available to those applicants registered as being eligible for this type of low cost home ownership product.

The location of the development is near to local services, bus transport, retail, medical, and educational, and the proposal should help to create a mixed and well-integrated community.

### **Landscape Team**

#### Initial comments:

Raised concerns on the initial plans regarding the layout and proposed landscaping of the proposal.

#### Comments on amended plans

Having reviewed the amended drawings I am pleased to see the changes to the layout that were recommended. The planning conditioning of the hard landscaping, soft landscaping and boundary treatments will ensure that the finer details are adequately addressed.

### **Langstone Harbour Board**

Objects to the proposals because of the impact on birds listed under the SPA designation and because the proposal is contrary to the objectives for land use and management contained in the Langstone Harbour Management Plan, which states "The open area around the harbour is part of the harbour's landscape and nature conservation value and should be retained and managed for these purposes in association with the harbour itself".

### **Communities Team**

Request a contribution towards a Community Officer post for the new development at a rate of £250 per dwelling, which equates to a total £80,000. This is in line with the forthcoming Local Plan requirements for all future developments of more than 20 units.

### **Natural England**

#### Initial comments

Further Information required to determine impacts on designated sites

As submitted, the application could have potential significant effects on the Chichester and Langstone Harbours Special Protection Area. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

- Clarification of the specifications of the care village
- Further information on the Wintering Bird Mitigation Area – costed management plan, agreement of management body, timing and availability, measures to address disturbance
- Calculation of a nutrient budget for the development
- Clarification of potential air quality effects

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

#### Comments on amended plans and information:

Natural England notes that your authority, as competent authority, has undertaken an

appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given. The mitigation measures include a bespoke package to address the loss of supporting habitat for the Solent SPAs. The details of the offsetting site have been set out in the Land at Forty Acre Farm Wintering Bird Mitigation Strategy (August 2019). Natural England advises that these measures and the in perpetuity management of this site by an appropriate management organisation, such as the Land Trust, are appropriately secured with any planning permission.

### **Councils Ecologist**

#### Initial comments

The applicant needs to provide a fully-detailed strategy for the proposed bird refuge prior to determination. This should be in accordance with the comments made by Natural England. Without certainty on the bird refuge issue the proposal would not be consistent with the Conservation Regulations 2017 and the LPA could not conclude that there would be no 'likely significant effect' on the adjacent SPA. The LPA will need to undertake a Habitats Regulations Assessment and it is for the applicant to provide information sufficient for the LPA to do this.

#### Comments on amended plans and information:

#### Wintering Birds

The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS). It is accepted that the loss of some sites already used by wintering birds, but which are available on an insecure basis, can be compensated for by the provision of permanent habitat: a single area of permanently-available habitat is judged to be better than several areas that could be unsuitable at any time. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For Low Use and Secondary sites as here at Forty Acres the principle of compensated loss is acceptable.

The submitted Wintering Bird Survey now includes data from the latest Solent Waders & Brent Goose Strategy (SWBGS) as well as WYG surveys from 2015/16 and surveys undertaken by Havant Borough Council in the period 2012-15. The records include surveys from winter 2016/17 such as brent geese within H04C (the easternmost parcel) and a single brent goose and 74 lapwing within H04B (the western parcel). The pattern of use as detailed within the SWBGS (covering surveys from 2010 to 2017) does show that bird use of both parcels has been intermittent and involving relatively low numbers of birds. I am aware of third-party observations of brent geese using both parcels although these have not made their way into the SWBGS database and so must be treated, at this stage, as unverified. What is clear is that both parcels are used and that the development of land here will result in a net loss of SPA bird supporting habitat.

It is proposed to provide a permanent wintering bird refuge in the east of the site and the general principle of this is acceptable. The primary purpose of the refuge is to offset

the loss of H04B (to housing) and some of H04C (to open spaces/SuDS), and to ensure that the overall network of SWBGS sites is maintained (by securing permanent land at the Forty Acres site) and, where possible, enhanced (by providing improved permanent rather than intermittent habitat). As the refuge is smaller than the existing, measures will be needed to enhance it and ensure that there is continuity of habitat for wintering birds: this is primarily through fencing (deterring disturbance), habitat improvement (providing optimal habitat in every winter) and ensuring long-term (in perpetuity) management and monitoring.

The establishment of the refuge (conversion of arable to permanent grassland) will be carried out by the developer, as will all infrastructure such as fencing, vegetation screening and signage. This will occur in time for the wintering season 2019/2020. The use of a clover ley grassland mix is acceptable and should provide suitable foraging habitat for brent geese and certain wader species (academic research shows that such grassland is a preferred habitat). The provision of several shallow scrapes should also add useful habitat for all SPA birds provided they retain water in the correct season (this is why ongoing monitoring and management is essential). Management operations will entail twice-annual cuts plus any interventions as necessary to ensure that the refuge is in suitable condition for the overwintering period.

The existing tree line within the eastern parcel need not be removed at the current time. Brent geese are already using the site with the trees present and it may be that they will not need to be removed at all (thereby maintaining some benefits to other species, as well as providing valuable screening for the refuge): the removal should be reviewed at a future date and should not be seen as essential to the establishment of the refuge. I strongly recommend continuing discussion with the LPA and Natural England on this matter.

In order to ensure that birds start using the refuge as soon as possible I would strongly recommend the use of brent goose decoys in the first wintering period. Decoys are an effective method for attracting birds and are relatively inexpensive. Any measure to maximise use of the site should be explored.

Section 6 of the mitigation report makes reference to three-years' post-development bird monitoring. In a response letter from WYG to Natural England (dated October 2018) it is stated that 'the Wintering Bird Mitigation Strategy includes provision for post development monitoring. This has been updated to cover the first ten years post-development': it is unclear whether this refers to bird monitoring or something else (e.g. infrastructure inspections). I can see no reference to a ten-year monitoring plan within the mitigation report. Clarification is required.

Given the issues with the nearby One Eight Zero development mitigation strategy (and the problems of using a private management company), certainty is required in terms of the future management of the refuge. At this stage, no third party has agreed to undertake that management although discussions are apparently ongoing with the RSPB. I am unsure whether the estimated management and monitoring costs detailed within the submitted mitigation report are indeed acceptable to any third party (they seem rather low to me and it will be essential that a third party agrees these costs to have certainty of delivery). Clarification is required on this matter, otherwise the LPA has no reassurance that the management and monitoring will be carried out as described by a third party capable of delivering the required measures in the long-term to the expected standard.

Overall, the principle of the proposed refuge is acceptable although clarification is required in relation to its delivery by a suitable third-party organisation. Following that

confirmation, I would suggest that a fully-detailed wintering bird mitigation and monitoring strategy is secured through condition. This should be a comprehensively detailed document setting out exactly what will be undertaken, when and by whom. Full details (including technical specifications and plans) of refuge infrastructure (fencing, vegetation screening and interpretive media) will be required. Full details of ongoing monitoring (for birds and the refuge habitat and infrastructure, when and by whom) will be required. I would insist that annual monitoring reports are provided to the LPA, Natural England and the SWBGS Steering Group and that ongoing dialogue is maintained.

A fully-detailed Construction Environment Management Plan (CEMP) should be secured through condition. This should set out all measures for ensuring that the construction phase of development will avoid or minimise impacts to identified ecological features. It must include details of those responsible for ensuring that impacts are avoided/minimised. The CEMP must be fully compatible with all ecological mitigation measures provided.

Once the clarifications on the delivery of the refuge area are provided, and Natural England are satisfied, it will be possible to conclude that impacts to European site integrity via loss of supporting habitat will be avoided.

**Officer comment:** *Further details have been submitted by the applicant, to address the comments raised above. Natural England have reviewed these comments and now raise no objection.*

### **Network Rail**

Internal teams have raised concerns relating to the proposals potential impact on the nearby station of Bedhampton station. I have looked through the Transport Assessment and could not find figures relating to trip generation at the station. We therefore request trip generation figures from the applicant regarding the potential impact on Bedhampton Station, which will enable Network Rail to carry out a full assessment of the potential impact of the development and if any improvement works will be required to mitigate the impact.

**Officer comment:** *The applicant has provided a response, and Network Rail are currently considering this information. Members will be provided with an update in due course.*

### **Portsmouth City Council**

#### Initial comments

Concerns with regard to the assumptions of how future residents will use the local network and the likely trip generation associated with the site. The site is not especially sustainable with many of the services relied upon not within a comfortable walking distance, this is especially the case with schools.

#### Amended comments – taking into account the amended Transport assessment

Thank you for re-consulting PPC, we offer no comments or observations are offered on this proposal.

### **Public Health Team**

No objection

**Royal Society for the Protection of Birds**

No response

**SE Hants Clinical Commissioning Group**

Whilst we recognise that not all of the occupants of the proposed dwelling will be new to the area, we can make a planning assumption that this application will generate up to 768 additional residents (proposed no. of dwellings at 2.4 persons per dwelling) plus the additional 66 residents of the care home totalling 834 residents.

The resulting growth in the local population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; NHS services in primary, community and secondary care settings.

Our estimate of the level of additional demand that will be placed on NHS primary care does not in our view warrant the commissioning of an additional GP surgery. The increased demand will be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development, however additional capacity within the premises will be required.

The CCG considers that the application should be required to make an appropriate financial contribution to the capital investment that the NHS will make in this regard.

The proposed contributions formula for developments under 2000 dwellings is: 834 (No. of dwellings x 2.4) divided by average list size of a GP practice (1800) x 16 (size of a consultation room (m<sup>2</sup>) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)

This means that South Eastern Hampshire CCG will be looking for a contribution of £55,600 of planning gain for health.

South Eastern Hampshire CCG identifies multiple practices could be impacted by this development in both our CCG area, and neighbouring Portsmouth CCG areas. Therefore, we request that funding be made available from developer contributions to enable those practices impacted, to make suitable building adaptations to facilitate this growth.

**Solent LEP**

No response

**Southern Electric**

No response

**Southern Gas Network**

The mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). There should be no mechanical excavations taking place above or near the gas main

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is the developer's responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for them on or near gas pipes. Works should be carried out in such a manner that we are able to gain access to our

apparatus throughout the duration of your operations.

### **Sport England**

No Objection - The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.

It is understood that Havant Borough Council is a Community Infrastructure Levy (CIL) charging authority and as such, the proposed development is required to provide CIL contribution in accordance with the Councils adopted CIL Charging Schedule.

### **Health and Safety Executive**

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

### **Waste Services Manager**

We just need to ensure that this new development has suitable service roads to accommodate our 26 tonne refuse vehicles for waste collection

**Officer comment:** *The roads within the development will be to an adoptable standard and therefore this would ensure that refuse vehicles can be accommodated.*

## **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 both at the time of the original submission and following the receipt of amendments:

Number of neighbour notification letters sent: 75

Number of site notices: 18.

Statutory advertisement: 25/05/2018 and 5/07/2019

Number of representations received: 96

### **Summary of representations**

#### **Principle of development**

- Previously identified together with lands to the south as a gap between Havant/Bedhampton and Portsmouth and not recommended for development. Premature should be withdrawn until the new local plan has been adopted.
- It takes out an important part of the Bedhampton / Portsmouth Gap and erodes the historic division between two developed areas resulting in a loss of identities for existing communities
- There is not the infrastructure, existing or planned, to support further residents
- Site could also be of historical and archaeological importance but not known as it's

never been surveyed.

- Goes against key guiding principles for green and blue infrastructure, and important goals of connectivity and multi-functionality to create a robust network of green spaces to address identified deficits and need
- Given the early nature of the emerging plan, it ought not to be used for development management decisions ahead of its adoption. The proposal is contrary to current adopted policies at this time. It is also contrary to the Council's stated policy not to allow piecemeal developments or the infilling of a recognisable gap between areas of built form, thus harming the setting of the adjacent AONB which would weaken the stance taken to protect similar Gap land.
- The site is completely unsustainable, it is cut off from the rest of the borough by the A3(M) and Rusty Cutter roundabout, and the associated facilities such as schools, doctors, libraries and other day to day facilities needed to have a good life. All of these facilities are over-subscribed and overall we do not need this extra housing

### **Highway issues**

- Traffic density on Havant Road is at congestion point during rush hours and increasing, and traffic from side roads has difficulty getting out raising concerns regarding safety
- Surrounding roads are often used as a "rat runs" now with cars driving at speeds in excess of 30 mph and further congestion on the strategic highway network will make this worse.
- Public transport is inadequate. Parking at Havant and Bedhampton railway station is also very limited
- Travel plan unrealistic without a reliable and affordable public transport system you will not encourage people away from their cars
- Lack of car parking in on the site and wider area, parking already limited and road systems around Havant and Bedhampton, the next closest shopping area, are also grid locked for a good proportion of the day
- Traffic will queue back to the A27 teardrop and Rusty Cutter roundabouts causing grid lock
- The site is completely unsustainable and separated from the rest of the Borough
- The volume of cars and commercial vehicles leaving/joining the A27/A259 is already way beyond the amount which was at first visualised.
- The dangerous and very busy Rusty Cutter roundabout manages to cut the site off from the rest of the borough almost and therefore conflicts with the idea of a cohesive area
- Emergency services will struggle to attend many incidents on either road due to the amount of vehicles 'held up' in both directions on Havant Road

### **Drainage and Flooding Issues**

- Havant Borough Council must be certain that the local drainage system will be able to handle the proposed housing on this site.
- Exacerbate existing drainage problems. Site prone to surface water flooding and this is only going to get worse with climate change putting other properties at risk
- Existing foul sewerage system is already at capacity with residents experiencing flooding
- Who is going to compensate households who are flooded again when natural drainage is reduced due to the extra housing proposed.
- Part of site is in flood zone 3, due to tidal flooding and therefore not an appropriate place to put development.
- In recent years frequent flood events, (affecting Westways), have been caused by a

- combination of surface water flooding
- The revised plan does not provide an environmentally sensitive plan for ground and flood water: the site is made up of clay
- SuDS can lead to poorer water quality downstream (with increased nitrate & 'diffuse pollution' levels through altering the natural hydrological cycle), and this in turn will impact negatively on the water in Chichester/Langstone Harbours
- Concern about the failure of the pumping station and that if this did occur foul sewage would flood properties in Westways

### **Impact on Ecology and Natural Features**

- Object to more loss of valuable wildlife habitats and open spaces.
- Adverse impact on the Chichester Harbour Area of Outstanding Natural Beauty and Langstone Harbour, due to removal of the "green corridor" linking north- south
- Development of the site will see the loss of a significant number of established trees and hedgerows which will not be replaced within the new development
- Small area of green is worth saving it helps with the pollution from the bypass
- The green areas are not adequate to mitigate or enhance loss of wildlife habitat
- The green areas are not connected to other development and the proposal fails Havant's rich biodiversity, leaving vulnerable species isolated, and therefore unviable.
- Loss of habitat for the protected birds which are seen on this agricultural site, this will destroy the population of these birds.
- No provision for reduction of light and noise pollution on this small site has been included to mitigate disturbance to existing residents or wildlife
- Impact on Chichester Harbour/Langstone Harbour; i.e. the "quality" of the AONB/Ramsar/SAC/SPA, not merely, as suggested in the application, on its setting
- The green areas proposed are too close to residential areas or human traffic for wildlife to thrive
- Nitrate Neutrality, note that all development has been suspended in Portsmouth and Fareham, why are Havant not doing the same?

### **Residential Amenity**

- Does not secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings as set out in the NPPF.
- The land levels are being raised by an outrageous 3.25 metres adjacent to a large number of properties in Westways. The development would result in significant overbearing, loss of sunlight/daylight and overlooking impacts
- We appreciate that HBC need to build more housing but we think that you should also consider those in the Borough their quality of life and privacy .
- Open space unlikely to meet the needs of separate user groups and should be replaced with open spaces specifically targeted to the needs of various demographic groups
- The width of the proposed streets in the plan and limited number of visitor parking spaces suggest there will be an overspill of parking into Westways.
- The proposed density, height, mass and scale of this development is also considered inappropriate.

### **General Design and Layout Issues**

- Excessive density out of keeping with neighbouring bungalows.
- The affordable housing units should not be adjacent to existing private residential dwellings in Westways. Concerns that these properties will not be well maintained and should be located at the far east of the site.
- Overdevelopment, out of character and with little public space and poor privacy

- Isolated development which does not integrate with the existing pattern of development
- Design average and unimaginative

### **Other Issues/comments**

- Would make an excellent location for a solar farm to help provide some renewable energy capacity to provide electricity to the hundreds of new houses planned or in progress.
- Services like GP and schools are already overwhelmed. This will be detrimental to the way of life in the area
- Building so close to such an important gas pipeline with all the provisos for care, even if properly adhered to, gives rise to serious concern for the safety of neighbouring properties as well as the disruption of supply if damage is caused.
- The Borough Council have a duty of care for public safety, but have made no reference to the way in which their officers will monitor actions around this Hazard Pipeline.
- Concerned about the significant importation of material to raise the ground level, is this safe and appropriate to be used on this site, we are concerned about contamination

### **Matters raised which are not material planning considerations**

- Loss of property value
- Demand a council tax refund for having to have a new development next to existing properties
- Loss of a private view

## **7 Planning Considerations**

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. The application is accompanied by a suite of ecological reports from WYG: An Extended Phase 1 Habitat Survey (April 2018), Bat Activity and Emergence Survey report (April 2018), Wintering Bird Survey report (April 2018), Winter Bird Mitigation Strategy (August 2019), Reptile Presence/Likely Absence Survey report (April 2018) and a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 (August 2019).
- 7.2 The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to both the increase in recreation, decrease in water quality and impact on Loss / degradation of supporting habitats that arise as a result of the proposed development. The planning application was then subject to Appropriate Assessment under Regulation 63. This included four avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. The third is a package of measures relating to establishing permanent refuges for overwintering birds on this site. The fourth is measures to control the impact on the environment during construction of the development.

### **Recreational Pressure**

- 7.3 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

### **Water Quality**

- 7.4 The Partnership for Urban South Hampshire (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. NE have highlighted that there are high levels of nitrogen and phosphorous input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment, Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 (August 2019), which reflects NEs latest advice (June 2019).
- 7.5 The Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, such as this one, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will not emit a nutrient load into any European Sites. The calculations for this development site are found within the completed Appropriate Assessment.
- 7.6 Achieving a position where there are no net nutrient emissions into European Sites from this development involves the use of specific on-site avoidance and mitigation measures. Appropriate planning and legal measures will be necessary to ensure it will not revert back to agricultural use, or change to alternative uses that affect nutrient inputs on the long term. Natural England have agreed with this assessment.

### **Wintering Birds**

- 7.7 The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS). It is accepted that the loss of some sites already used by wintering birds, but which are available on an insecure basis, can be compensated for by the provision of permanent habitat: a single area of permanently-available habitat is judged to be better than several areas that could be unsuitable at any time. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For Low Use and Secondary sites as here at Forty Acres the principle of compensated loss is acceptable.
- 7.8 The submitted Wintering Bird Survey now includes data from the latest Solent Waders

& Brent Goose Strategy (SWBGS) as well as WYG surveys from 2015/16 and surveys undertaken by the Council in the period 2012-15. The records include surveys from winter 2016/17 such as brent geese within H04C (the easternmost parcel) and a single brent goose and 74 lapwing within H04B (the western parcel). The pattern of use as detailed within the SWBGS (covering surveys from 2010 to 2017) does show that bird use of both parcels has been intermittent and involving relatively low numbers of birds. The Local Planning Authority are aware of third-party observations of brent geese using both parcels although these have not made their way into the SWBGS database and so must be treated, at this stage, as unverified. What is clear is that both parcels are used, and that the development of land here will result in a net loss of SPA bird supporting habitat.

- 7.9 It is proposed to provide a permanent wintering bird refuge in the east of the site and the general principle of this is acceptable. The primary purpose of the refuge is to offset the loss of H04B (to housing) and some of H04C (to open spaces/SuDS), and to ensure that the overall network of SWBGS sites is maintained (by securing permanent land at the Forty Acres site) and, where possible, enhanced (by providing improved permanent rather than intermittent habitat). As the refuge is smaller than the existing, measures will be needed to enhance it and ensure that there is continuity of habitat for wintering birds: this is primarily through fencing (deterring disturbance), habitat improvement (providing optimal habitat in every winter) and ensuring long-term (in perpetuity) management and monitoring.
- 7.10 The establishment of the refuge (conversion of arable to permanent grassland) will be carried out by the developer, as will all infrastructure such as fencing, vegetation screening and signage. This will occur in time for the wintering season 2019/2020. The use of a clover ley grassland mix is acceptable and should provide suitable foraging habitat for brent geese and certain wader species (academic research shows that such grassland is a preferred habitat). The provision of several shallow scrapes should also add useful habitat for all SPA birds provided they retain water in the correct season (this is why ongoing monitoring and management is essential). Management operations will entail twice-annual cuts plus any interventions as necessary to ensure that the refuge is in suitable condition for the overwintering period. Overall, the principle of the proposed refuge is acceptable.

#### **Construction impacts**

- 7.11 There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species present on site, either using existing habitats or those created as mitigation. Control measures will be included in the Construction Environment Management Plan (CEMP), these include controlling matters such as minimising idling by machinery, locating construction compounds in less noise sensitive areas of the site and maintaining machinery to further reduce these noise levels. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, has been suitably avoided and mitigated. As such, no likelihood of a significant effect remains on this issue.

#### **Atmospheric pollution**

- 7.12 An air quality assessment (WYG, 2018b) was submitted as part of the application. This demonstrates that there is no increase in the critical load for the Chichester and Langstone Harbours SPA and Ramsar site of above 1%. Natural England's consultation response on this application confirmed that unless an increase of above 1% was to occur, no further assessment was required.

### **Appropriate Assessment conclusion**

7.13 The Appropriate Assessment concluded that the four avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.

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

- (i) Principle of development
- (ii) Coordination of Development
- (iii) Nature of Development
- (iv) Impact on the Character and Appearance of the area
- (v) Impact on heritage asset
- (vi) Residential and Neighbouring Amenity
- (vii) Access and Highway Implications
- (viii) Flooding and Drainage
- (ix) The Effect of Development on Ecology
- (x) Impact on Trees
- (xi) Impact on archaeology
- (xii) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

- (i) Principle of development

7.15 As required by section 38(6) of the Planning and Compulsory Purchase Act (2004), applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

### The Development Plan

7.16 The Development Plan consists of:

Havant Borough Local Plan (Core Strategy) (2011), the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013). These plans continue to form the basis for determining planning applications in the Borough. The application site is located adjacent to, but outside of, the urban area. Policies in the adopted plans support appropriate residential development within the urban areas. "Exception schemes" are only supported in the countryside. This is not an exception scheme and the site is located in a non-urban area. Therefore, this application does not accord with the development plan (it has been advertised as a departure from it). Planning permission should therefore be refused unless other material considerations indicate otherwise.

### Pre-submission Havant Borough Local Plan 2036

7.17 The Council published the Pre-Submission Havant Borough Local Plan 2036 for public consultation between 1 February 2019 and 18 March 2019. The publication of this document followed a long period of public engagement between 2016-2018, including the now revoked Local Plan Housing Statement. The Forty Acres site was one of those identified for 'early release' as part of the Local Plan Housing Statement, which was

part of the site's evolution. The emerging plan includes the Council's proposed new housing allocations. The application site is identified within Policy H14 for residential development, capable of accommodating 320 residential dwellings and a care home. The application site is identified as one of the those necessary to deliver the identified housing need for the Borough.

- 7.18 Therefore, while the site lies outside the urban area, as defined by policy AL2 of the Havant Borough Local Plan (Allocations) and Policy CS17 of the Havant Borough Local Plan (Core Strategy) it nonetheless was a site identified for early release in the Local Plan Housing Statement, is one of the sites identified for allocation and forms the direction of travel for the emerging Local Plan.

Consistency with the National Planning Policy Framework.

- 7.19 The Secretary of State's National Planning Policy Framework (February 2019) is a material consideration which should be placed in the s.38(6) planning balance.

The NPPF's primary objective is to promote sustainable growth and development through a "plan-led" planning system. Paragraph 11 of the NPPF advises that a presumption in favour of sustainable development is seen as the golden thread running through both plan-making and decision making, which means; "approving development proposals that accord with the development plan without delay, and; where the development plan is, absent, silent, or out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

- 7.20 A robust assessment has taken place of land in the Borough to inform the Pre-Submission Havant Borough Local Plan 2036 through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. This has shown that there are sufficient deliverable and developable sites upon which to meet the Borough's housing need. The application site has been assessed by officers and found to be free of any significant constraint and capable of delivering houses in the short term.

Five year housing land supply and delivery of housing need

- 7.21 The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place, proposals for development should only be refused if:

- The site is within particular designated areas set out footnote 6 of the NPPF. The application site in question is not within any of these areas.
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Such a situation would result in a tilted planning balance towards the granting of planning permission. This would diminish the need to provide the necessary infrastructure to support development or appropriate environmental safeguards (outside of those required by the Habitats Regulations).

- 7.22 The Borough's five year housing land supply was updated in January 2019. This shows that the Borough has a 5.1 year housing land supply with the necessary buffer based on the results of the housing delivery test.

- 7.23 The development proposed by this planning application is included within these five

year supply calculations with 140 of the 320 dwellings included for delivery towards the end of the five year supply period, as five year supply is measured in terms of housing completions. This reflects the time needed to discharge pre-commencement conditions, build the housing and the phasing of such a development.

- 7.24 The provision of 140 homes is equivalent to 0.3 years of supply. As such, without the proposed development at Forty Acres, the Borough would have a housing land supply of 4.8. This is below the five year supply threshold.
- 7.25 As such, an appeal against the refusal of planning permission on this site or other planning applications on other sites would be considered with a tilted balance in favour of granting planning permission. This would diminish the need to provide necessary infrastructure alongside development and secure environmental safeguards.
- 7.26 Notwithstanding that the site is located outside of the urban area in the development plan it is located in the countryside, it is proposed for development in the emerging Havant Borough Local Plan 2036. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver significant economic and social benefits.
- 7.27 The site would make a substantial contribution to the Borough's five year housing land supply, so much so that without development on this site, there would not be a sufficient supply of new housing in the Borough.
- 7.28 On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development. The justification for this conclusion is set out in more detail in the paragraphs that follow.

#### Deliverability

- 7.29 The NPPF, in annex 2, clarifies that:  
"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."
- 7.30 The application has been supported by an Infrastructure Delivery Statement (IDS), which considers the supply of water, electricity, gas and telecommunications to the site, in consultation with the utility providers. This concludes that the development could be supplied with normal network service supplies without prohibitive reinforcements to networks. As such there would not appear to be significant off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the current 5-year period, which weighs in support of the scheme.

#### Environmental Sustainability

- 7.31 Introducing a housing estate to an undeveloped field would alter its character but it is concluded that this would have a limited impact, as any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area, which is considered in more detail further in this report. Furthermore, the

provision of habitat mitigation open space comprising nature park, play areas, allotment and orchard provision is of significant benefit to this application.

- 7.32 In terms of the location of the site relative to services and facilities the closest such services are offered by Farlington, with the site being situated approximately 1km to the nearest facilities. The site is located within close proximity to a number of bus routes with bus stops on the northern and southern carriageway of Havant Road; these bus stops are served by routes 21 and 23. Route 21 runs every 30 minutes Monday to Saturday, operating between Portsmouth and Havant. Route 23 operates every 10 minutes Monday to Saturday between Southsea and Leigh Park, via Havant.
- 7.33 In addition, Bedhampton railway station is 2 kms from the site, which offers stopping services towards Brighton to the east and Southampton and Portsmouth to the west. In accessibility terms, the site is in a sustainable location, and has realistic alternatives to the use of the car, which weighs in support of the scheme.

#### Economic Sustainability

- 7.34 One of the core planning principles of the NPPF is proactively to drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs.
- 7.35 The application is accompanied by an Economic Benefits Assessment, which outlines many benefits from construction, operations and Local Authority benefits. As with any new housing the proposed development would bring people into the area which would be a continuing economic benefit that would support growth in the local economy. In addition, the development would also create construction jobs, which would contribute towards the local economy. Furthermore, the proposed development would result in financial contributions being secured to offset certain impacts of the development, such as transport contributions towards improvements in the local network and contributions towards the provision of enhanced community infrastructure.
- 7.36 Provided they are appropriately secured and address the adverse impacts of the scheme, these elements are all considered to be benefits in the planning balance and overall it is considered that the development would be economically sustainable.

#### Social Sustainability

- 7.37 In accordance with the local plan development is only to be permitted where adequate services and infrastructure are available or suitable arrangements can be made for their provision. Where facilities exist, but will need to be enhanced to meet the needs of the development, contributions are sought towards provision and improvement of infrastructure. A development should also offer a mix of house types and tenures to ensure a balanced and thriving community. The applicant has been working with the LPA on a draft S106 and has agreed to the principle of the obligations sought.
- 7.38 The application proposes a range of house types, sizes and tenures would be provided, including 30% affordable housing (shared ownership and affordable rented) in accordance with Policy CS9 of the Core Strategy. The Council's adopted Affordable Housing SPD is also a material consideration, as the NPPF which aspires to "deliver a wide choice of high quality homes in inclusive and mixed communities to meet the needs of different people". The Housing Officer supports this proposal.
- 7.39 The proposal also proposes significant areas of open space, which has a variety of

uses, which could be used by both new and existing local residents and is considered to be a significant benefit in the overall planning balance. In addition, the proposal includes provision of a new pedestrian/cycle access across the Rusty Cutter, which will be of benefit to both new and existing local residents, by enabling safe and sustainable access to facilities in Bedhampton and Havant. Contributions would also be secured through the Community Infrastructure Levy to improve off-site community infrastructure in accordance with relevant adopted policies and the adopted SPD on Planning Obligations.

#### Education and Health

- 7.40 The capacity of local schools has been considered in assessing the proposed development and infrastructure requirements. Hampshire County Council, as the Local Education Authority (LEA), has advised the development site is served by Bidbury Infant and Junior Schools and Warblington Secondary School. The LEA have outlined that for that to be viable, a safe walking route to these schools is required across the Rusty Cutter roundabout. This matter is considered in detail further in this report regarding the off-site highway works to the Rusty Cutter.
- 7.41 The NHS Clinical Commissioning Group (CCG) has assessed the impact of the development on existing health facilities. It is acknowledged that not all the occupants of the proposed development will be new to the area, however the CCG have calculated that this application will generate up to 768 additional residents (proposed no. of dwellings at 2.4 persons per dwelling) plus the additional 66 residents of the care home totalling 834 residents.
- 7.42 The resulting growth in the local population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; in primary, community and secondary care settings. The CCG have outlined that the level of additional demand that will be placed on NHS primary care does not warrant the commissioning of an additional GP surgery. However, the increased demand will be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development, however additional capacity within the premises will be required. As such a financial contribution is sought to enable those practices impacted, to make suitable building adaptations to facilitate this growth, this will be secured through a legal agreement.

#### Prematurity

- 7.43 Concern has been expressed that the grant of planning permission would be premature in the terms of paragraphs 49-50 of the 2019 NPPF. They state: -

'...arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.'

7.44 In the light of this guidance, and having taken the advice of experienced planning counsel, Officers are satisfied that the emerging plan, which has not yet been submitted for examination, is not yet at such an advanced stage, nor is the development considered so substantial or its cumulative effect so significant, as to undermine the plan-making process. Therefore, prematurity may not be raised legitimately as a reason for not granting planning permission.

#### Undeveloped Gaps between Settlements

7.45 While the adopted Local Plan contains policies that seek to maintain the undeveloped gaps between settlements in policy AL2, in the emerging Local Plan this is no longer considered possible. The NPPF, in paragraph 11, is clear that Local Plans should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless there are strong reasons for restricting development. Those reasons are defined in footnote 6 of the NPPF, and do not include gaps between settlements as a particular consideration. The Council's Housing Constraints and Supply Analysis mapped constraints to development, and found that it was not possible to meet housing need on land unconstrained by nationally recognised constraints, while also protecting gaps between settlements. For this reason, a number of sites, including this site, have been put forward as proposed housing allocations in the Pre-Submission Local Plan 2036.

7.46 In conclusion on this issue,

- (1) The scheme is contrary to the development plan
- (2) National policy is a material consideration
- (3) The presumption in favour of sustainable development is engaged in this case because: (a) the Council cannot demonstrate a 5 year supply of deliverable land for housing without Forty Acres forming part of that supply and (b) the main important policies for the determination for the application set out in the development plan are out of date in that respect.
- (4) The proposals would constitute sustainable development in policy terms.
- (5) It is deliverable now and is required to bolster the 5 year supply.
- (6) The scheme is not premature.
- (7) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan

#### (ii) Nature of Development

7.47 The current application is for full planning permission with two vehicular accesses off Havant Road and a pedestrian/cycle route onto Westways and towards the Rusty Cutter. In respect of the residential floorspace and proposed density the following factors have been considered;

The density of residential development  
The mix of dwelling sizes and tenures  
The design and layout of the residential development

#### **The density of residential development**

7.48 The application seeks 320 No. dwellings which equates to approximately 41 dwellings per hectare(dph). Core Strategy policy CS9 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'.

7.49 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 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

Under this assessment, the density of development can be considered to be within the Low Density category.

7.50 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’.

7.51 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’. Although this scheme represents a low-density development, the proposed density of 41 dph is considered an appropriate density given the context of the site on the edge of the settlement, taking into account the surrounding area, and site constraints such as the gas main, need for open space, protected trees, proximity to the A3(M), A27 and railway, and with the southern part of the site being in flood zone 3, and associated drainage requirements.

#### **The Mix of Dwelling Sizes and Tenures**

7.52 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should ‘Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities. Paragraph 6.24 states that a mix of dwelling types is sought from terraces, semi-detached and larger detached houses. In this case, the proposal comprises a mix of detached, semi-detached and short terrace family dwellings. This is considered to be an acceptable mix for the site. 30% of the units (i.e. 96 units, comprising 29 shared ownership units and 67 affordable rent units) would be affordable in accordance with policy CS9. The affordable units are spread throughout the development, and in terms of building form they are consistent with the development in general, and overall are considered to be acceptably integrated.

#### **The Design and Layout of the Development**

7.53 Detailed negotiations have taken place with the applicants in order to improve the urban design qualities of the originally submitted scheme, with particular regard to the character of the site layout in respect of storey heights, car parking/hardsurfaced elements, designing out opportunities for crime and having regard to its edge of settlement location and relationship with neighbouring properties. The proposed character of development comprises mainly 2 storey housing, and three storey blocks of flats, punctuated by pockets of open space. Garden sizes would comply with the supplementary planning guidance on this subject, and parking which complies with the adopted standards would be provided on curtilage or in small parking courts so as not

to be over dominant. Landscaping would include native open space trees, decorative street trees and hedging to front gardens to mitigate for the loss of tree and hedge planting.

- 7.54 The scheme has been designed with a grid/orthogonal street pattern which reflects the surrounding residential areas. It provides a strong frontage onto the A2030 Havant Road. The scheme provides attractive frontages establishing a street pattern to integrate residential properties and public open space. The layout is quite traditional in its form, with the proposed housing being designed to address the road, creating active frontages and a sense of enclosure to the new streets, together with overlooking of the public areas. To a degree the layout has been influenced by its constraints including its proximity to the A3(M), A27, railway line (and associated noise), flood zone 3 at the southern part of the site, the presence of existing vegetation and the gas pipeline in the north-eastern corner of the site.
- 7.55 The proposed dwellings would largely be restricted to two storey/two and a half storey in height with pitched and hipped roofs in response to dwellings in the vicinity and to limit any visual prominence of the properties from the surrounding area. The proposed three storey blocks of flats, which are located in the centre of the site, have been designed with similar roof forms to the dwellings. The articulation to elevations using front projections and front gables provides visual interest to the streetscene.
- 7.56 In terms of aesthetics, the appearance of the buildings would be traditional, and the development would relate well to the existing surrounding built environment. All of the buildings feature interesting and high quality designed elevations. A traditional design approach is proposed, using local and established materials. The use of different materials on the facades will help to break up the built form and reduce impact and scale. A variety of materials are employed including red bricks, render and small element of flint.
- 7.57 This proposal is accompanied by a detailed landscape proposal for the whole site which provides trees within the public realm, in addition to the retained protected trees, in order to create a high quality landscape design, breaking up areas of car parking and creating a positive and attractive streetscene. Dwellings will be framed by soft landscaping in front garden areas and trees within the streetscene. The development will provide areas of Public Open Space together with a Local Area of Play adjacent to the retained protected trees. This approach breaks up the built form and adds to the verdant characteristics of the scheme. Overall the form of development is considered to have regard to the site's context and will form an appropriate transition from the verdant character of the surrounding area, into this development.

#### Care home

- 7.58 The Care Home is to be located to the North-West corner of the site. The layout in this position was selected by virtue of its close proximity to the road and proximity to the bus stops in the area and subsequent facilities. In addition, this part of the site was considered preferable, as the development proposes minimal ground level changes, therefore the size and scale of this element of the proposal would integrate into the character and appearance of the area.
- 7.59 The development would be a U-shaped building with an internal courtyard and garden for residents to use. The appearance and massing of the elements in this scheme have been arrived at after looking at the character of the local area and has been designed so that it is largely 2 storeys in height, with 2.5 storey gable features which is reflective of the surrounding residential development with elevations which are symmetrical with unique and attractive glazing features. The gable features break up

the scale of the building into a series of clearly separate masses, each element sitting under its own pitched roof creating the appearance of individual elements. The gables create a rhythm to the overall street scene and the composition of the openings help accentuate this.

- 7.60 The simple pallet of materials to be used has been carefully selected to help the scheme sit comfortably within its context, whilst giving the development a distinctive and identifiable character. The walls are of soft red stock brick with traditional red plain roof tiles. Windows are to be grey with a smooth aluminium PPC effect finish. Glass will be the predominant material used for the balconies.
- 7.61 The scheme proposes robust landscaping, particularly a native hedge and trees located between the care home and properties in Westways and landscaping, around the site, which would help soften the development and help integrate it with the backdrop of the mature tree belts, alongside Havant Road and the protected TPO belt of trees, immediately to the east of the care home. The landscaping would also improve the ecological and biodiversity potential of the site by providing natural and diverse habitat areas within the development with the tree planting creating visual interest for residents and the wider street scene.

#### Pre-Submission Local Plan 2036

- 7.62 The Pre-Submission Local Plan requires enhanced standards in certain policies, which are above and beyond current adopted policy requirements. An assessment of this scheme against these relevant emerging policies is considered below.

#### Vision and delivery strategy

- 7.63 Policy DR1 – Delivery of Sustainable development outlines the council's strategy with regards to delivering sustainable development as outlined in the NPPF. This policy outlines the amount of development required, ensuring the delivery of sustainable development, ensuring appropriate co-ordination of development. In addition, the policy focuses on innovation and the acceleration of housing delivery.
- 7.64 Policy DR2 – Regeneration outlines the council's vision for regeneration. This encompasses both a council led programme of regeneration and the effective use of brownfield land. This policy also focuses on boosting local skill levels and community integration. As part of this element the policy outlines that developments of this nature will contribute towards a community officer, to help new residents in the development integrate into existing communities. Following negotiations with the applicant, they have now agreed to make this contribution, and as such this application does comply with this emerging policy.

#### Infrastructure Policies

- 7.65 Policy IN2 – Improving Transport Infrastructure requires amongst other strategic transport requirements to facilitate the proposed development within the plan. In this case the application proposes off-site transport enhancements to the Rusty Cutter roundabout, to allow a safe crossing point for pedestrians and cyclists
- 7.66 Policy IN3 – Transport and Parking in new development broadly follows the requirements of adopted policy CS20 of the Core Strategy. This proposal does fully comply with parking standards for each dwelling, including the required level of visitor parking for the residential element. This policy additionally requires that Electric vehicle charging infrastructure is provided for each residential unit with private off-street parking. Following discussions with the applicant, amended plans have been received, which now provide electrical charging points for all private dwellings.

### Environment Policies

- 7.67 Policy E9 – provision of public open space in new development of the Local 2036 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through, requiring the provision of a certain level of public open space. This policy requires that public open space is provided to a standard of 1.5ha per 1,000 population and on greenfield sites, part of this requirement is provided in the form of a community growing space. This policy also seeks to provide that an element of play space is provided, where the overall required open space provision exceeds 0.5ha. Given these thresholds this would generate a need of 1.10ha of open space. This proposal includes extensive areas of open space of at least 9.37 ha (excluding the mitigation zone, which is not publicly accessible), which includes play areas, community garden and allotments. As such this proposal significantly exceeds the requirements in emerging policies.
- 7.68 Policy E12 – Low Carbon design seeks to ensure that new development addresses climate change through low carbon design. In residential schemes, this requires a reduction in CO2 emissions of at least 19% of the Dwelling Emission Rate (DER) compared to rate required under part L of Building Regulations. In addition, the policy seeks to ensure that the development has demonstrated its long-term sustainability in the form of an assessment under the Home Quality Mark (HQM) One. The applicant has outlined that they will not be providing these enhancements for the residential element, as they have objected to this Local Plan policy, as they do not feel that there is justification for the Local Planning Authority seeking to go beyond Building Regulation requirements, which controls such matters. The proposal does not therefore meet these emerging requirements in this regard.
- 7.69 Policy E14 – The Local Ecological Network requires that new development results in biodiversity net gain. The current management of the site is poor for wintering birds, with cereal crops not present during the winter which would provide potential foraging habitat. Furthermore, the previous use of the site for car boot sales also led to frequent disturbance events. An ecology strategy has been developed that recognises the key nature conservation features of the site, namely the open space area to the east of the site that is being retained for Brent Geese. The ecology strategy seeks to improve the quality and interconnectedness of this habitat. A key part of the landscape masterplan is the proposal for a number of attenuation basins and ponds which not only provide valuable habitat in their own right, but increase the value of existing, retained habitats. Additional features have been incorporated such as the creation of species rich wetland areas, wildflower and grasslands, the implementation of these new features, parkland, tree planting, together with the installation of bat and bird boxes and reptile refuges. These features have been designed to complement habitats in the wider area.
- 7.70 It is considered that enhancement of this area, followed by appropriate management in perpetuity will increase the value to that of a Primary Support Site (as a minimum) and adequately mitigate any adverse effects as a result of the proposed development. The application is supported with evidence that development that the development would achieve net gain in biodiversity, over the existing agricultural use.

### Housing policies

- 7.71 Policy H1 of the Local Plan 2036 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through, inter alia, appropriate internal space standards for new dwellings.
- 7.72 The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25th March 2015. This statement should be taken into account in applying the NPPF. New homes need to be high quality, accessible and

sustainable. The Council does not have a current Local Plan Policy that allows it to require compliance with these standards. Policy H1 is proposed within Draft Local Plan which would secure new housing developments to provide adequate internal and external space to ensure appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. This application proposes that 103 (32%) of the dwellings would comply with the Technical Space Standards. As such this proposal partially complies with the emerging requirements in this policy.

- 7.73 Policy H3 – Housing density now requires that development within the Borough provides minimum housing densities, depending on their location. This is to ensure that development maximises the finite amount of land in a full and sustainable manner. This application site is located within an area that requires that development to achieve a minimum of 40 dwellings per hectare. This application achieves a density of 41 dwellings per hectare and therefore this proposal complies with this policy.
- 7.74 Policy H4- Housing mix outlines that development will be expected to provide a range of dwelling types to meet identified local housing need; and incorporate approximately 35% as two-bedroom homes as part of the overall housing mix. This proposal does provide a range of 2, 3 and 4-bedroom units. The proposal provides 103 two-bedroom units, which is 32% of the total. As such this proposal partially complies with this emerging policy.
- 7.75 In conclusion on this matter, the pre-submission Havant Borough Local Plan 2036, has not yet been submitted for examination to the Planning Inspectorate. As such in accordance with paragraph 48 of the NPPF, and having regard to the level of objection received during the pre-submission consultation, it is considered that only limited weight can be attributed to the policies within it. Notwithstanding, a number of relevant emerging policies have been fully or partially met and this threshold has been weighted into the overall planning balance made on this application.

(iv) Impact on the Character and Appearance of the area

- 7.76 The assessment of the principle of development in the countryside and the Undeveloped Gap are set out above. However, whilst the principle of development beyond the urban edge and within an allocated Gap can be supported, the actual impact of the proposed scheme on its environs must be assessed.
- 7.77 The site is within Local Character Area (LCA) 41: South Moor and Broadmarsh Coastal Park defined by a market gardening landscape. The area is characterised by a range of roadway characteristics. Main traffic arteries with high volumes of traffic. Engineering works including bridges and embankments are prominent due to the flat landform and proximity to the water's edge. The junction of the A3 (M) and A27 (T) and the railway creates a large artificial form on the flat harbour plain, although roadside tree planting has partly reduced its visual dominance. The open character allows long views and big skies across the flat agricultural plain.
- 7.78 The application is supported by a Landscape & Visual Impact Assessment (LVIA) which considers the relationship of the proposed development to the existing landscape character and context of the site in terms of views of it. The LVIA notes the existing boundary planting restricts views in to the site to varying degrees, especially from the east and south by the mature boundary treatments. Views will be achieved from various points along Havant Road, though at some points, particularly the eastern end of Havant Road, has matured boundary trees. The highest potential for views are currently the north western corner and from Westways. Views of the site are also available from the residential roads to the north, which are located on the rising ground of Portsdown Hill.

- 7.79 The change from countryside to residential would be a clear, irreversible impact that would be incapable of full mitigation, particularly when viewed close-up. The construction impact would see topographical changes with areas of landscaping removed to facilitate links between the parcels of land; however once developed and additional landscaping provided, the scheme would be viewed prominently through trees, or against a tree lined backdrop such that the site would have limited impact on the wider LCA.
- 7.80 The impacts on visual receptors (dwellings and user of roads and footpaths), local residents and those travelling along Havant Road, Auriol Drive and Westways would be medium – high at the Site level only, reducing to negligible - low with distance. Therefore, the effects would be at worst, moderate - major adverse for the parts of the Site proposed for built development at the construction and operational stage (Year 1). This is due to the change in character from farmland to a residential development and considering the loss of the isolated farm buildings that are currently on the site.
- 7.81 However, as the planting associated with the green infrastructure areas matures through time, the landscape and visual effects would improve, so that at site level, these are expected to be no greater than minor negative due to the additional physical enclosure, landscape integration and visual softening and screening provided by the proposed planting. In turn, the effects on the parts of the character area surrounding the site would also be further tempered in the medium to long term. Furthermore, the development would be set back from the southern and eastern boundaries of the site so as not to alter or encroach on the natural development free harbour edge character of Langstone Harbour.
- 7.82 In longer views from the north, rising up towards Portsdown Hill Road views of the development site would comprise more distant and elevated views to the proposed development, and would be seen in context with existing development in their foreground, with the back drop of the A27, A3(M) and railway corridor and the coastline beyond, being retained. While development would be brought forward in these views, overall, the character and amenity of the panoramic views would be retained.
- 7.83 The submission demonstrates retention of significant amounts of landscaping including tree belts on the edges and centre of the site ensuring views into the site are not dominated by the development. The proposed development would extend the defined settlement boundary, but given the characteristics of the surrounding land and the proximity of the existing development and neighbouring transport infrastructure, it is considered that it would appear more as an infill development rather than a large extension into the open countryside.
- 7.84 Overall, whilst it is accepted that the development of the site will fundamentally change the character and appearance of the site, resulting in the loss of an area of countryside and an existing gap between settlements, the layout responds to the constraints and natural assets of the site. Whilst any new development will be visible from the neighbouring properties which surround the site, there will be limited impact in terms of longer range public views and there are no public footpaths crossing the site. As such, the principle of residential development on this site is considered acceptable in terms of landscape impact and is not contrary to the objectives of saved policies or emerging planning policies.

(v) Impact on heritage asset

- 7.85 Within the application site is an existing flint cottage that is identified as a building of local interest. Whilst it does not benefit from the level of protection that a statutorily listed building would, it is considered to have heritage value. This is covered by local plan policy CS11 - Protecting and Enhancing the Special Environment and Heritage of the Borough. This policy advises that development should protect and where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to consideration areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, building of local historic or architectural interests.
- 7.86 It is proposed as part of the development to demolish the building which will make way for open space. Whilst the building is of some historic merit largely due to the age of the structure, it has been in a particularly poor state of repair for a long period of time. Part of the roof is open with the rest covered in corrugated steel sheeting which has meant the building has been open to the elements. This has affected some of the flint walls with many areas of structural cracking evident. The cost to restore the building would therefore be substantial. The Conservation Officer has advised that whilst it was preferred that a scheme came forward to restore the current building, however from the information it is indicated that this is not viable. Therefore, on balance the unfortunate demolition of the building is considered to be appropriate in this specific context.

(vi) Impact upon residential amenity

- 7.87 The application site abuts the residential properties in Westways. To the north lies Auriol Drive, with these properties being at higher level, by approximately 6 metres, as the land starts to rise up Portsdown Hill at this point. The closest residential properties to the north are separated by approximately 60 metres from the proposed development. As outlined in paragraph 3.4, this application proposes to raise the levels gradually from north to south across the residential and open space parts of the development. The submitted levels strategy indicates that the maximum raising of the land would be approximately 3.2 metres, which would be located around the location of the southern residential element and is considered in more detail below.

Care home

- 7.88 The care home is located in the north-western corner of the site, and at this point the land levels are proposed to be largely as existing, with this part of the site having a gentle slope north to south. The main residential properties directly affected by this element of the development are 1A, 5, 7 and 9 Westways. The care home is a U-shaped building, which would have a variety of roof types and heights, which is mainly 2.5 storey development. A landscaped car park is proposed between the care home and boundaries with the neighbouring properties.
- 7.89 The proposed western elevation of the care home is the element that is closest to the properties in Westways. This has a maximum depth of 47 metres at this point, which varies in distance from the boundary by virtue of the design encompassing some gabled roof projections. These elements, which propose residential accommodation at first floor level, have a ridge height of approximately 10.5 and eaves height of 6.9 metres. The distance from these elements to the shared boundaries with existing residential properties is a minimum of 35 metres, which extends to 39 metres on the south-western element of the building.
- 7.90 The north-western element of the elevation has a two-storey projection, with a further

smaller hipped roof element. Both these elements have no windows or openings above ground floor level. The two-storey element, on the western elevation, has a depth of 17.5 metre running north to south, a ridge height of 10 metres, eaves height of 5.6 metres and would be located approximately 24.5 metres from the boundary with 1A Westways. The further hipped roof projection has a depth of 9.5 metres running north to south, a hipped ridge height of 7.4m and eaves height of 4.7metre is separated from the boundary with 1A Westways by approximately 17.5 metres. The Havant Borough Council Design Guide at paragraph 5.05 of recommends a minimum back to back separation distance of 20 metres with an additional 4 metres per storey. It is considered that the development secures satisfactory separation distances between the existing dwellings and proposed care home and that there would be no significant loss of amenity to existing and future residents.

- 7.91 The proposed parking court would run adjacent to the shared boundary of the properties in Westways. The access and car park would serve 28 spaces and therefore would result in vehicle movements and associated vehicular activity. However, in order to mitigate this impact, the car park has been set back from the shared boundary and separated by a wide landscape buffer of a minimum of 4m adjacent to 1A Westways, increasing to 8m adjacent to the shared boundary with 9 Westways. The type of planting along this section would be subject to a landscaping condition which would carefully consider the species to be planted. On balance it is considered that whilst accepting there will be vehicular movements, the generous landscape buffer would reduce the impact of that vehicular activity. Furthermore, the Environmental Health team have raised no objection to this element of the proposal.

#### Residential element

- 7.92 The main residential properties directly affected by the residential element of the development are 9 – 39 Westways (odd numbered properties), which are all semi-detached properties. As has been outlined the levels on the site adjacent to these properties are proposed to be increased by varying degrees, increasing in nature due the slope. As such the properties towards the south in Westways will see have higher level changes, due the sloping nature of the site. The Local Planning Authority requested fully scaled sections, so that the impact on these properties can be fully assessed, taking into account the levels changes at various points, in combination with an understanding of the scale and massing of the development above the proposed site levels. The impact on the amenities of these properties is considered in detail below.

#### Impact on amenities of 5-19 Westways

- 7.93 The first aspect of the residential element to be considered is the impact of the development on 5-19 Westways. The application proposes units 21-28, to lie to the east of these properties. Units 21-28 are proposed to be two storey dwellings, which have a ridge height of 8.5 metres and eaves height of 5.25 metres, and are to be located at the rear of these neighbouring properties. At this point the proposed ground levels are at points, being decreased by approximately 0.2m for units 23 and 24, which are behind 13 and 15 Westways. The proposed ground level changes for units 27 and 28, which are behind 17 and 19 Westways, will see the ground level being increased by approximately 0.75 metres. All of these proposed units have distances to the shared boundary with Westways ranging from a minimum of 11.5 metres to 13.5 metres. The proposed back-to-back distances from the rear elevations of the proposed and existing properties ranges from a minimum separation of approximately 30 metres to 33 metres. The Havant Borough Council Design Guide recommends a minimum back to back separation distance of 20 metres. Whilst it is accepted that the adjoining owners will have lost the open aspect currently experienced. It is considered that these are adequate separation distances between the existing and proposed dwellings and

that there would be no significant loss of amenity to existing residents.

Impact on amenities of 17-35 Westways

- 7.94 The application proposed units 29-35 to be located behind these properties. These, are two storey dwellings, which have a ridge height of 8.5 metres and eaves height of 5.25 metres, and are to be located at the rear of these neighbouring properties. The ground levels are proposed to be increased gradually (which will form the gardens for the new dwellings) from the western boundary, which is shared with Westways, increasing in height towards the location of proposed dwellings themselves, where the land will then be levelled off. The increase in levels at this point, from the existing, is approximately 3.2 metres. These proposed units have distances to the shared boundary with Westways ranging from a minimum of 16.5 metres to 20 metres. The proposed back-to-back distances from the rear elevations of the proposed and existing properties ranges from a minimum separation of approximately 31 metres to 33 metres.
- 7.95 The Havant Borough Council Design Guide recommends a minimum back to back separation distance of 20 metres with an additional 4 metres per storey. Given the change in levels and relationship with the neighbours, it is considered units 29-35 would have the perception of the scale of a three-storey dwelling from the properties in Westways. A three-storey to two-storey relationship would therefore require a minimum of 24m back-to-back, which is significantly exceeded. Notwithstanding this, and given the change in character of the application site, following concerns raised by officers and subsequent extensive negotiations with the applicant, a landscape buffer is additionally proposed to be located inside the boundary of the development site between units 29 and 36. This will comprise trees and vegetation which will help soften and filter the impact of the ground levels on these properties. This will be controlled through appropriate conditions. As such given a combination of these factors, it is considered that these are adequate separation distances, between the existing and proposed dwellings which exceeds the Design Guides expectations that there would be no significant loss of amenity to existing residents.

Impact on amenities of 37-39 Westways

- 7.96 The application proposes units 36-38, which form a terrace to be located perpendicular to these properties. Unit 38 is proposed to be located adjacent to the boundary, with the side elevation, which has no windows proposed, being located a minimum of approximately 6.5 metres from the boundary and approximately 23 metres to the rear elevations of 37 and 39 Westways. The depth of this side (west) elevation will be approximately 8.5 metres, have a ridge height of 8 metres and eaves height of 4.75 metres. The increase in levels at this point, from the existing, is approximately 3.25 metres. As highlighted above, following discussions with the applicant, this boundary would have the benefit of the landscape buffer, which would help soften and filter views of the development. The Havant Borough Council Design Guide recommends a minimum flank to side separation distance of 10 metres, which is significantly exceed in the application proposals.
- 7.97 Taking all these factors together subject to suitable conditions, to include removing permitted development rights for extensions and roof alterations for units 21 to 38, to ensure further development is controlled having regard to the impact on the amenities of Westways, it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring properties with regard to loss of sunlight/daylight, overlooking or overbearing impact. As such this revised scheme has overcome the concerns raised by officers, therefore the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

*Impact on future residents*

- 7.98 Policy CS16 states that proposals for noise-sensitive development, including residential uses, which would result in the occupiers of such development being exposed to unacceptably high levels of noise will not be permitted. This policy is consistent with that of Paragraphs 170 and 180 of the NPPF, which respectively require that planning should always seek a good standard of amenity for existing and future occupiers of land and buildings, and that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, amongst other things, unacceptable levels of noise pollution.
- 7.99 An updated noise survey has been provided taking into account noise generated from traffic on the A3(M), A27, Havant Road and railway line. The noise assessment proposes that a number of properties on the northern and southern edge of the development will have to have a higher glazing specification, whilst most will have to be provided with alternative ventilation as an alternative to opening windows. The report concludes that development can be delivered without causing significant harm to the amenity of future residents. The detailed layout and elevations propose an almost continuous built form which will also reduce noise levels to external private amenity areas, and the rest of the development.
- 7.100 The Environmental Health Officer has raised no objection based on the latest noise assessment and the amended plans. The amended plans revised the internal layout of some of the noise susceptible dwellings, in order to place noise sensitive rooms, such as bedroom and living rooms away from Havant Road, the A27 and railway. Furthermore, the use of engineered solutions to provide appropriate internal noise environment and ventilation is considered acceptable in this context. Overall the Environmental Health officers are satisfied that subject to conditions a satisfactory environment for future residents can be achieved.

(vii) Access and Highway Implications

- 7.101 The National Planning Policy Framework (NPPF) at Paragraph 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 of the NPPF also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 7.102 Extensive representations have been received by interested parties raising concerns as to the highways impacts and related accessibility issues of this proposal. In particular concerns are raised that the existing highway network in the vicinity of the site is heavily used, congested and restricted, particularly regarding congestion, delays and safety on Havant Road and the Rusty Cutter roundabout. The consequences of this are that the development would result in harm by adding traffic to this existing situation. In addition, concerns are raised as to accessibility and movement by alternative means of transport including cycling, walking and public transport to facilities and the identified catchment schools for this site, which have been identified as Bidbury and Warblington.
- 7.103 As outlined in paragraphs 3.17-3.24 extensive discussions have taken place between the applicant, Havant Borough Council, Hampshire Highways and Highway England. A sustainability review was undertaken following concerns raised by both Highway

Authorities about the original proposed improvements works to the Rusty Cutter roundabout. As a result, the applicant has submitted a revised Transport Assessment (TA) and a Travel Plan, following the request for further information from Hampshire County Council, Highways England, the Highway Authorities, and to take into account comments from Portsmouth City Council, given its proximity to the boundary with this neighbouring authority. This has been prepared using industry standard methodologies. The TA undertook junction capacity modelling at the following junctions:

- Rusty Cutter roundabout
- A27 Teardrop junction
- Havant Road/Auriol Drive
- Havant Road/Bedhampton Hill
- Bedhampton Hill/Portsdown Hill Road/Bedhampton Road
- Havant Road/Farlington Road
- Havant Road/Eastern Road

Additionally, the TA modelled a number of scenarios for the period up to 2028 including with development and mitigation scenarios, in order to determine the impact on the surrounding highway network.

- 7.104 The trip rate assessment indicates that the proposed development would generate approximately 172 vehicle trips in the AM peak (0800-0900hrs), 174 vehicle trips in the PM peak (1700-1800hrs) and approximately 1588 trips across the day. These trip rates also cover any vehicle trips which may be associated with school travel trips. Having estimated the number of trips likely to be generated by the site, traffic distribution diagrams were created using the 2011 'Travel to Work' Census data for Bedhampton. This was assessed to determine the likely destinations and route residents of the proposed development would use and by which proportion.
- 7.105 Based on these traffic distributions approximately 85% of AM development traffic would travel east on Havant Road utilising the Rusty Cutter roundabout, with 27.5% travelling on to the A3(M) and 62.5% using the Tear Drop junction to access the A27 with 15% travelling west towards Drayton and Cosham. For the PM peak it is estimated that 15% would be arriving from the west and 85% from the east.
- 7.106 The impact of the development on the Rusty Cutter roundabout and A27 Teardrop junction has been assessed during the recorded AM peak (07:30 to 08:30), and PM peak (17:00 to 18:00 hours). It is projected that an additional 146 vehicle movements would be routed through the Rusty Cutter in the AM peak, which results in a 2.6% increase in traffic flow. Whilst in the PM peak an additional 148 vehicle movements would be routed through the Rusty Cutter in the PM peak, which results in a 2.8% increase in traffic flow. It should be noted that this impact will be less at other times of the day. The maximum increase in existing queuing at the Havant Road arm of the Rusty Cutter, in the worst-case scenario would be 5.5 vehicles during the AM peak hour and 4.6 vehicles during the PM peak period.
- 7.107 For the Tear Drop Junction it is projected that an additional 79 vehicle movements would be routed through this junction in the AM peak, which results in a 1.48% increase in traffic flow. Whilst in the PM peak an additional 58 vehicle movements would be routed through the Tear Drop in the PM peak, which results in a 1.01% increase in traffic flow. It should be noted that this impact will be less at other times of the day. The maximum increase in existing queuing to and from the Rusty Cutter through the Tear Drop, in the worst-case scenario would be 3.4 vehicles during the AM peak hour and 0.6 vehicles during the PM peak period. In terms of the overall impact

of the development proposed, the Highways Authorities have advised that the local and strategic highway network is not at capacity and the highway can therefore accommodate the potential increase in traffic from the development. Having regard to paragraph 109 of the NPPF, which refers to the cumulative impacts of development, it is not considered that the development would result in 'severe impacts' to the local and strategic transport network.

#### Access

- 7.108 Detailed analysis using industry standard software has been undertaken of different site access proposals, and through discussions with the Local Highway Authority it has been identified that the most appropriate form of accesses would be by two vehicular access points onto Havant Road. The two access are proposed to be facilitated by right hand turn lanes from Havant Road. These lanes are wide enough to ensure traffic flow on Havant Road can be maintained for those travelling east towards the Rusty Cutter roundabout. Both accesses would be of bellmouth arrangements 7m wide supported by 15m radii. The access roads would reduce in width to 5.5m approximately 20m into the site. These dimensions would allow two vehicles to pass when concurrently turning in and out of the access and would allow large vehicles to enter and exit the site safely without utilising the other side of the road.
- 7.109 A 3m wide footway/cycleway is also proposed to be created from the south-eastern bus stop on Havant Road which would extend across the site frontage and to an improved pedestrian crossing to the west of the site to the northern side of Havant Road to improve connectivity and permeability of the site as well as ensuring all parts of the site are easily accessible. Both accesses would be flanked by 2.0m wide pedestrian footways either side, except for the eastern access on its eastern side which would be flanked by a 3m wide footway/cycleway.
- 7.110 This eastern access would then connect to a 3m wide footway/cycleway on the Havant Road frontage creating a continuous footway/cycleway along the southern side of Havant Road between the current bus stops. The footway/cycleway, flanking the eastern access, would then connect onto an internal 3m wide footway/cycleway, which runs close to the northern boundary of the site, which will provide connections to off-site highway works to support a safe route to school. As has been outlined, further off-site highways are proposed and these are considered in detail further on in this report, and are attached at appendix H.

#### Internal layout and parking

- 7.111 The internal roads have been designed to adoptable standards, and would accommodate the occasional Heavy Goods Vehicle (HGV's), such as refuse vehicles, emergency services and food home deliveries. In addition, the internal roads will be able to cater for occasional on street visitor parking. As the internal road moves out towards the periphery of the site into quieter cul-de-sacs, there will be shared-surface carriageways adopting 'home zone' principles. The internal site design would achieve the required inter-visibility for vehicles travelling up to 15/20mph within the site, supported by planting maintained to a suitable height to ensure visibility is maintained at all times.
- 7.112 The application also proposes a segregated pedestrian route through the centre of the site to the open space located in the southern part of the site. This path would also have natural surveillance from the residential properties along the route, to ensure the safety of pedestrians using this footpath. A pedestrian route is also provided onto Westways in the north-western corner of the development, to further enhance pedestrian connectivity through the site and the wider area. The public areas not to be adopted will be maintained by a management company for this site and this will need

to form part of a legal agreement including rights for public access over them.

Parking for residential element

- 7.113 The Council's adopted car parking standards SPD sets out minimum vehicular parking requirements. The development would provide a total of 694 spaces for C3 General Residential. Of these, 541 spaces are allocated spaces, 97 are provided in garages and 56 spaces are unallocated for the flatted development. A further 64 spaces are provided for formal visitor parking space. As such for this element of the proposal it is in accordance with the SPD requirements.

Parking for allotments and Care home

- 7.114 An additional 4 parking spaces have also been provided to cater for the allotments which is considered sufficient for the intended local use. For the proposed care home use, the standards state that 1 space per 4 residents and 1 space per staff is required. For the proposal this means that a minimum of 37 spaces are required to meet the adopted standards. The proposal as submitted however, only has 28 car parking spaces of which 2 would be blue badge disabled spaces. As such the proposal does not meet the minimum number of car parking spaces required by the SPD, with a deficit of 9 car parking spaces.

- 7.115 In line with the guidance set out in the SPD, the applicant has been asked to justify the proposed shortfall in car parking provision at the site for this element. The submitted justification outlines that, given the dependency level of the residents they will not have the capacity to drive and therefore the car parking management has been designed to ensure that there is adequate provision at all times for relatives, families, staff and emergency services. Staff wishing to park in the car park must also ask consent from the management in advance and will be encouraged to travel by bike, on foot or by public transport. Families who are moving residents and their furniture into the home will be allocated a dedicated space in advance. The applicant has also outlined that gates would be provided upon the entrance into the care home's parking court to prevent unauthorised use of the parking spaces provided.

- 7.116 Whilst it is acknowledged that the care home element has a deficit of 9 car parking spaces, it is appropriate to consider this within the context of the wider application site. To the south and east of the care home lies the wider residential street network, which will allow both on street parking, in combination with the allocated visitor bays to accommodate any latent demand for the shortfall of 9 spaces. Concerns have been raised by residents in Westways, that given the proximity of the care home to this existing residential street, in combination with the pedestrian access being provided, that overspill parking will start to occur in Westways. To address this issue a Traffic Regulation Order (TRO) is proposed, which will be secured by a legal agreement, so that in the event this does become an issue, appropriate measures to control the parking arrangements can be made as necessary. As such it is considered that the proposed parking provision for this development is appropriate in this context, and any adverse effects arising from unexpected overspill parking can be mitigated.

Cycle parking

- 7.117 Based on the accommodation schedule, the site would need to provide a total of 620 cycle spaces for the residential element and 20 for the care home element. For the general residential use this would be provided in rear garden sheds for the houses or within the garages for those dwellings with garages, and communal storage is proposed for the flats. For the care home covered cycle storage would be provided adjacent to the car park and main building entrance and provides storage for 8 cycles. As highlighted previously, residents of the care home would not be physically able to

drive or cycle, and so it is only staff that are likely to need to store bicycles and as such these 8 spaces are adequate for the scale of this element of the development.

Proposed off-site highway works

- 7.118 A package of offsite highway improvements is proposed as part of the development. This includes the provision of a 3m wide footway/cycleway along the southern side of Havant Road and improvements along the pedestrian route to Bidbury Infant and Junior Schools. Along this route it is proposed to extend the existing footway/cycleway from the Rusty Cutter roundabout up to the junction of Bedhampton Hill and the Rusty Cutter Beefeater Restaurant, along with upgrading an existing pedestrian crossing and implementing a new pedestrian island to facilitate east to west movements across Bedhampton Hill. In addition, a 'Park and Stride' site, utilising the existing car park at Bidbury Mead Recreation Ground, is proposed to assist with sustainable access towards the Bidbury Schools.

Proposed improvements at Rusty Cutter Roundabout

- 7.119 Extensive discussions have taken place between the applicant, Havant Borough Council, Hampshire Highways and Highway England regarding improvements to provide sustainable pedestrian and cycle access across the Rusty Cutter roundabout. A sustainability review was undertaken following concerns raised by both Highway Authorities, about the original proposed improvements works to the Rusty Cutter. These works comprised the signalisation of the Havant Road Arm and Circulatory West traffic arms of the Rusty Cutter roundabout, to provide a safe controlled period for pedestrians/cyclists using the existing crossing, which is located on the north bound on-slip of the A3(M). The concerns were that these measures would lead to additional delay and disruption to the highway network on the Rusty Cutter Roundabout and Tear Drop junction.
- 7.120 A sustainability review was conducted to understand whether a pedestrian/cycle route around the south of the Rusty Cutter roundabout would be feasible, balanced against the vehicle capacity needs of the junction. The review identified that a solution, which balanced these matters, is to utilise the existing traffic signals to provide controlled crossing facilities to allow pedestrians and cyclists to cross the roundabout to Bedhampton Hill. The proposed works would tie the site to the southern side of the Rusty Cutter roundabout by a graded ramp from within the site. This then leads to the southern A3(M) northbound off-slip signals which are proposed to be altered to provide controlled crossing facilities for pedestrians and cyclists. Pedestrians and cyclists are then taken across the circulatory carriageway again under signal control to the central refuge island, where they can follow a shared use path around the junction to the southbound A3(M) off-slip, again crossing under signal control to Bedhampton Hill. This will provide direct provision from the site to the improvements at Bedhampton Hill and onwards along Bedhampton Road.
- 7.121 As part of these works to the Rusty Cutter Roundabout, alterations to the location of the stop lines at the A3(M) northbound off-slip, South Circulatory arm and North Circulatory arms would be required to accommodate walk with traffic pedestrian phases. The A3(M) southbound off-slip would not be amended. The application is supported by junction modelling and a Road Safety Audit to review the impact of the setting back of stop lines, and the safety of users of the proposed route for both pedestrians/cyclists and highway users. Highways England and Hampshire Highways have reviewed this information and have raised no objection and consider that this proposal would not have a significant impact on traffic flow, and would be a safe crossing for both pedestrian and cyclists.

- 7.122 Hampshire County Council as Highway Authority aspire to improve the Rusty Cutter

roundabout, as part of the Transforming Cities Fund (TCF) bid. Successful submission of the bid would provide funding towards infrastructure projects within Havant and Portsmouth. However, at the time of writing this report the position is not committed, as the outcome of this bid will not be known until February 2020 at the earliest. In this regard, the Highway Authority have agreed to secure the Rusty Cutter walking/cycling route and Bedhampton Hill improvements by way of a financial contribution value of £954,176 in lieu of the works should the bid be successful. If funding is secured via the TCF bid, HCC will implement the walking/cycling improvements, alongside a larger improvement scheme at the roundabout which is currently being designed. However, this mechanism also allows the applicant to deliver the works through a legal agreement, if the TCF funding is not secured.

7.123 On the basis of the above, a number of occupations on site are likely to take place before the works at the roundabout have been implemented. Further discussions have taken place between the Highway Authority and the applicant to discuss school travel for during the initial absence of the walking/cycling route. During this time, travel to school will need to be funded by the applicant in the absence of a safe route to school from the site, which will be secured within the legal agreement. Any unspent monies will be returned based on the timescales associated with the TCF bid and the build out of the Rusty Cutter works. Hampshire County Council, as Local Education Authority have agreed with this approach, as this approach will ensure safe travel to schools during this interim period.

7.124 As identified within the Sustainability Review Report, of the various options assessed, this arrangement is considered appropriate based on the criteria assessed due to desire lines, the shortest travel distance, suitable gradients, safety, deliverability and having no significant impact on the operation of the Rusty Cutter Roundabout, and Teardrop junctions. In addition, the existing crossing located on the north bound on-slip of the A3(M), will still be operational for those that wish to use this route.

#### Travel plan

7.125 A revised Travel Plan has been prepared in support of the application detailing how more sustainable modes of travel would be encouraged. The Travel Plan now meets the standards set out in HCC's 'A guide to development related travel plans', and it is considered acceptable for submission in conjunction with the proposed residential/care home site. The Travel Plan will be secured through a legal agreement, which will also include monitoring fees, approval fees and a bond.

7.126 Taking all these highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and S106 and conditional requirements. Whilst the proposed car parking provision for the care home is below standard, this has been justified by the applicant with reference to their experience at other sites. Cycle parking provision on the site will be improved by the development and is considered acceptable. Overall the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Following the implementation of the agreed mitigation proposals required by legal agreement and conditions, these are considered to mitigate the impact of the development on the highway network and therefore a reason for refusal on this basis could not be justified.

#### (viii) Flooding and Drainage

- 7.127 Currently, most of the site lies in Flood Zone 1, with the southern part of the site affected by Flood Zones 2 and 3, from potential tidal flooding. The NPPF Technical Guidance (Table 2) designates buildings used for residential as “more vulnerable” to flood risk. The proposals must therefore satisfy both the Sequential and Exception tests, as set out in the NPPF, in order for development to be permitted. These tests are considered in detail below:
- 7.128 The Sequential Test aims to direct development towards areas of lowest flood risk. This applies to all development proposals in Flood Zones 2 and 3 (as stated above, the southern part of the site is within Flood Zone 2 and 3, which largely comprises the proposed open space and elements of residential development). The NPPF states that "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding".
- 7.129 In this case, the requirements of the Sequential Test should be considered alongside the wider available and suitable land for residential development within the borough, as outlined in paragraphs 7.15-7.46 of this report. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test.
- 7.130 Moreover, as part of the site is within Flood Zone 3, the proposals must also demonstrate compliance with the "Exception Test". The NPPF states that for the Exception Test to be passed:
- "it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
  - a site-specific flood risk assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."
- Both elements of the test must be passed for development to be permitted.
- 7.131 The first requirement, to demonstrate "wider sustainability benefits", has been addressed in paragraphs 7.15-7.46. This outlines that this proposal would provide much needed housing within the borough, open space and ecological enhancements in accordance with sustainable development principles. In addition, as part of the evidence base for the emerging local plan a Strategic Flood Risk Assessment has taken place, which considers the site and the measures that have been proposed in this planning application, which are considered below.
- 7.132 The second requirement to demonstrate that the development will be safe has been the subject of discussions between the applicant, Environment Agency (EA) and the Local Lead Flood Authority (LLFA) and resulted in a Flood Risk Assessment being submitted with this application, as outlined above. The EA have assumed that the application site will flood during a 1 in 100 year event, allowing for the effects of climate change. As such the Flood Risk Assessment outlines that the greatest risk of flooding to the development has been identified from tidal flooding for the southern part of the site.
- 7.133 The FRA has assessed the extent of the area at risk over the lifetime of the development and identifies that about one third of the northern part of the site is

unaffected by the extent of the 2115 tidal flood zone, which takes climate change into consideration. Access to the site is to the north and is not at risk of flooding. The potential tidal flood levels over the development lifetime (100 years for residential development) are estimated at 4.4m Above Ordnance Datum (AOD). A topographic survey has shown existing ground levels to be below 4.4mAOD. Given this situation the primary mitigation to reduce the risk of flooding from all sources has been proposed in the form of elevating levels to a minimum of 4.4.m AOD and will set finished floor levels at 4.7mAOD. This will therefore make the development safe from tidal flooding.

### Surface Water Management

- 7.134 The surface water management proposals have been developed in consultation with the Environment Agency (EA) and the Local Lead Flood Authority (LLFA). Details of the key elements of the constraints and opportunities in the development of the surface water drainage strategy were as follows:
- Consideration of infiltration drainage, if feasible;
  - Using green corridors where possible to take exceedance flows;
  - Surface level Sustainable urban Drainage Systems (SuDS) features such as a wet pond would be considered highly beneficial;
  - Attenuation basins to be located outside of the flood zones and consideration to the effect of tide lock should be undertaken to assess impact to onsite attenuation.
- 7.135 The drainage strategy has been developed with the above key items in consideration. The use of infiltration has not been deemed suitable based on the intrusive investigations carried out onsite, which indicate a highly silty Clay geology over a weathered chalk stratum. The use of both attenuation basins and ponds are proposed within the surface water drainage scheme and whilst part of the basins are located within Flood Zone 3 (tidal flood zone), the levels of the basin have been raised and the impact of tide lock considered as part of the attenuation scheme. This mitigating the potential impact of placing the basins within the designated flood zone. The principles of placing the attenuation basin and features within Flood Zone 3 and mitigating this through raising the levels above the tidal peak flood level have been agreed by the EA.
- 7.136 The surface water drainage strategy design has been devised and hydraulically modelled to demonstrate that the scheme can be suitably implemented without increasing the level of flood risk when the surface water drainage system experiences a 1:100 year rainfall event (including additional 40% allowance to take into account climate change)
- 7.137 The surface water drainage scheme has been designed to ensure:
- A reduction in the pre-development site discharge for peak storm events.
  - SuDS systems are wholly incorporated within the scheme.
  - Consideration is given for the improvement of water quality within the design.
  - The designed drainage scheme can satisfactorily retain a critical 1 in 100 Year storm event with additional 40% allowance for climate change.
- 7.138 It is proposed to replicate as closely as possible the natural drainage from the site before development and improve water quality. The proposed run-off from the access roads, drives and parking bays will be conveyed to the new below ground surface water network via trapped gullies. The rainfall run-off from the roofs of the new properties will discharge directly into the below ground surface water network. The surface water network will convey the flows, under gravity, southwards towards the new attenuation basins and SuDS ponds. This will provide attenuation of the restricted

flow prior to discharging to a series of ponds and scrape creation areas/ bio retention areas, which will provide multiple levels of SuDS treatment to the surface water flows prior to final discharge to the Langstone Harbour via the surface water outfall and existing watercourses. The discharge into the existing watercourse will be at a controlled rate, with the SuDS features improving the water quality, equivalent to the Greenfield runoff rate for the pre-developed site. The LLFA requested further information to ensure that the development would have an outfall and the entire drainage system could be implemented. The applicant has advised that their chosen provider have statutory powers to connect to the Southern Water sewer. The LLFA have now considered this information and confirmed that this provides the certainty required. The final arrangements for connection can be covered by a Grampian style condition to ensure that this matter is controlled prior to commencement of development.

7.139 Letters of representation have been received raising concerns that the development will make recent localised surface water flooding events experienced in Westways significantly worse. The provision of a new land drainage system at the boundary of the proposed site will intercept and safely dispose of any overland flows. This will ensure that offsite parties will not experience an increase in pluvial flood risk, and that the development drainage proposals will provide betterment over the existing site conditions. A full allowance for the potential runoff from this area will be included in the pond detailed design storage calculations. This will ensure that the existing properties are drained effectively, and that flood risk is not increased to both the existing and proposed properties at the development site.

7.140 A management company is proposed be given ownership of all SUDS structures on this site. The Section 106 Agreement will require full details of how the SUD's are managed and maintained to ensure the optimum operation of the system. Whilst the further written comments of the Local Lead Flood Authority are awaited, suitable Grampian conditions can control these matters.

#### Foul sewerage

7.141 Foul water drainage from the proposed development will be drained to an adoptable foul water pumping station situated adjacent to the proposed allotments, near the western boundary of the site, in close proximity to Westways. The pumping station will connect into the existing foul drainage network in Havant Road via a rising main. Southern Water have advised that having recently undertaken more detailed network modelling as part of a network growth review. The additional foul sewerage flows from the proposed development will not increase the risk of flooding in the existing public sewerage network. As such Southern Water have confirmed that it's network can facilitate foul sewerage disposal to service the proposed development.

7.142 Letters of representation have been received raising concerns that should the pumping station fail, then properties in Westways will be flooded from foul sewerage. Pumping stations are regarded to be infrastructure that is both critical, relatively high maintenance, and as a result, relatively high risk. As outlined above the pumping station will be adopted by Southern Water. The pumping station should be fully automatic with provision for remote monitoring by telemetry. To ensure that sewage flooding does not occur at, or upstream of, the pumping station during plant or power failure, additional storage will be provided. In addition, it is noted that ground level contours show that a surcharge flow from the station would be directed toward the Southwest, some distance from existing residential properties at Westways or the nearest assumed field drainage feature.

7.143 In conclusion on this matter, whilst an element of the site is categorised as being within

an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed housing within the borough. In addition, the EA and LLFA have now raised no objection to this development, and are content with the measures in place to ensure that the development is free from the risk of flooding and is sustainably drained. Furthermore, the proposal would mitigate against flooding and improve drainage in the wider area, through provision of additional flood storage capacity, which is above and beyond the requirements outlined and required from the statutory consultees.

(ix) The Effect of Development on Ecology

- 7.144 The site overall is not considered to be of particularly high ecological value. The vegetation communities are generally species-poor and comprise improved grassland, cereals and boundary hedgerows, scrub and planted trees. The site has long been cultivated as arable, with areas of permanent pasture. Small waterbodies are present at the southern boundary and within the small collection of farm buildings in the centre of the site.
- 7.145 Based on the initial ecological assessment, further detailed surveys were carried out for bats, reptiles and breeding birds. The site has been shown to support at least four species of foraging/commuting bat and no bats were recorded roosting. The council's Ecologist agrees with the level of bat survey carried out. Given that the site is not of particular value to bats the impacts are not considered to be significant, provided that mitigation measures are incorporated. This will include the retention of boundary tree lines, the provision of wetland and terrestrial habitats within the 'nature area' immediately south of the housing, and a sensitive lighting strategy.
- 7.146 The site supports a reasonable population of slow-worms, with 17 animals recorded during surveys. The actual breeding population is likely to be far higher. Mitigation includes the use of habitat manipulation methods to encourage reptiles to move into retained boundary habitats, followed by the clearance of habitat. Furthermore, post-development the southern 'nature area' will incorporate areas of longer, species-rich grassland and scrub habitat which will result in an overall net increase in reptile habitat.

(x) Impact on Trees

- 7.147 The Council's Arboriculturalist has advised that the supporting arboricultural evidence provided by the applicant is comprehensive. The application proposes to largely keep the trees subject to a Tree Preservation Orders (TPO's), with the internal roads punctuating through to provide the internal access arrangements. As such tree removal is required to facilitate development, including those not subject to TPO. These trees are all of low BS: 5837 (2012) grading, and as such should not be considered a constraint to development. They do however provide extensive ecological benefit to the site, and the proposed landscaping plans have been amended to provide mitigation planting and keep some of the trees in the mitigation area. In summary provided that the methodology set out in the arboricultural reports is strictly adhered to with a pre commencement site meeting there is no arboricultural objection.

(xi) Impact on archaeology

- 7.148 Forty Acre Farm has been considered for its below ground archaeological potential as part of an Archaeological Desk Based Assessment which has been submitted as part

of this planning application. In terms of relevant nationally significant designated heritage assets, no World Heritage sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites are identified within the study site or its immediate vicinity. In terms of relevant local designations, the site contains no designated or undesignated heritage assets currently recorded.

7.149 The site is considered to have a low potential for Palaeolithic and post-medieval, a low to moderate potential for Roman and medieval, and a moderate potential for Mesolithic, Neolithic, Bronze Age and Iron Age archaeological evidence. The potential for Palaeolithic evidence is subject to change once a greater understanding of the underlying geology at the study site is achieved.

7.150 Therefore while there is no indication that archaeology presents an overriding concern, it is considered appropriate that the assessment, recording and reporting of any archaeological deposits affected by construction are secured through the attachment of suitable conditions to any planning consent that might be granted. In summary provided that appropriate conditions are secured, the archaeology consultant does not object to this application.

(xii) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

7.151 The impacts of the proposed development on key infrastructure have been assessed and an Infrastructure Delivery Statement submitted. The infrastructure provision in respect to highways, education, flood risk/drainage, health, open space, leisure and utilities has been considered and mitigation for the potential impacts on infrastructure proposed which would be the subject of a legal agreement as set out below.

7.152 The CIL liability for this site currently stands at £2,275,029.32 - this is net of Mandatory Social Housing Relief. Additionally, having regard to the consultation responses received and the planning considerations set out above a S106 Agreement will be required in respect of the following matters:-

1. Affordable Housing
2. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
3. S106 monitoring fee
4. Open Space, on site play, habitat mitigation zone, allotments and associated infrastructure should be provided by the developer and arrangements for maintenance incorporated in the Management Plan. Including measures to ensure that the open space is managed in a Nutrient Neutral manner
5. A contribution in relation to traffic management
6. Solent Recreation Mitigation Strategy contribution currently £190,971.00
7. SUDS bond
8. A contribution towards Health of £55,600
9. Wintering Bird Mitigation Area maintenance and management
10. Permissive paths
11. A contribution towards a Community worker of £80,000
12. Travel Plan (HCC)
13. Highway Works (HCC) and Site Specific Transport Improvements (HCC) – including:
  - Delivery of site access works via a S278 agreement, prior to commencement of development;
  - Delivery of the ramp connection to the Rusty Cutter roundabout via a S278 agreement prior to occupation;
  - Delivery of a shared use path between Rectory Avenue and the eastern bus stop

- on the A2030, either internal to the site or along the site frontage, prior to occupation;
- A contribution towards the Rusty Cutter Southern Footway/Cycleway provision and Bedhampton Hill Footway/Cycleway works, to be provided to lieu of S278 works prior to occupation;
- Should further aspirations at the Rusty Cutter roundabout not be pursued, delivery of the southern walking route via a conventional S278 agreement with the Highway Authority prior to occupation;
- A contribution of £217,350 towards free school travel in the temporary absence of a safe route to school;
- Contribution of £2000 to be made prior to commencement for provision of promotional material for the park and stride sites.
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to commencement; and
- Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan prior to commencement.

## **8 Conclusion**

- 8.1 In considering whether the presumption in favour of sustainable development is satisfied the economic, social and environmental aspects of the proposal have to be weighed. The development lies outside of the built up area and is not provided for in current adopted Local Plan policy - as a result the proposal is contrary to development plan policy. Although weight must be attached to this start point for considering the proposal, it is tempered by the findings that a number of material considerations also weigh in favour of recommending permission.
- 8.2 Notwithstanding that the site is located outside of the urban area in the development plan it is in the countryside, it is proposed for development in the emerging Havant Borough Local Plan 2036. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver significant economic and social benefits. The site would make a substantial contribution to the Borough's five year housing land supply, so much so that without development on this site, there would not be a sufficient supply of new housing in the Borough. On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development, and this is a compelling material consideration, which indicates that that a decision could be taken that departs from the development plan.
- 8.2 Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site. Whilst car parking levels for the care home element are not to the standard set out in the Parking SPD, this has been justified by the applicant and an acceptable package of mitigation measures would be secured in order to promote sustainable forms of travel and enhance the pedestrian and cycling linkages across the Rusty Cutter roundabout towards district centres.

- 8.3 The Appropriate Assessment concluded that the four avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 8.4 It is considered that the proposal has complied with the flooding Sequential and Exception Tests, in that whilst an element of the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms of providing much needed housing, open space and ecological enhancements. In addition, the EA and LLFA now raise no objection to this development, and are content with the measures in place to ensure that the development is free from the risk of flooding and the site would be sustainably drained. Furthermore, the proposal would improve flooding and drainage in the wider area, through providing additional flood storage capacity, which is above and beyond the requirements outlined and required from the statutory consultees.
- 8.5 Following extensive review and consultation to address concerns over pedestrian and cycle access across the Rusty Cutter roundabout, revised improvements have been proposed, in agreement with the Highway Authority and Highways England. This will provide controlled crossing facilities to allow pedestrians and cyclists to cross the roundabout to Bedhampton Hill and to balance these requirements against the vehicle capacity needs of the junction. These improvements, which have been subject to a Road Safety Audit, will allow connection from the site to Bedhampton and Havant providing appropriate sustainable access to the site and key facilities. Overall the impacts on the highway network could not be considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused.
- 8.6 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of paragraph 11 of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging balance of sustainable development principles, and notwithstanding the development plan position in relation to the site, the application is recommended for permission.

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## 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00450

(A) a Section 106 Agreement as set out in paragraph 7.152 above; and

(B) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Planning

Application Form

Infrastructure Delivery Statement

CIL Assumption of Liability Form

CIL Additional Information Form

Planning Design & Access Statement Rev: C

Affordable Housing Statement

Statement of Community Involvement

Compliance statement

Architect's Plans

Site Location Plan - PL01

Topographical Survey (Sheet 1 of 2) PL02

Topographical Survey (Sheet 2 of 2) PL03

Proposed Site Layout Plan – PL04 Rev: M

Proposed Site Layout Plan (Coloured Version) PL05 Rev: F

Proposed Residential Site Layout Plan – PL06 Rev: T

Proposed Materials Plan – PL07 Rev: N

Proposed Boundary Treatment Plan PL08 Rev: P

Affordable Housing Plan PL09 Rev: M

Affordable Cell Plan PL10 Rev: M

Shared Driveways Plan PL11 Rev: M

Storey Height Plan PL12 Rev: M

Bin & Cycle Storage Plan PL13 Rev: M

Proposed Streetscene Elevations PL14 Rev: C

Chimney Location Plan PL15 Rev: M

Proposed Level Sections LS-04 Rev: C

Section Through Plots 278 & 299 – LS-05

Highway Layout Review - BSO-E4519-012-P

Fire Tender Swept Path Analysis BSO-E4519-013-P

Refuse Vehicle Swept Path Analysis - BSO-E4519-014-M

Construction Vehicle Swept Path Analysis - BSO-E4519-015-J

Private Vehicle Swept Path Analysis - BSO-E4519-016-J

Exceedance Flow Layout - BSO-E4519-017-E

Drainage Strategy - BSO-E4519-020-E, BSO-E4519-021-D,  
BSO-E4519-022-E

FLOOD MITIGATION PROPOSALS BSO/E4519/029 B

Indicative Street Lighting Layout - BSO-E4519-023-G and BSO-E4519-024-H

Proposed Streetscenes PL14 C

Street Lighting Layout BSO-E4519-023-G and BSO-E4519-024-H

Landscape

Combined Hard and Soft Landscaping Plans:

D2434 L. 120 Rev 11

D2434 L. 121 Rev 12

D2434 L. 122 Rev 08  
D2434 L. 123 Rev 05  
D2434 L. 124 Rev 02  
D2434 L. 125 Rev 02  
D2434 L. 126 Rev 05  
D2434 L. 127 Rev 05  
D2434 L. 128 Rev 05  
D2434 L. 129 Rev 07  
D2434 L. 130 Rev 04  
D2434 L. 101 Rev 08

Landscape Visual Impact Assessment April 2018 Revision: 01

Landscape Management and Maintenance Plan Revision 03

Levels strategy

BSO-E4519-007-G- Sheet 1

BSO-E4519-008-F- Sheet 2

BSO-E4519-009-G- Sheet 3

Housetype Booklet, comprising the following plans:

ALVERTON VARIANT 1 - PLANS & ELEVATIONS – PLOTS AS: 123 OPP:  
207

AMBERSHAM MALDON - PLOT NUMBERS: AS: 208, 209, 210, 211, 212,  
213 OPP: 124, 125, 126, 127, 128, 129

AMBERSHAM MALDON ELEVATIONS

KENLEY - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 53, 57, 81, 83, 99,  
122 OPP: 54, 82, 84, 98, 121, 215, 216

KENLEY VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 43  
OPP: 44

KENLEY VARIANT 2 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 67, 69,  
137 OPP: 68, 70, 136

KENLEY VARIANT 3 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 217  
OPP: 58, 120

KINGSVILLE - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 4, 48, 104,  
111, 165, 167, 227 OPP: 3, 49, 102, 103, 109, 110, 164, 166, 225, 226

KINGSVILLE VARIANT 1 - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 6  
OPP: 5

MAIDSTONE - PLANS & ELEVATIONS PLOT NUMBERS: AS: 22, 26, 35, 51,  
55, 95, 159, 163, 174 OPP: 1, 21, 34, 52, 56, 94, 158, 173, 175

MAIDSTONE VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS: AS:  
33, 106 OPP: 31, 32, 105

MAIDSTONE VARIANT 2 - PLANS & ELEVATIONS PLOT NUMBERS: AS:  
176 OPP: 25, 162

MAIDSTONE VARIANT 3 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 24  
OPP: 23

MORESBY (DET) VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 155, 172 OPP: 170, 171

MORESBY (DET) VARIANT 2 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 214 OPP: 107

MORESBY (DET) VARIANT 3 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 50, 85, 101, 108 OPP: 42, 93, 228

MORESBY (DET) VARIANT 4 - PLANS & ELEVATIONS - PLOT NUMBERS:  
AS: 138

MORESBY (END) - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 59 OPP:  
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MORESBY (END) VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 156 OPP: 02

MORESBY (END) VARIANT 2 - PLANS & ELEVATIONS - PLOT NUMBER:  
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MORESBY (END) VARIANT 3 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 11, 72 OPP: 65

MORESBY (END) VARIANT 4 - PLANS & ELEVATIONS - PLOT NUMBERS:  
AS: 130

ROSEBERRY - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 14, 12, 45,  
46, 71, 73, 74, 76, 97, 131, 133, 135, 140, 157, 169 OPP: 13, 47, 66, 75, 96,  
132, 134, 139, 160, 168

ARCHFORD (P382-E-7) - PLANS & ELEVATIONS - PLOT NUMBERS: AS:  
179, 247, 249, 258, 262, 267, 270, 274, 294, 296, 311, 316 OPP: 178, 180,  
196, 233, 248, 257, 281, 283, 302, 305, 308, 314

BAYSWATER (H406---7) – PLANS PLOT NUMBERS: AS: 241, 242 OPP: 229,  
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BAYSWATER (H406---7) – ELEVATIONS

BAYSWATER (H406---7) VARIANT 1 - PLOT NUMBERS: 303

BAYSWATER (H406---7) VARIANT 1

CORNELL (H433---7) VARIANT 1 – PLANS PLOT NUMBERS: AS: 218 OPP:  
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CORNELL (H433---7) VARIANT 1 – ELEVATIONS

CORNELL (H433---7) VARIANT 2 – PLANS PLOT NUMBERS: 177, 232, 245

CORNELL (H433---7) VARIANT 2 – ELEVATIONS

CORNELL (H433---7) VARIANT 3 – PLANS PLOT NUMBERS: AS: 272, 310  
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CORNELL (H433---7) VARIANT 3 – ELEVATIONS

EXETER (H418---7) – PLANS PLOT NUMBERS: AS: 259, 269, 278 OPP: 300

EXETER (H418---7) – ELEVATIONS

EXETER (H418---7) VARIANT 1 – PLANS PLOT NUMBERS: AS: 261, 277  
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EXETER (H418---7) VARIANT 1 – ELEVATIONS

EXETER (H418---7) VARIANT 2 – PLANS PLOT NUMBERS: AS: 298 OPP:  
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EXETER (H418---7) VARIANT 2 – ELEVATIONS

HADLEY (P341--D7) - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 266

HADLEY (P341--D7) VARIANT 1 - PLANS & ELEVATIONS - PLOT  
NUMBERS: AS: 250

HADLEY (P341--D7) VARIANT 2 - PLANS & ELEVATIONS PLOT NUMBERS:  
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HADLEY (P341-E-7) - PLANS & ELEVATIONS PLOT NUMBERS: AS: 181,  
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HADLEY (P341-E-7) VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS:  
AS: 280 OPP: 275

HADLEY (P341-E-7) VARIANT 2 - PLANS & ELEVATIONS PLOT NUMBERS:  
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HADLEY (P341-E-7) VARIANT 3 - PLANS & ELEVATIONS - PLOT  
NUMBERS: AS: 198 OPP: 317

HADLEY (P341-WD7) - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 244  
OPP: 273

HADLEY (P341-WD7) VARIANT 1 - PLANS & ELEVATIONS - PLOT  
NUMBERS: AS: 306 OPP: 265

HADLEY (P341-WD7) VARIANT 2 - PLANS & ELEVATIONS - PLOT  
NUMBERS: AS: 264

HOLDEN (H469--X7) – PLANS PLOT NUMBERS: AS: 315 OPP: 260

HOLDEN (H469--X7) – ELEVATIONS

HOLDEN (H469--X7) VARIANT 1 – PLANS - PLOT NUMBERS: AS: 284 OPP:

293

HOLDEN (H469--X7) VARIANT 1 – ELEVATIONS

KENNETT (T310-E-7) VARIANT 1 – PLANS - PLOT NUMBERS: AS: 285, 287, 289, 291 OPP: 286, 288, 290, 292

WILFORD (P204-EC7) - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 318 OPP: 197, 319, 320

TYPE 9B GROUND FLOOR PLAN - PLOT NUMBERS: AS: 142, 143, 144 OPP: 187, 188, 189

TYPE 9B FIRST FLOOR PLAN PLOT NUMBERS: AS: 145, 146, 147 OPP: 190, 191, 192

TYPE 9B SECOND FLOOR PLAN - PLOT NUMBERS: AS: 148, 149, 150 OPP: 193, 194, 195

TYPE 9B ELEVATIONS

TYPE 55 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 7, 77 OPP: 9, 20, 60, 78, 86, 115, 119

TYPE 60.61 VARIANT 1 – PLANS PLOT NUMBERS: 151, 152, 153, 154, 183, 184, 185 & 186

TYPE 60.61- ELEVATIONS

TYPE 65 - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 30 & 88 OPP: 29 & 89

TYPE 66 - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 17, 39, 40, 63, 64, 90, 117 OPP: 16, 15, 41, 61, 116, 118

TYPE 67 - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 19, 28, 36, 79, 91, 113, 114 OPP: 8, 18, 27, 37, 38, 80, 87, 92, 112

TYPE 72 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 62

TYPE 72 VARIANT 1 - PLANS & ELEVATIONS PLOT NUMBERS: AS: 141 OPP: 182

TYPE 73 - PLANS & ELEVATIONS - PLOT NUMBERS: 10

SH50 AFFORDABLE - PLANS & ELEVATIONS PLOT NUMBERS: AS: 200, 204 OPP: 199, 203, 205

SH66 AFFORDABLE - PLANS & ELEVATIONS PLOT NUMBERS: AS: 202, 220 OPP: 201, 219

SH67 AFFORDABLE - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 223, 224, 236 OPP: 222, 237

SH69 AFFORDABLE - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 240, 253 OPP: 230

SH74 AFFORDABLE - PLANS & ELEVATIONS - PLOT NUMBERS: AS: 221, 235, 239, 252 OPP: 206, 231, 238

SINGLE GARAGE PLANS & ELEVATIONS

TWIN GARAGE TYPE 1 PLANS & ELEVATIONS

TWIN GARAGE TYPE 2 PLANS & ELEVATIONS

QUAD GARAGE PLANS & ELEVATIONS

GENERIC BIN AND CYCLE STORE - PLANS & ELEVATIONS

EXTERNAL TOILET PLANS & ELEVATIONS

SUBSTATION TYPE 1 - PLANS & ELEVATIONS

SUBSTATION TYPE 2 - PLANS & ELEVATIONS

#### Care Home

Care Home- Ground Floor Plan PA01

Care Home- First Floor Plan PA02

Care Home- Second Floor Plan PA03

Care Home- Roof Plan PA04

Care Home- Elevations PA05

Care Home- Sectional Elevations Plan PA06

Site Plan PA08- B

CARE HOME - REFUSE AND CYCLE STORE PA09  
CARE HOME COURTYARD COLOURED ELEVATIONS PA10  
CARE HOME COLOURED ELEVATIONS PA11

#### Highways

Transport Assessment Prepared by Paul Basham Associates - Dated June 2019 (Parts 1-9)

Travel plan 041.0023TP7- Prepared by Paul Basham Associates- Dated June 2019

Sustainability Report - 041.0023.SRR2- Prepared by Paul Basham Associates.

#### Ecology

Report to Inform Habitats Regulations Assessment Stage 1 and 2 August 2019  
Winter Bird Mitigation Strategy (August 2019),

WYG: An Extended Phase 1 Habitat Survey (April 2018)

Bat Activity and Emergence Survey report (April 2018)

Wintering Bird Survey report (April 2018)

Reptile Presence/Likely Absence Survey report (April 2018)

Biodiversity Action Plan

#### Miscellaneous

Noise Impact Assessment August 2019

Flood Risk Assessment – April 2018

Drainage information responding to LLFA comments August 2019

Archaeological Desktop Assessment April 18

Air Quality Assessment October 2018

Arboricultural Impact Appraisal and Method Statement Barrell Arboricultural assessment and method statement 16270-AA-MW

Preliminary Desk Study & Ground Investigations Letter Report

**Reason:** - To ensure provision of a satisfactory development.

#### **Landscape and materials**

3. No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
  - ii) Planting methods, tree pits & guying methods,
  - iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
  - iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
  - v) Manner and treatment of watercourses, ditches and banks,
  - vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,

vii) Means of enclosure, in particular boundary walls and planting around properties and including their frontages, including any retaining structures,

viii) The type of street lighting including calculations, contour illumination plans and means to reduce light pollution

ix) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, and to ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed to an appropriate standard to serve the development in accordance with policies DM10, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy 2011) and the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

#### **Ecology and trees**

5. No development shall commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and agreed in writing by the Local Planning Authority. This shall include, but not be restricted to:
1. Details of all avoidance and mitigation measures in relation to SPA bird species;
  2. Details of habitat management measures including restricting fertiliser application to avoid an increase in nitrogen outputs;
  3. Provision of dog waste bins;
  4. Details of ecological enhancement measures for the remainder of the application site.

All mitigation and enhancement features shall be permanently retained and maintained. The development shall be carried in accordance with the approved details

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

6. Prior to any demolition, construction or groundwork commencing on the site

the approved tree protective measures, including fencing and ground protection, as shown on Barrell Arboricultural assessment and method statement 16270-AA-MW and 16270-BT2 shall be installed. The Council's Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with Tree Protection Plan (telephone 023 92 446525). No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16, of the Havant Borough Local Plan (Core Strategy) 2011.

7. No development shall commence until a detailed Management and Monitoring Strategy has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the approved Winter Bird Mitigation Strategy (August 2019) and shall include:
- Details of suitable fencing and screening vegetation to deter access by cats, dogs and the public;
  - Planting specification for scrub and hedgerows using only native species;
  - Landscaping within the mitigation area, including potential return of the existing tree line within the mitigation area;
  - Details of a suitable grassland seed mix and methodology for establishment;
  - Details of management measures prior to and after transfer to the suitable management body;
  - Details and specification of interpretive media;
  - Details of frequency and methodology of post-development monitoring.

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

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

8. No development shall take place, including any works or demolition, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- i) A programme and phasing of the site clearance and construction work, including roads, footpaths, landscaping and open space;
  - ii) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
  - iii) Arrangements for the routing/ turning of lorries and details for construction

traffic access to the site;

iv) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;

v) Measures to minimise creation and impact of dust,

vi) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). This shall include details of noise monitoring of the construction and demolition work at sensitive locations,

vii) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat – high tide roost sites) shall not be undertaken during the bird overwintering period (i.e. October to March inclusive).

viii) Measures to prevent mud and dust on the highway during development;

ix) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

x) Temporary lighting;

xi) Protection of pedestrian routes during construction;

xii) No burning on-site;

xiii) Scheme of work detailing the extent and type of piling proposed;

xiv) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;

xv) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

Reason: To provide ecological protection and enhancement in accordance with the Wildlife & Countryside Act 1981, NERC Act 2006, Policies DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

9. Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within the Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 (August 2019) and The Winter Bird Mitigation Strategy (August 2019) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be permanently retained and maintained in accordance with the agreed details.

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

**Environmental – Soil, contamination**

10. Prior to the commencement of development (or such other date or stage in development agreed in writing with the Local Planning Authority), a Materials Management Plan shall be submitted to and approved in writing by the Local Planning Authority.  
The Materials Management Plan shall demonstrate the general suitability of soils at the source location; and include measures to ensure that the quality of spoils transported under the plan are;  
a) consistent with the general characterisation of the source site, and;  
b) appropriately documented

Other than soils purchased from a soil supplier, the transfer to the site of soils from any source location not characterised within the Materials Management Plan shall not be permitted unless specifically agreed in writing by the Local Planning Authority prior to their deposition. The development shall be carried out in accordance with the approved details.

Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.”

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

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;  
1) A site walk-over survey &/or sufficient desk-based research to identify;  
• All relevant previous uses of the site  
• Potentially significant contaminants associated with those uses  
• Uncertainties relating to previous use or associated potential contaminants  
• A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;  
• A summary of potentially unacceptable risks arising from contamination at the site.

2) A site investigation based on (1), to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all receptors that may be affected, including those off site.

3) The results of an appropriate risk assessment based upon (1) & (2), and where unacceptable risks are identified, a Remediation Strategy that includes;  
• appropriately considered remedial objectives,  
• an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;  
• clearly defined proposals for mitigation of the identified risks.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (3) are

complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.  
All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present within brownfield areas of the site that could pose a risk to future occupants.

12. Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 11 shall be submitted to and approved in writing by the Local Planning Authority.  
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”).  
The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present within brownfield areas of the site that could pose a risk to future occupants.

**Noise**

13. No individual dwelling as being subject to high levels of noise, as indicated on plan SK05 of WYG Noise Assessment dated August 2019, shall be occupied unless and until mitigation has been installed and demonstrated through post validation testing to determine compliance with the noise impact assessment as provided by WYG in the Noise Assessment : August 2019). Such testing can be achieved using sample dwellings, as per the measurement positions. This shall be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. the glazing and ventilation strategy mitigation measures outlined in the WYG Noise Assessment dated August 2019, shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

**Drainage and Flood risk**

14. No dwellings shall be occupied until the following drainage details have been submitted to and approved in writing by the Local Planning Authority:
- Details of consent from the Sewerage Authority for a connection to the public

sewer for the development.

The development shall be implemented in accordance with the approved details.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriated mitigated 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.

15. No development shall take place until a scheme showing measures to protect the public sewers has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the public sewage network is protected during the development in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment - RCP Ref TRS/BSO/E4409/16785 has been submitted and approved in writing by the Local Planning Authority. The submitted details shall include:

a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.

b. Detailed drainage calculations to demonstrate existing runoff rates and volumes are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.

c. Evidence that a 10% urban creep has been included within the calculations.

d. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria - calculations and plans should be provided to show where above ground flooding might occur and where this would pool and flow.

e. Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element, together with evidence that those responsible/adopting bodies are in discussion with the developer.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriated mitigated 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.

17. The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated 20th April 2018) and the following mitigation measures detailed within the FRA:

1. Existing ground levels are to be raised to a minimum of 4.4m above Ordnance Datum (AOD) for the extent indicated on drawing number BSO/E4519/029 B (Appendix G of the FRA).

2. Finished floor levels are set no lower than 4.7m above Ordnance Datum

(AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the Flood Risk Assessment (FRA) (dated 20th April 2018), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in accordance with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Local Plan (Core Strategy) 2011.

**BREEAM (Care Home)**

18. Before the commencement of the care home hereby permitted, written documentary evidence demonstrating that the development will achieve at minimum a level of 'Excellent' against the Building Research Establishment Environmental Assessment Method (BREEAM) Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority (LPA) for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) and policy E12 of the emerging Havant Borough Local Plan 2036.

19. Prior to the occupation of the care home hereby permitted, written documentary evidence proving that the development has achieved at minimum a level of 'Excellent' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development minimises its overall demand for resources and to demonstrate compliance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) and policy E12 of the emerging Havant Borough Local Plan 2036.

**Gas pipeline protection**

20. No development shall be carried out within 3m of the high pressure gas pipeline and no piling or boreholes within 15m without the prior written consent of the Local Planning Authority in consultation with Southern Gas Networks.

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

**Highways**

21. No development shall take place until a Construction Traffic Management Plan plans and particulars specifying the following matters has been submitted to and approved in writing by the Local Planning Authority:

The provision to be made within the site for:

- (i) construction traffic access
- (ii) the turning of delivery vehicles
- (iii) provisions for removing mud from vehicles
- (iv) the contractors' vehicle parking during site clearance and construction of the development;
- (v) a material storage compound during site clearance and construction of the development.
- (vi) construction traffic routes and their management and control
- (vii) adequate provision for addressing any abnormal wear and tear to the highway
- (viii) a programme for construction.

Thereafter, throughout such site clearance and implementation of the development, the approved construction traffic access, turning arrangements, mud removal provisions, parking provision and storage compound shall be kept available and used as such.

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

22. The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve each individual dwelling hereby permitted shall be made fully available for use prior to that dwelling 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.

### **Archaeology**

23. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority. The assessment should take the form of trial trenches, some of which should be targeted upon the possible archaeological features identified by the geophysical survey. The remaining trenches should be spread across the site and located within the footprints of the proposed houses, garages and access roads so that any as yet unrecorded archaeological remains encountered are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

24. Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these

heritage assets is preserved by record for future generations and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

**Water efficiency/sustainability**

25. No part of the housing (C3) element of the development hereby permitted shall be occupied until 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. All measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that necessary avoidance measures are provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

26. The care home (C2) element of the development hereby permitted shall not be occupied until a water efficiency calculation 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. All measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that necessary avoidance measures are provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

**Remove PD Rights – dwellings adjacent to Westways**

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Classes A, B, C, and E, of Schedule 2, Part 1 of the Order shall be carried out on plots 21-36, for the avoidance of doubt these are the properties adjacent to west boundary of the site, with the residential properties of Westways, without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

**Electric Charging points**

28. Prior to the occupation of the development full details of the Electrical Vehicle Charging points, as shown on plan PL13M shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy IN3 of the Pre-Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

Appendices:...

- (A) Location Plan
- (B) Layout Plan
- (C) Street Scenes
- (D) Street Scenes
- (E) Proposed sections with Westway
- (F) Proposed sections with Westway
- (G) Highway Improvements – Proposed Access and Havant Road
- (H) Highway Improvements – Rusty Cutter Roundabout and Bedhampton Hill