

Supplementary Planning Information

**HAVANT BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
12 November 2020**

I am now able to enclose, for consideration by the Development Management Committee on 12 November 2020 , the following supplementary planning information that was unavailable when the agenda was printed.

Agenda No Item

5(1)	APP/19/00768 - Land to the rear of, 15-27 Horndean Road, Emsworth	1 - 30
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HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 29 October 2020

Present

Councillor Mrs Shimbart (Chairman)

Councillors Crellin, Howard, Keast, Lloyd, Lowe and Guest (Standing Deputy)

Other Councillors Present:

Councillor(s): Satchwell and Hughes

1 Apologies for Absence and Declarations of Interests

Apologies for absence were received from Councillor Satchwell. Councillor Guest stood in as her deputy.

There were no declarations of interest from any Members sitting on the Committee.

2 Site Briefing Minutes - 1 October 2020

The Site Briefing minutes from the 1st October 2020 were received.

3 Application APP/18/00724 - Land at Sinah Lane, Hayling Island

The site was the subject of a Site Briefing by the Site Viewing Working Party.

Proposal: Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.

The Committee considered the written report and recommendation from the Head of Planning to inform the Planning Inspectorate that had an appeal not been lodged the Local Planning Authority would have been minded to **GRANT PLANNING PERMISSION** for Application APP/18/00724 subject a Section 106 Agreement and the conditions set out in the report as amended by the supplementary information..

The Committee received the supplementary information, circulated prior to the meeting which:

- 1) included the minutes of the Site Briefing held on 1 October 2020;
- 2) included 12 written deputations submitted by members of the public, Councillor Hughes and Councillor Satchwell;
- 3) updated the officer's report including an additional condition and amended condition for the Local Planning Authority to grant planning permission had an appeal not been lodged;
- 4) gave responses to the additional information requested at the Site Briefing, which included:
 - a. further details of proposed highway changes;
 - b. further details of the surface water drainage system;
 - c. the grade of the agricultural land;
 - d. details of tidal lock and how it would affect this proposal;
 - e. the density of existing buildings in relation to the development;
 - f. further information on the sustainability proposals of the development; and
- 5) a revised recommendation with both an amended condition and an added condition.

All members confirmed that they had read the above supplementary papers prior to the meeting.

The members received a presentation from the officers outlining the report and answering questions raised in the Site Briefing and individual members of the Committee since the agenda was published.

The meeting was adjourned from 17:27 and recommenced at 17:45.

The officers continued the presentation.

There had been 6 requests to make verbal deputations by Councillors and members of the public. Those opposing the application were Pat Brooks (Friends of the Earth), Anne Skennerton (Hayling Resident's Association), Rosie Law (Hayling Resident's Association), Dave Parham (Hayling Resident's Association) and Councillor Clare Satchwell. Councillor Gary Hughes spoke in support of the application. These were received by the Committee. These verbal deputations were a summary of the written deputations supplied and published on the council's website. The audio recording of these deputations is found within the recording of the meeting itself, beginning at 1.07.30. This is published on the council's website.

The Principal Planning Officer in responding to the deputations on issues such as ecology, draining and nutrients that these issues had been scrutinised by the statutory consultees. This had resulted in a series of changes and clarifications to address their concerns and the consultees were all satisfied with the proposals. The RSPB had been negotiating with the developer to transfer the land to them with a view to concluding this aspect of the proposal which would be subject to a legal agreement should the Committee be minded to have granted planning permission. A condition with all new houses in the borough was included to limit the water uses of properties in respect to sewage.

The Planning Policy Manager highlighted to Members that this Committee meeting was concerning the application for the development of the land at Sinah Lane and was not to deliberate the changes to the Local Plan which had been agreed at Full Council on 9 September 2020. They also emphasised the Hayling Island Transport Assessment which had been developed, approved and published by the Council was also deemed suitable by the Highways Authority.

The meeting was adjourned from 18:50 and recommenced at 18:57.

In response to questions by Members of the Committee the officers advised that:

1. the site for the development was a level 1 risk for flooding, whereas part of the mitigation area for the bird refuge was level 3;
2. the timeframe for construction had not been finalised but it was indicated it would take place over a 5-year period;
3. the agricultural land being graded 3A meant that it was the “best and most versatile” agricultural land;
4. the RSPB were aware that part of the proposed bird refuge area experienced erosion and had taken this into account is assessing the adequacy of the area to provide mitigation;
5. the loss of the development site as a bird refuge had been assessed against the new area which would provide a permanent Winter bird refuge, and finances would be provided to ensure ongoing maintenance of the land;
6. the provisions and management of the bird refuge is to be secured by the legal agreement and if the RSPB chose not to adopt it then it would be the responsibility of a third party as set out in the legal agreement;
7. the RSPB/refuge management would be responsible for ensuring any informal footpaths across the refuge land which could disrupt the birds are closed off to public footfall;

8. a Habitats Regulations Assessment had been undertaken and Natural England in using their methodology were satisfied that there would be a net benefit in removing the land from agricultural use and using it for a bird refuge;
9. there was a sum of money committed to extending the local schools should the development go ahead in order to accommodate the children on the development;
10. as it was down to Central Government to address the impact of Covid-19, this application did not take social distancing measures into account;
11. the drainage system for the development had been designed to take the 'worst case scenarios' into account, such as a 1 in 200-year tidal event;
12. a condition could be included to ensure the protection of the trees prior to any construction taking place;
13. there was no intention to remove any barriers formed by vegetation in this development;
14. tidal lock had been taken into consideration as the water from the development would be held in attenuation until the tide retreated;
15. it was up to future residents of the development whether they used their garage for parking spaces or not, but it was within the guidance the council used as a planning authority to include garage spaces as parking spaces within the development; and
16. a Traffic Regulation Order could be necessary as congestion and hazards on roads was possible, so £5k had been earmarked for this.

The Committee discussed the application in detail together with the views raised in the deputations received.

It was RESOLVED that the Head of Planning was authorised to inform the Planning Inspectorate that had an appeal not been lodged the Local Planning Authority would have been minded to **GRANT PLANNING PERMISSION** for Application APP/18/00724 subject to: -

(A) a Section 106 Agreement

(B) the following conditions:

1

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

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

Purchase Act 2004.

2

Planning Documents and Plans

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

Architectural plans

Site Location Plan	PL-01
Proposed Site Layout Plan (Roof Plan)	PL-02 P10
Materials Plan	PL-03 P12
Boundary Treatment Plan	PL-04 P12
Proposed Streetscene Elevations	PL-05 P4
Proposed Site Layout Plan (Coloured Version)	PL-06 P10
Bin and Cycle Storage Plan	PL-07 P10
Affordable Layout Plan	PL-08 P10
Storey Height Plan	PL-09 P10
Chimney Location Plan	PL-10 P10
Adoption Plan	PL-11 P10
Developable Area Plan	PL-12 P4
Electric Charging Point Plan	PL-13 P9
Sinah Lane Housetype Booklet	02.04.20
Design and Access Statement	2020-03-04 Rev N

Landscape /arboricultural drawings

Landscape masterplan	BDWS20660 10J
Soft landscaping	BDWS20660 11R
Open Space areas	BDSW20660 13B
Public Open space phasing Plan	PL-14 P3
LAP proposals	BDWS20660 15B
Winter Bird Mitigation Plan	BDWS20660 22H

Engineering drawings

Drainage Strategy 1 of 2	BSO-E4513 12D
Drainage Strategy 2 of 2	BSO-E4513 13F
Preliminary Level Strategy 1 of 2	BSO-E4513-014E
Preliminary Level Strategy 2 of 2	BSO-E4513- 015F
Highway Layout Review 1 of 2	BSO-E4513-016G
Highway Layout Review 2 of 2	BSO-E4513- 017F
Fire Tender Swept Path Analysis 1 of 2	BSO-E4513-018H
Fire Tender Swept Path Analysis 2 of 2	BSO-E4513 019G
Refuse Vehicle Swept Path Analysis 1 of 2	BSO-E4513-020F
Refuse Vehicle Swept Path Analysis 2 of 2	BSO-E4513-021F

2	
Flood Exceedance	BSO E4513 026 D

Statements

Archaeological Desk Based Assessment	June 2018
Planning Statement	July 2018
Statement of Community Involvement	June 2019
Affordable Housing Statement	June 2019
Infrastructure Delivery Statement	July 2018
Arb Impact Assessment + Method Statement	Rev 8 9 Mar 2020
Tree Report	BDWS20660trC
Bat Survey Report	June 2018
Winter Bird Mitigation Strategy	Nov 2018
Biodiversity Action Plan	June 2018
Biodiversity Checklist	June 2018
Extended Phase 1 Habitat Survey	June 2018
Reptile Presence/Likely Absence Report	June 2018
Information to inform HRA	June 2019
Biodiversity Net Gain Assessment	June 2018
Ecological Mitigation and Management Plan V2	March 2020
Flood risk assessment	17134-Rev C
Utilities Assessment	June 2018
Landscape Maintenance and Management Plan	June 2018
Air Quality Assessment	June 2018
Noise Assessment	June 2018
Transport Assessment	June 2018, supplemented Jul 2019
Travel Plan	July 2019 update
Economic Benefit Statement	June 2018
Landscape Visual Impact Assessment	June 2019 revision
Soft Landscape Specification	May 2020
Compliance Statement	June 2019

Reason: - To ensure provision of a satisfactory development.

3

Landscape and materials

Notwithstanding the submitted details no above ground 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 & mowing 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, fencing 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.
- x) Fencing to the proposed links to Hayling Billy Trail and fencing to prevent the creation of unauthorised access.
- xi) Specification including detail of size and planting density for the landscaped tree belt along the southern boundary of the bird refuge and northern boundary of the housing site.

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 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

All ecological mitigation, compensation and enhancement measures set out in the Ecological Mitigation Strategy (WYG document ref A092944-3, dated March 2020) shall be implemented in accordance with the agreed details and maintained in perpetuity in a condition suited to their intended function, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

6

Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Natural England. The CEMP shall be informed by the identified ecological receptors detailed within the Ecological Mitigation and Management Plan Dated June 2018 (revised June 2019) - prepared by WYG and shall include

- a) measures to control noise, dust, pollution, lighting and surface water drainage during construction.
- b) 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,
- c) The restriction of percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - or a noise level otherwise agreed in writing by the Local Planning Authority, measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) during the bird overwintering period (i.e. October to March inclusive).

Development shall be implemented in accordance with the agreed CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement to ensure that there will be no adverse impacts from construction on the Wintering Bird Mitigation Area. in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011

7

Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Arboricultural Impact Assessment and Method Statement Rev C, and Tree Protection Plan shall be installed and within the fenced area(s), there shall be no excavations, storage of materials or

machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

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.

8

Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within the approved Report to Inform Habitats Regulations Assessment Stage 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

9

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination and measures to take account of bat activity. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties, on and off site, from light disturbance / pollution and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

10

The acoustic mitigation measures to be employed with regard to the building envelope and external amenity areas, including fenestration / ventilation, and fencing /walls for all residential units, shall meet BS8223:2014 standards as recommended for indoor and outdoor 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; and external amenity space 50 / 55 dB LAeq,16 hour (50 dB is preferable)

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially noise from any commercial / business premises existing alongside the development, traffic noise and noise from pump stations and the like and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

11

No development shall commence until a Construction Environmental Management Plan is submitted to and approved in writing by the Local Planning Authority. The Plan shall make comprehensive provisions for:

- i) The control of dust setting out the measures for the control of any dust that might emanate from the development site, to include for a suitable and adequate water supply being available at the site prior to works commencing. Furthermore, the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities. It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also be kept damp at all times.
- ii) Temporary lighting;
- iii) No burning on-site;
- iv) Scheme of work detailing the extent and type of any piling proposed;
- v) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- vi) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.
- vii) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

The approved Construction Environmental Management Plan shall be adhered to at all times throughout the construction of the development.

Reason: To protect the amenities of the area and of occupants of all nearby residential receptors from pollution and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Drainage and Flood risk

12

Notwithstanding the submitted details construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The design of drainage shall ensure that no land drainage or ground water is to enter the public sewers network.

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 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.

13

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 appropriately 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.

Highways

14

No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Hampshire County Council Highway Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details of 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 and turning of lorries and details for construction traffic access to the site and their management and control;
- iv) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
- vi) Measures to prevent mud and dust on the highway during development;
- vii) Provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

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

15

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

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

16

The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.

Reason: To ensure the retention of adequate on-site car parking in the interests of highway safety and residential amenity and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

17

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

18

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 by the Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing to ensure that any archaeological remains encountered within the site 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 .

19

No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

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.

20

Following completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing

appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Water efficiency/sustainability

21

The development hereby permitted shall not be occupied until:

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

and

(b) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that 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 EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

22

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

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

a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that 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 EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

Electric Charging points

23

Prior to first occupation of any dwelling with provision for an Electrical Vehicle Charging point full details of the Electrical Vehicle Charging point, 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 appropriate siting of such points and that 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.

Other

24

Notwithstanding the submitted Levels Strategy, no development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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.

25

Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order (as amended), no extension, building or structure permitted by Part 1, Classes A and E of the 2015 Order, as amended, shall be erected within the curtilage of Plots 112 to 116 inclusive, without the prior written approval of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features in accordance with the objectives of the

National Planning Policy Framework and Policy CS16, of the Havant Borough Local Plan (Core Strategy) 2011.

26

No above ground construction shall commence until details of the provision of bat enhancement features within the built development have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the enhancement features shall be implemented in accordance with the approved details prior to occupation of any building on which they are installed. 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.

and that the Council's case in the appeal against non-determination of the application be prepared on that basis.

The meeting commenced at 5.00 pm and concluded at 8.02 pm

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Chairman

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HAVANT BOROUGH COUNCIL

At a meeting of the Site Briefing held on 5 November 2020

Present

Councillor: Satchwell (Chairman)

Councillors: Crellin, Keast, Lowe, Lloyd, Mrs Shimbart (Vice-Chairman), Patel (Standing Deputy) and Patrick (Standing Deputy)

8 Apologies

There were no apologies for absence.

9 Declarations of Interests

There were no declarations of interest relating to matters on the agenda.

10 Site Briefing - APP/19/00768 - Land to the rear of, 15-27 Horndean Road, Emsworth

The Principal Planning Officer gave a presentation.

Proposal: Erection of 16 new dwellings with associated access, parking and open space.

The members received a presentation from the officer outlining the report and familiarising the members with the site, the subject of the application. During the presentation the members' attention was drawn to amendments made to overcome concerns of neighbouring properties. The following key considerations were identified in the report:

- i) principle of development
- ii) nature of development
- iii) impact on the character and appearance of the area
- iv) residential and neighbouring amenity
- v) access and highway implications
- vi) flooding and drainage
- vii) archaeology
- viii) the effect of development of ecology

- ix) impact on trees
- x) Community Infrastructure Levy (CIL), contribution requirements and legal agreement.

In response to factual questions raised by the Working Party, the Principal Planning Officer advised that:

- 1) a SINC was a Site of Interest of Nature Conservation and the majority of the site fell within this designation. This is part of a SINC to the west of the site, with compensation provision provided to the south, outside of the site.
- 2) there were a number of mature trees along the western boundary and to the east was a large amount of vegetation;
- 3) the proposed dwellings were a minimum of 15 metres from mature trees, so roots should not cause a problem in terms of subsidence;
- 4) there was an entrance which ran alongside the proposed entrance, but this served houses 31-33 Horndean Road exclusively and so was separate from the proposal;
- 5) the artistic drawings included in the presentation were not drawn to scale, but it was felt that the overall appearance of the proposed dwellings was attractive;
- 6) the SINC was a grassland which harboured a number of species which were deemed significant enough to protect; and
- 7) land contamination experts in Environmental Health had advised the developer that there could potentially be UXBs on the site, but as this was the case with most greenfield sites across the south coast, they had come to the conclusion that this should not impact whether the proposal was granted planning permission or not.

The Development Manager in response to questions by the Working Party explained that:

- a) the revisions to the local plan were agreed at Full Council on 9th September 2020 which highlighted this site as coming forward as a solo allocation for residential development, although it was originally part of the Southleigh development before this;
- b) the Bellevue development to the North of the site was already being constructed so this development would not be out of place with the surrounding area;

- c) the SINC was a local designation at County level and there was no statutory requirement to retain it. This application would secure and retain the SINC in perpetuity; and
- d) there was a condition for a scheme of investigation to be undertaken prior to any development commencing in order to determine if there was anything of major importance below the site archaeologically.

It was RESOLVED that, based on the site inspection and information available at the time, the following additional information be provided to the Development Management Committee:

- 1) a more recent aerial photograph of the proposal site and surrounding area should one be available to officers; and
- 2) a map of the surrounding area indicating proposed allocations for residential development and where development is currently taking place.

The meeting commenced at 4.00 pm and concluded at 4.46 pm

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Chairman

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Deputation from Metis Homes in Support of Planning Application for Erection of 16 New Homes on Land Rear of 15-27 Horndean Rd, Emsworth.

Dear Members of the Committee.

Thank you for taking the time to read this deputation ahead of Thursday's committee meeting.

I would like to start by publicly thanking your officers for working closely with us over the course of the past two years ahead of the application being presented to you with a firm recommendation for approval this Thursday.

The process began with a pre-application submission to understand how we may bring this site forward in line with the policies of the emerging plan. It was always earmarked for a housing allocation in the new plan, but was originally tied into the strategic allocation at Southleigh, despite it being physically separate from the rest of the Southleigh housing area and accessed separately via Horndean Road. We agreed with your policy team therefore that it was logical to bring this 16 home development forward independently and as a stand-alone housing allocation, which is how it now appears in the emerging plan.

We therefore carefully designed this high quality development in line with the policies of the emerging plan and following the detailed input of all key consultees and stakeholders to ensure that it was technically deliverable now and in no way compromises the Southleigh strategic site coming forward at a later date. In fact, the current proposal entirely accords with this small part of the Southleigh masterplan in the original form which it was published for consultation, and our scheme includes footway and cycle links to its boundaries to facilitate future permeability through to Southleigh and the recreation ground to the south.

Our application delivers 16 new homes of a high-quality traditional design, 5 of which are to be delivered as affordable homes through a registered provider, which is the full policy compliant amount in the policy compliant tenures. It also delivers an area of landscaped open space which is accessible by both the new residents and the wider existing community. This onsite open space is to be the subject of a bespoke management regime to encourage the botanical value of the species rich grassland to develop such that its biodiversity value is safeguarded in perpetuity. This management regime, secured through a S106 legal agreement is also extended beyond the site boundary to include land owned by Havant Borough Council, with the effect of uplifting further the biodiversity value for the local area.

Each modern new home will meet the sustainability standards required through construction and each property will also have its own electric vehicle charging point.

The plans which are now before you for consideration have been shaped following the valuable input from the local community, local ward Councillors, the Emsworth Residents Association and your planning officers. As a result of this consultative process the application is the subject of no objections from any statutory consultees and a firm recommendation for approval to enable us to deliver these new homes in the immediate term in response to a local need and to help in meeting the Borough's housing land supply requirements.

I would be very grateful for your support on Thursday by voting in favour of your officers recommendation for approval and enabling Metis Homes to bring forward this high quality, policy compliant sustainable small development of market and affordable homes, with its demonstrable associated ecological benefits and wider community gains.

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From: Havant Borough Tree Wardens

An independent network of volunteers, part of The Tree Council's national Tree Warden Scheme TM

Regarding Land Rear of 15-27 Horndean Rd, Emsworth

We appreciate the Metis Homes acknowledgment of “the wish to protect the ecological value of the site and wider land” (Alistair Harris 25.05.19), and that the Metis application seeks to offer “*an opportunity to deliver a high quality bespoke development in the immediate term which can deliver adequate mitigation and indeed enhancement of the biodiversity at the site (within the red line).*”

In order to achieve this goal, we are grateful to have this chance to bring to Metis Homes, and to Havant Borough Council officers and DMC Committee, seemingly overlooked material considerations that will need particular attention and conditions attached if biodiversity harm is to be avoided.

1. Veteran and Notable Trees

We are disappointed that despite our submitted comments, the Metis arboricultural impact assessment makes no reference to the Veteran status of two of the boundary oaks (Ancient Tree Inventory tree ID 195912, and tree ID 195923) <https://ati.woodlandtrust.org.uk>).

Though the NPPF advises developers to make reference to ATI records I cannot find a reference that this has been done.

If Havant Borough Council is wishing to *build better* going forward then the status of these trees needs to be acknowledged in the construction conditions. Perhaps their status and their contribution to biodiversity should also be highlighted as positive attributes to the development in both the marketing literature and any management documents for the site.

Both verified Veterans require a construction and post-construction phase Root Protection Area (RPA) of at least 15x the tree's diameter.
Updated Standing Advice Nov. 2017 Natural England & Forestry Commission.

There are also three near-Veteran (Notable) trees in this hedge-bank line of oaks that also require a higher level of RPA. These are also recorded on the ATI with the ID numbers of 195932, 195516 and 195519.

2. Bat sightings and flight lines

A series of overnight full spectrum recordings by static bat detector were made during early August 2020 from a set-up in adjoining private gardens east of the site. (These were noted in our submitted comment of 7 October 2020).

These recordings were sent for analysis to the Hampshire Country Bat Recorder and Chairman of the Hampshire Bat Group, Nik Knight. They have since been verified and entered into his records. They will be sent to the Hants Biodiversity Record Centre for synchronisation into County records later this year, but may be referred to c/o Nik Knight in the meantime.

Confirmed species: Noctule, Leisler's serotine, Brown long-eared bat, Common and Soprano pipistrelle, and Barbastelle. Barbastelle is a UK Biodiversity Action Plan (BAP) species. *The Bat Conservation Trust is the lead partner for the barbastelle BAP. Further information at www.ukbap.org.uk*

Further surveys are clearly necessary as *Myotis* species calls were also recorded but too indistinct on those occasions to say if Bechstein's or Daubenton's bat.

Exactly which *myotis* species and the use they are making of the trees on site must be established to prevent harm, as also recorded were the concentration of bat flight lines in and along the boundary tree line and the area of dense scrub over the derelict stable in the field.

It is highly likely that the veteran and notable oaks are roost sites. This also calls for further survey work, as roosts are not in permanent or predictable use by bats. It should also be noted that removal of any tree, or creating a gap in the line forming a foraging route would prevent bats from using that route effectively.

(Current law protects all UK bat species and their roosts).

3. Light pollution

The majority of the bat species recorded using the field are very light averse. Artificial light is harmful to other wildlife, particularly birds.

Light pollution can negatively impact the survival of nocturnal creatures such as bats, causing them to abandon maternity roosts and affect their success in obtaining insect prey. It can also expose them to predation from domestic cats and other nocturnal hunters such as owls.

Appropriate conditions regarding artificial light pollution must be set at the planning stage for the construction site and incorporated into any management documents for estate. *National Planning Policy Framework, Paragraph: 002, Reference ID: 31-002-20140306*

We would be delighted if, as part of a bespoke site-specific management regime, these factors are considered and result in successful bat and tree protection strategies, delivered in perpetuity as proposed by Metis for the benefit of residents and the environment.

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Deputation regarding
APP/19/00768. Land to the rear of 15 – 27 Horndean Road, Emsworth
on behalf of Havant Friends of the Earth and Havant Climate Alliance

We object to 16 houses being built on this Site of Importance to Nature Conservation or SINC.

From the Ecologist's report this appears to be a site which has not been subject to agricultural improvement for a long time. Even with degraded grassland, we can expect a complex interdependent eco-system to have built up over time connecting trees, hedgerows, vegetation, bacteria, fungi, invertebrates, insects, amphibians, birds, mammals and possibly reptiles. It is not just about wild-flowers.

We concur with the views of the County Ecologist and CPRE. We do not think that this site can be compensated or mitigated, by leaving 30% of it as public space and establishing the equivalent of the remaining 70% as a new SINC area within the nearby Recreation Ground.

1. By doubling as a recreation area for residents, the 30% area will be less able to support biodiversity, e.g bats, of which several species have been recorded, need undisturbed foraging and roosting sites.

2. Establishing a new SINC area within the Recreation Ground cannot replicate the rich biodiversity of the original site. Such biodiversity can take years to build up.

3. The site was originally incorporated into policy KP5, forming part of the ecological network of sites, planned for the Southleigh strategic development area. However under Changes to the Local Plan it was removed from KP5 and now has a separate allocation as HX1. Regardless of allocation this site remains on the edge of the Southleigh development area and is well positioned to form part of the ecological network planned to run north-south along the eastern border of that development. As a more biodiverse site it could make a valuable contribution to that network, which will be less effective, without it. The proposals do not adequately meet Policy E14 of the emerging Local Plan. SINCS provide essential ecological infrastructure and should be a basis for ecological networks. The reasoning for ignoring this is very convoluted and leaves one concluding that no SINC site will be safe from the need for a rolling 5 year housing land supply.

However if the development must go ahead

We support the proposals for:

EV charging points by every house.

walking and cycling paths to the south and west.

low level street lighting with downward facing LEDs

a variety of bird and bat boxes being installed on houses or in the trees.

Notable and veteran trees must remain and higher level Root Protection Areas used during construction, as highlighted by the Tree Wardens.

Proposed tree and hedgerow planting of native species, should go ahead to infill and support a wildlife corridor along the stream on the western boundary, and to the south.

The on site grassland area and any alternative SINC in the Recreation Ground must be managed in perpetuity.

I can find no reference among the documents to the use of low carbon design and the efficient use of resources, other than water (E12 of the emerging Local Plan). These homes should be built using Passivhaus principles, with high thermal insulation values and with heat pumps or sufficient solar panels, to minimise their carbon output. These can be installed most cheaply at the building stage. New homes should not be built now, which will need expensive retro-fitting later.

Patricia Brooks

Response to Comments from Havant Tree Wardens Group

This note has been prepared in response to the deputation of Havant Tree Wardens Group which was sent directly to Metis Homes by HTWG for consideration via email on 09th November. Metis Homes have also replied directly to HTWG.

The submitted deputation from Havant Tree Wardens Voluntary Group infers that the Metis Homes planning application is professionally and technically deficient. This response provides clarity that the application has been prepared by a team of competent professionals and follows industry practice in all regards.

Assessment of the Development relationship with Retained Trees

We are aware of the NPPF statement (section 175c) on the loss of irreplaceable habitats (such as ancient woodland and ancient and veteran trees) and the development has been designed in accordance with this principle. Consequently, all the important oak trees around the site are scheduled for retention and these will be fully protected during the construction phase in accordance with *BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations*.

Bat Survey Work

In response to the assertion that bats have not been appropriately assessed through the planning application I would like to draw the committees attention to the field survey work undertaken to assess the potential impact of the development on bats. This included a survey of bat activity in and around the site, an emergence survey to assess whether any bats are using the existing building or any of the trees and a specific inspection of the building and a number of the trees for any evidence of bat presence. These survey findings have informed a comprehensive ecological report, alongside other protected species surveys which includes a number of recommendations for ecological mitigation and enhancement to be delivered through the planning process.

Lighting Strategy

In response to the concern that light pollution can result in a harmful impact on protected species I would like to make clear that a lighting strategy is one of a number of supporting documents which forms part of the planning application. A baseline lighting survey has informed a detailed lighting strategy which ensures that the development will represent no harmful impact on surrounding residential properties, and that identified bat foraging/commuting routes around the periphery of the site are respected.

Summary

I trust that the above will provide the committee members with confidence that the Metis Homes planning application has been prepared by a team of professionals and accords with the respective technical industry requirements. All of the technical submissions referenced above have been independently assessed by statutory consultees through the planning process and found to be acceptable.

The comments from the Tree Warden Group do not suggest that the application should be refused, but rather tree protection and ecological enhancements are properly considered and delivered through the planning process. I would like to re-assure the Group and Members of the Committee that the development has been designed to safeguard all mature trees and deliver significant biodiversity enhancement and that these matters will be controlled through both planning conditions and the S106 agreement.

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