

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX



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DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership:

Councillors Bowerman, Buckley, Hughes, Keast, Patrick, Perry and Satchwell

Meeting: Development Management Committee
Date: 29 June 2017
Time: 6.00 pm
Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

20 June 2017

Contact Officer: Jack Caine 023 92446230
Email: jack.caine@havant.gov.uk

| | Page |
|--|------------------|
| 1 Apologies for Absence | |
| To receive and record apologies for absence. | |
| 2 Minutes | 1 - 10 |
| To approve the minutes of the Development Management Committee held on | |
| 3 Matters Arising | |
| 4 Site Viewing Working Party Minutes | To Follow |

To receive the minutes of the Site Viewing Working Party held on

5 Declarations of Interest

To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.

6 Chairman's Report

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.

7 Matters to be Considered for Site Viewing and Deferment

The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.

8 Deputations

To receive requests to make a deputation to Committee.

9 Applications for Development and Development Control Matters 11 - 14

Part 1 - Applications Viewed by the Site Viewing Working Party

9(1) APP/16/00774 - Land North of Havant Road and West of Selangor Avenue, Emsworth 15 - 66

Proposal: Erection of 161 dwellings with associated parking, access, landscaping, and surface water drainage, pumping station, sub station and signalised junction onto Havant Road

Associated documents:

<https://tinyurl.com/y6u6btzr>

9(2) APP/16/01234 - Stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth 67 - 116

Proposal: Change of use from private equestrian yard to a mixed use comprising private equestrian yard and single pitch, private gypsy and traveller site (including amenity block and one touring caravan pitch).

Associated Documents:

<https://tinyurl.com/yaufftaz>

Part 2 - All Other Applications for Development

- 9(3) APP/17/00347 - Aura House, New Road, Havant, PO9 1DE** **117 - 144**
Proposal: Proposed 2 storey undercroft office extension.

Associated Documents:

<https://tinyurl.com/y7ucw9t8>

- 10 Appointment of Chairman** **145 - 146**

To consider the Appointment of Chairman for the next meeting of the Development Management Committee.

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 231

Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk. Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Jack Caine* (tel no: 023 92446230) on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 27 June 2017**. Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: jack.caine@havant.gov.uk or DemocraticServicesTeam@havant.gov.uk

By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"



Havant

BOROUGH COUNCIL

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the

item;

- An amendment must be voted on before the motion
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A Councillor may request that his/her vote be recorded in the minutes

Order of Business

Please note that the agenda order will be revised so that “uncontested” items are considered prior to 6 pm. The Contact Officer for this agenda can be contacted on (023) 9244 6232) on the afternoon prior to the meeting for details of the revised order, details of which are circulated at the meeting.

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

Disabled Access

The Public Service Plaza has full access and facilities for the disabled.

Emergency Procedure

Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

PLEASE EVACUATE THE BUILDING IMMEDIATELY.

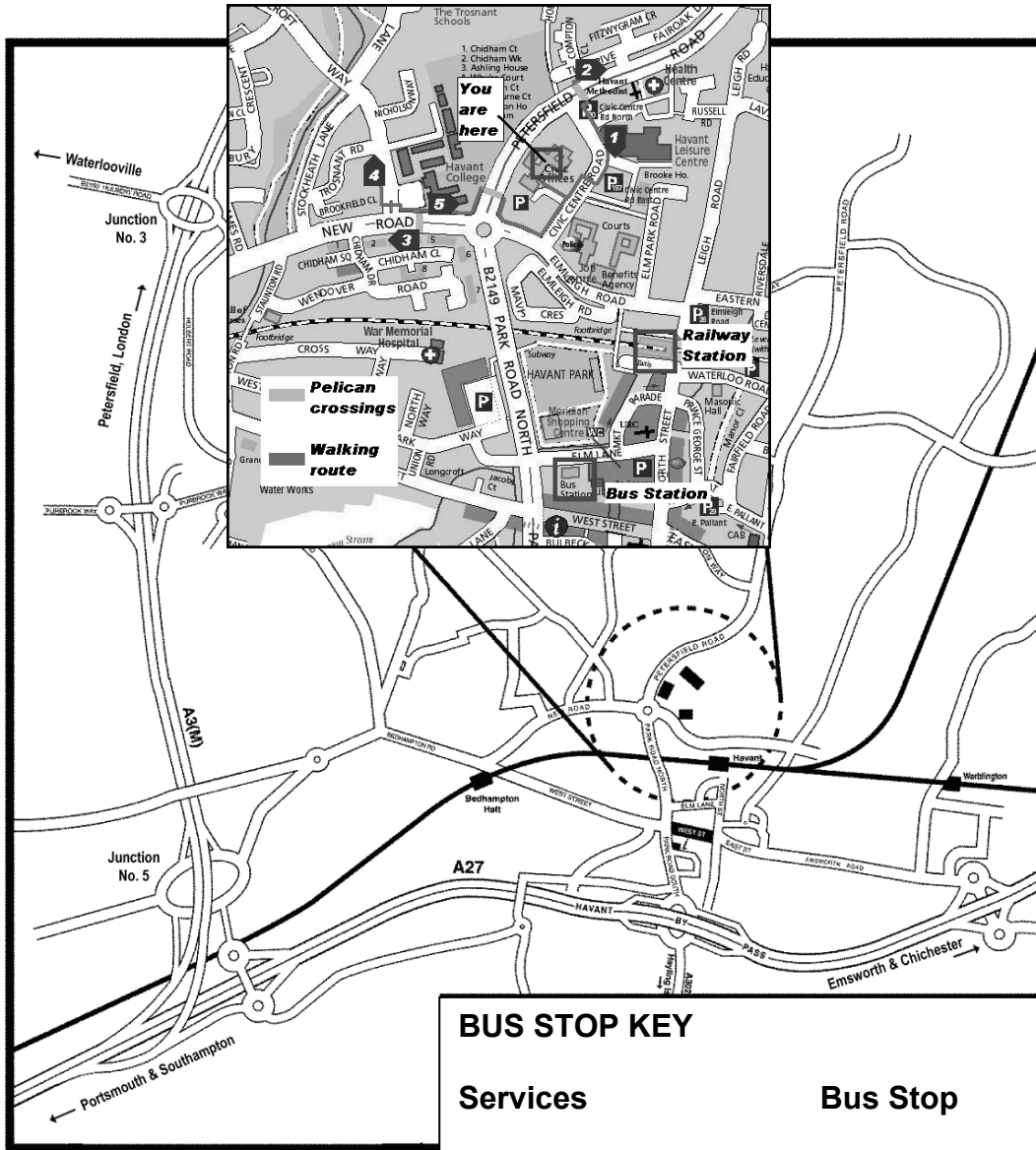
DO NOT RE-ENTER THE BUILDING UNTIL AUTHORISED TO DO SO

No Smoking Policy

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Parking

Pay and display car parking is available in the Leisure Centre car park opposite the Civic Offices as shown on the attached plan.



BUS STOP KEY

| Services | Bus Stop |
|--------------------|----------|
| 20, 21, 39, 63 | 1 |
| 20, 21, 36**, 39 | 2 |
| 23, 36** | 3 |
| 23, 27**, 37 | 4 |
| 23, 27**, 36**, 37 | 5 |

** - also stops "hail and ride" opposite Stop 1 in Civic Centre Road



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 18 May 2017

Present

Councillor Perry (Chairman)

Councillors Hughes, Keast, Patrick, Satchwell, Bowerman and Lloyd (Standing Deputy)

1 Appointment of Chairman

RESOLVED that Cllr John Perry be appointed as Chairman for the meeting

2 Apologies for Absence

Apologies for absence were received from Cllr Paul Buckley with Cllr Diane Lloyd acting as standing deputy

3 Minutes

RESOLVED that the minutes of the last meeting held on 27 April be approved as a correct record and signed by the Chairman

4 Matters Arising

There were no matters arising

5 Site Viewing Working Party Minutes

The committee received the minutes of the Site Viewing Working Party held on the 11 May.

6 Declarations of Interest

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

7 Chairman's Report

The Chairman advised the committee that a Development Consultation forum would be taking place on the 25 May and encouraged all to attend.

The Chairman also reported that additional training would be taking place on the 22 May and encouraged all to attend.

8 Matters to be Considered for Site Viewing and Deferment

No matters were considered for site viewing of deferment.

9 Deputations

The following deputation requests were noted by the committee:

- (1) Mr Martin Critchley – APP/17/00278 – 234 Sea Front, Hayling Island
- (2) Mr Phil Malin – APP/17/00233 – 32 Wallis Road, Waterlooville
- (3) Councillor Paul Buckley – APP/17/00233 – 32 Wallis Road, Waterlooville

10 APP/17/00278 - 234 Sea Front, Hayling Island, PO11 0AU

(The Application was viewed by the Site Viewing Working Party)

The Committee considered the written report and recommendation from the Head of Planning Services to grant permission.

The Committee was addressed by the following depute:

- (1) Mr Martin Critchley (applicant's agent) who supported the proposal for the following reasons:
 - a. Retaining the retail use of the site was no longer viable.
 - b. The proposal would create affordable homes in the local area.
 - c. The location would benefit from local amenities including shops and public transport and the proposal was a highly sustainable development
 - d. While the properties would be refurbished the historic value would be retained
 - e. The proposal was in keeping with the character of the area.
 - f. The proposal would have a positive impact on the regeneration of the area.

In response to questions raised by the committee officers advised that:

- The stables to the rear of the site were to be demolished however the rear wall was to be retained. A condition relating to the retention of the rear wall was recommended.
- The posts to be removed from the rear of the site in the proposal were to allow for ease of access and better manoeuvrability

- Officers had consulted the Development Engineer regarding the parking to the rear of the site who had raised no objections.

The committee discussed the application in detail together with the views raised by the depute.

During the course of the debate it was expressed that the proposal would revitalise this area of the Borough and was a much welcomed development. The proposal sought to develop on a brownfield site and was a sustainable development that would be of benefit to the community. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant consent for application APP/17/00278 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Design, Access, Flood Risk and Sustainability Statement
March 2017

Location Plan and Block Plan Drawing No. 1694-101

Survey Plan Ground Floor Drawing No. 1694-201

Survey Plan First Floor Drawing No. 1694-202

Survey Elevations Drawing No. 1694-301

Survey Elevations Drawing No. 1694-302

Proposed Elevations Drawing No. 1694-521

Proposed Elevations Drawing No. 1694-522

Proposed Ground Floor Plan Drawing No. 1694-421 Rev A

Proposed First Floor Plan Drawing No. 1694-422

Proposed Second Floor Plan Drawing No. 1694-423

Proposed/Existing Roof Plan Drawing No. 1694-203

Reason: - To ensure provision of a satisfactory development.

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

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

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

the development.

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

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

- 4 Notwithstanding any description of materials in the application no above ground construction works excluding internal alterations shall take place until samples and a full specification of the materials to be used externally on the building(s) 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. The proposed mansard roofing materials shall consist of natural slate. 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall be commenced above ground level with the exception of internal alterations until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall be carried out above ground level excepting internal alterations until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development / use hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction/retention of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.
Reason: To safeguard the amenities of the locality and 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.
- 8 The car parking and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 9 The following existing features of the front elevation shall be retained on the building as shown on Drawing No.1694-521:

'Twine' Sign
Bulls Head details
Dentil Course detailing

Reason: In order to retain important features which are of benefit in maintaining the history or character of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

(The application was viewed by the Site Viewing Working Party)

The Committee considered the written report and recommendation from the Head of Planning Services to grant permission.

The Committee was addressed by the following deputees:

(1) Mr P Malin who supported the application for the following reasons:

- a. The proposal would be 13m away from the neighbouring property to the north elevation. This was in accordance with Havant Borough Council policies.
- b. The design of the proposal sought to mitigate any issues with overlooking with windows being placed higher than eye level
- c. Although there would be an effect on the light available to 1 Treeside, the neighbouring property, this should be considered minimal.
- d. The proposal was inkeeping with the character of the area and had little to no impact on the street scene
- e. The proposal would seek to achieve optimum use of the site
- f. The application was supported by a detailed and informed report from officers.

In response to questions raised by the committee, Mr Malin advised that:

- The applicant would seek to mitigate any potential overlooking as far as possible with top hung windows
- The proposal would feature high placed velux windows to allow light in the property and mitigate overlooking.

(2) Cllr P Buckley, who objected to the proposal for the following reasons:

- g. The proposal had received a negative response from a significant number of neighbouring residents
- h. The proposal would have a significant detrimental impact with regard to light and visual amenity available to the neighbouring property at 1 Treeside, leaving only a 15 degree angle of light available
- i. The design was unsympathetic to the neighbouring properties and an alteration of the design could mitigate this

- j. The north elevation would be oppressive to the outlook from 1 Treeside,
- k. The separation distance that had been reported by the officers did not adequately illustrate the impact the proposal would have on the immediate area.
- l. The neighbouring properties were not against the principle of development in the area, however the size, bulk and mass of the proposal was inappropriate.

In response to questions raised by the committee, Cllr Buckley advised that:

- The 15 degree angle of light available referred to the outlook from the east elevation of 1 Treeside.

In response to questions raised by the committee, Officers advised that:

- The supplementary information tabled at the meeting contained an additional condition regarding the windows on the south elevation as a result of representations received.

The Committee discussed the application in detail together with the views raised by the deputees. During the course of the debate, concern was raised over the impact the proposal would have on the neighbouring properties with specific regard to the increase in bulk and height. While some of committee felt that the increased bulk would be too oppressive to the neighbouring properties, the majority of the committee felt that the impact was minimal, inline Havant Borough Council Policy and acceptable. It was discussed that the proposal would utilise the site to its greatest potential and the visual amenity to 1 Treeside would not be significantly detrimentally affected. It was also felt that the proposal mitigated concerns of overlooking by way of its design and features. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/00233 subject to the following conditions:

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

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

- 2 The external materials used shall be as indicated on the hereby approved plans and appropriate shall match, in type,

colour and texture, those of the existing building so far as practicable.

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

- 3 The new windows in the first floor on the south elevation shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and shall be retained as such thereafter.

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.

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

Proposed Site Plan Drawing No. 17/13/06 Revision B
Proposed Plans and Elevations Drawing No. 17/13/04 Rev C

Reason: - To ensure provision of a satisfactory development.

12 APP/17/00438 - 101 - 109 North Street Emsworth, PO10 7PH

The Committee considered the written report and recommendation from the Head of Planning Services to grant permission.

The committee discussed the application in detail and found no grounds for refusal in planning terms. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/00438 subject to the following conditions:

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

Application form dated 25th April 2017

Reason: - To ensure provision of a satisfactory development.

13 Appointment of Site Viewing Working Party

The Committee considered the appointment of the Site Viewing Working party for the municipal year 1

RESOLVED that:

(a) the Site Viewing Working Party be constituted with the following terms of reference:

| | |
|-------------|---|
| Title: | Site Viewing Working Party |
| Membership: | All members (including standing deputies) of the Development Management Committee |
| Chairman: | To be appointed by the Development Management Committee. |
| Function: | To inspect sites relating to planning applications, Tree Preservation Orders and other matters referred to it by the Development Management Committee and officers and to inspect sites as necessary and request additional information if necessary. |

(b) Members of the Development Management Committee (including standing deputies) be appointed to the Working Party referred to in (a) above; and

(c) members appointed to the Working Party referred to in (a) above continue to be members and constitute that Working Party until the first meeting of the Committee after the annual meeting of the Council subject to the members concerned remaining members of the Council during that time.

14 Appointment of Chairman

RESOLVED that Cllr Clare Satchwell be appointed as Chairman for the next meeting of the Site Viewing Working Party and Development Management Committee.

The meeting commenced at 5.00 pm and concluded at 6.41 pm

.....
Chairman

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NON EXEMPT

HAVANT BOROUGH COUNCIL

Development Management Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE EXECUTIVE HEAD OF PLANNING AND BUILT ENVIRONMENT

Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Executive Head of Planning and Built Environment will be reported **verbally** at the meeting of the Development Management Committee.

Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

| | |
|--------|---|
| EHPBR | Executive Head of Planning and Built Environment |
| HCSPR | Hampshire County Structure Plan - Review |
| HBLP | Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012) |
| HWLP | Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan |
| NPPF | National Planning Policy Framework 2012 |
| HBCCAR | Havant Borough Council Conservation Area Review |
| AONB | Area of Outstanding Natural Beauty |
| CA | Conservation Area |
| LB | Listed Building included in the list of Buildings of Architectural or Historic Interest |
| SAC | Special Area of Conservation |
| SINC | Site of Importance for Nature Conservation |
| SPA | Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention |
| SSSI | Site of Special Scientific Interest |
| FP | Definitive Footpath |
| POS | Public Open Space |
| TPO | Tree Preservation Order |
| HBC | Havant Borough Council |
| GPDO | Town & Country Planning (General Permitted Development) Order |
| DMPO | Town & Country Planning (Development Management Procedure)(England) Order 2010 amended |
| UCO | Town & Country Planning (Use Classes) Order |
| S106 | Section 106 Agreement |
| Ha. | Hectare(s) |
| m. | Metre(s) |

RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

Implications

Resources:

None unless detailed in attached report.

Legal:

Details set in the individual reports

Strategy:

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

Risks:

Details set out in the individual reports

Communications:

Details set out in the individual reports

Background Papers:

Individual Applications with Case Officers

Andrew Biltcliffe
Head of Planning

Nick Leach
Monitoring Officer

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affordable. Vehicular access would be off Havant Road and would take the form of a signalised junction. An emergency access off Selangor Avenue would also allow for pedestrian and cycle links, and would connect with a circular walk around the site boundaries which would provide a trim trail and opportunities for outdoor activity.

The application has been screened in respect to the Habitats Regulation and subject to mitigation in the form of a contribution to the Solent Recreation Mitigation Project an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.

While the updated comments of Lead Local Flood Authority and Council's Ecologist are awaited, it is anticipated that these will be provided prior to the meeting and that they will confirm that the outstanding issues have been acceptably addressed or can be covered by conditions. Subject to receipt of such confirmation it is considered that the scheme would contribute to the Objectively Assessed 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 Housing Statement and the National Planning Policy Framework (NPPF) it is considered to represent sustainable development and is therefore recommended for permission.

1 Site Description

- 1.1 The site is irregular in shape and consists of greenfield land approximately 62,300m² (6.23ha) in area. Whilst the site was formerly occupied by farm buildings and former clay pits the site currently provides pasture land and there are no existing structures or paved areas of any significance. It is bounded to the north by the A27 and the railway line; to the east by residential properties fronting Selangor Avenue and to the west by further dwellings. To the south is Havant Road (the A259). There is a line of trees along the northwest boundary of the site shielding the neighbouring properties from the A27. Beyond the highways at the north and south boundaries of the site is open farmland. Access to the site is through a gated entrance along Selangor Avenue. There is currently no access to the site from Havant Road to the south although a footway crossing indicates a previous point of access. The northern half of the site is relatively level. The southern half of the site falls towards the east and south with a low point in the south-eastern corner. Further to the south lies the coast and Chichester Harbour Area of Outstanding Natural Beauty, which is covered by various environmental/ nature conservation designations.
- 1.2 A gas main is located near the eastern boundary of the site approximately following the line of the sites eastern boundary with properties in Selangor Avenue.

2 Planning History

- 2.1 There have been no previous applications for residential development of this site. However, the applicants carried out a Development Consultation Forum on 9 June 2016 to engage with Councillors, key stakeholders and the public prior to the submission of this application.

3 Proposal

- 3.1 Erection of 161 dwellings with associated parking, access, landscaping, and surface water drainage, pumping station and sub station. This represents an amended scheme to the initial plans submitted in July 2016 for 192 dwellings under this application. The proposed scheme now comprises 1 and 2 bed apartments, 2 bed houses and coach houses, and 3 and 4 bed houses. The layout would also incorporate areas of public open space (2.37 hectares), including the provision of play space, in the form of a Local Area of Play (LAP),

and opportunities for new tree and shrub planting, details of which are set out in the accompanying Landscape Masterplan. The proposed scheme for the site has continued to evolve since the submission of the original application in July 2016 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 identifying 192 dwellings include:-

- Reduction in the number of units from 192 to 161 dwellings
- Reduction in the number of affordable units on site from 57 to 48 dwellings.
- Mix of housing changed to 6 x 1 bed, 67 x 2 bed, 75 x 3 bed and 13 x 4 bed.
- More 3 bed affordable dwellings proposed to reflect need in the Borough.
- Changes to house types proposed for market and affordable housing.
- Building line on the western side of the access road has been brought forward.
- Number of 3-storey flatted blocks has been reduced from 8 to 5.
- Distance to closest dwellings and the rear gardens of properties in Selangor Avenue increases.
- There is now more of a transition of building heights across the site.
- More space and opportunities for tree planting.
- Previous large parking courts have been replaced with a series of smaller courts,.
- Vehicular access road is now signalised and centrally located along the Havant Road frontage.
- Existing High Pressure Gas Main now remains in-situ with 6m easement.
- Provision of open space to the north, west, east and south of the site,
- Relocation and reorientation of pumping station to eastern side of access road.
- Changes to layout of primary, secondary and tertiary roads throughout the site
- All roads/private parking courts/spaces (except the main road) will be block paved.

3.2 Vehicular and pedestrian access to the development would be in the form of a signalised junction from Havant Road, and a separate pedestrian/cycle route and emergency access is proposed from Selangor Avenue. The development provides 2.37 ha of open space and a Sustainable Urban Drainage scheme (SUDs) would deal with surface water flows at the site. 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 353 parking spaces, which consist of garages (3 x 6m), open parking spaces in private parking courts, on curtilage parking, lay-bys and visitor spaces.

3.3 Foul drainage will be pumped to a suitable location on the public sewerage network in agreement with Southern Water. The pumping station would be sited to the east of the proposed vehicular access onto Havant Road, Emsworth, and would be screened by vegetation. Additionally an electricity substation is proposed on the north western part of the site.

3.4 The proposed scheme will provide 161 dwellings, of which 30% (48.3 dwellings) will be delivered as affordable housing. The proposal is for 48 affordable homes comprising 3 x 1 bed, 26 x 2 bed and 19 x 3 bed to be provided on site, with and the remaining 0.3 of a unit required as a financial contribution. The applicant has agreed terms with First Wessex, a Registered Social Landlord (RSL), to manage the proposed affordable housing at the site.

3.5 The planning application includes the following documents:

Statement of Community Involvement
Gap Report
Air Quality Assessment
Archaeological Desktop Assessment
Land Contamination Assessment
Transport Assessment

Ground Conditions Report
 Affordable Housing Statement
 Infrastructure Delivery Statement
 Ecological Mitigation and Management Plan
 Wintering Bird Survey Report
 Reptile Survey Report
 Bat Activity Survey Report
 Extended Phase 1 Habitat Survey
 Revised Travel Plan
 Transport Statement and Addendum Transport Statement
 Arboricultural Impact Assessment and Method Statement Rev B
 Minerals Assessment Report
 Flood Risk Assessment pt2
 Utility Service Statement Rev B
 External Lighting Report
 Landscape Masterplan
 Landscape & Visual Impact Assessment Rev C
 Tree Report
 Tree Protection Plan
 Noise Impact Assessment Covering Letter
 Noise Impact Assessment Rev 2
 Planning, Design & Access Statement
 Planning Layout (Site Layout)
 Economic Benefits Statement

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

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

DM25 (Managing Flood Risk in Emsworth)
 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)

Hampshire Minerals & Waste Plan 2013

Havant Borough Council Housing SPD 2011

Havant Borough Council Parking SPD 2016

Havant Borough Design Guide SPD 2011

Local Plan Housing Statement (7 December 2016)

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough. The council is in the process of reviewing its Local Plan, and has adopted a Local Plan Housing Statement as an interim step following a Regulation 18 consultation on the Local Plan. The Statement is in response to the high need for housing in the borough and sets out the council's position regarding the development of greenfield sites for residential purposes, ahead of adoption of the new Local Plan. The Statement relates specifically to sites which are not allocated in the adopted Local Plan, and it supports the principle of residential development on a number of urban extension sites. The site that is the subject of this application is one of the sites identified (Site Reference UE02b). The Local Plan Housing Statement identifies the capacity of the sites as 154 units. This proposal increases this number, but the Housing Statement yields are indicative only, and in principle a higher number may be acceptable subject to it satisfactorily meeting all other policy and material considerations.

Havant Biodiversity Action Plan prepared by Hampshire Wildlife Trust 2011

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Planning Policy

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough.

Also relevant to this application is the Local Plan Housing Statement, a policy statement adopted by the borough council on 7 December 2016, which is now a material consideration in determining planning applications.

All the above documents are available at <https://www.havant.gov.uk/localplan>

Principle of Development: The site currently lies outside the urban area, as defined by policy AL2 of the Havant Borough Local Plan (Allocations) and Policy CS17 (Core Strategy). These policies seek to concentrate development in the defined urban area. The proposal for residential development is therefore contrary to the policies of the adopted Local Plan.

However, the council is in the process of reviewing its Local Plan as it is based on pre NPPF housing need and therefore partly out of date. In order to manage this and maintain a positive approach to meeting the Objectively Assessed Housing Need the Council has adopted a Local Plan Housing Statement as an interim step alongside the initial Regulation 18 consultation on the Local Plan. The statement is in response to the high need for housing in the borough and sets out the council's position regarding the development of greenfield sites for residential purposes, ahead of adoption of the new Local Plan. The statement relates specifically to sites which are not allocated in the adopted Local Plan, and it supports the principle of residential development on a number of urban extension sites which have been assessed as meeting the requirements of sustainable development. The site that is the subject of this application is one of the sites identified (Site Reference UE02b).

The Local Plan Housing Statement identifies the capacity of the sites as 154 units. The proposed increase of seven units over the Housing Statement yield (which are indicative based on standard densities) is not an issue in principle (subject of course to it satisfactorily meeting all other policy and material considerations). Overall, therefore the principle of development of this site is accepted.

Coordination of Development: Notwithstanding the acceptability of development in principle, a further consideration is the coordination of this development with development of adjacent sites. The sites in the Housing Statement will only be supported, if development here is compliant with the remainder of the policies in the Adopted Local Plan (see Housing Statement para 3.14). Pertinent to this site is policy DM6 of the Core Strategy, which states that proposals will only be permitted where they do not undermine the future development potential of adjacent sites. Proposals should not prevent future access to potential development sites or prejudice future schemes. The Housing Statement identifies a Strategic Site capable of providing at least 1,650 homes to the north of the railway line and the A27. As part of the delivery package for that site, the need for a new junction on the A27 has been identified. The location and layout for this junction, its slip roads or connecting roads have not yet been determined, and it would therefore be inappropriate to suggest that this current proposal is contrary to policy DM6. Nevertheless, it should be noted that the land earmarked as a landscape buffer for this scheme may be affected by the proposal for a new junction and associated slip road.

Housing Mix: The policy requirement (policy CS9 Housing) is for 30-40% affordable housing. It is welcomed that 30% affordable housing on site is being proposed. It should be noted, however, that the housing SPD (paragraph 2.04 and Principle 6) sets out that where only 30% affordable housing is provided on-site, and the site could viably achieve a higher level of affordable housing, the council will seek developers to make up the gap to 40% in the form of a financial contribution.

Developer Contributions: Havant Borough Council has an adopted CIL Charging Schedule which is applied to new residential development in the borough in addition to the requirements of Policy CS21. The Solent Recreation Mitigation Partnership (SRMP) contribution will also be payable in accordance with Policy DM24.

Infrastructure Delivery Statement: I note that an IDS has been provided, which appears to address the topics suggested by the council's guidance.

Other Considerations:

The site is uncertain for Brent Geese and Waders (policy DM23) - I note that additional surveys were undertaken and the site has been assessed as having negligible potential for wintering waders and Brent geese due to its enclosed nature and relatively small size.)

Noise (policy DM10) – given the proximity to the A27 and the railway line of this site, the exposure to noise of future residents must be carefully considered and appropriate mitigation measures proposed. I note that a Noise Impact Assessment has been submitted.

Minerals: The site is likely to be underlain by sand and gravel and forms part of the Minerals Consultation Area as defined in the Minerals and Waste Local Plan and associated SPD. It is noted that the applicant has considered this issue and has submitted a Minerals Assessment Report.

Department of Transport, Highways Agency

As a result of additional information received and extensive dialogue between Highways England, the applicant and Hampshire County Council, we are able to provide a formal response to the proposal. It is noted that the proposal is now for 161 dwellings and associated elements. There is unlikely to be a significant impact to the operation of the A27 from proposals, therefore we offer no objection. However to minimise any potential impacts during peak periods we strongly support the development of the site in line with travel plan objectives.

Hampshire Highways

Objected to initial scheme.

Additional information has been submitted through an Addendum Transport Assessment March 2017. This aims to address the outstanding highway matters in relation to this application which include the following:

- Site access arrangements
- A27/Havant Road Roundabout modelling and mitigation
- A27/Emsworth Road Roundabout modelling and mitigation
- Sustainable transport contribution
- Travel Plan

Site Access Junction Type

The site access requirements have been discussed in detail with the local highway authority as detailed within the addendum transport assessment. The originally proposed priority junction arrangement was not in accordance with design guidance in terms of appropriate and safe junction types based on the recorded flows on the A259. Therefore whilst it would provide less delay in theory on the A259 it imposed an additional safety risk on the highway. It has been observed on site that turning out of side roads along the corridor is difficult during peak times with long wait periods. Often drivers relied on being let out or pushing their way out rather than being presented with suitable gaps in the traffic to turn. With a review of the accident data also undertaken it became apparent that there has been a long standing presence of junction related accidents along the A259 corridor. Therefore the local highway authority has requested a junction design in accordance with DMRB (Design Manual for Roads and Bridges) requirements. In order to control the right turn movements from the site access a signal controlled junction would be the most appropriate form. Whilst the signal junction will create queuing on the A259 at peak times, the junction is forecast to work within capacity and the queues clear within a single cycle time. The introduction of this junction will also provide breaks within the flow of traffic to enable additional opportunities for other side road traffic to exit, in particular the Selangor Avenue junction.

The junction will also include controlled pedestrian and cycle crossings at the site access arm and on the A259.

Since the submission of the technical note to the planning authority further iterations to the signal layout design have been made to lessen the delays to A259 traffic. The presence of the pedestrian phase in the cycle at the signals would create a significant impact on the operation of the junction. Segregating the crossing of the A259 away from the signal junction means that the overall impact on the main road would be minimised. It has therefore been agreed that the existing pedestrian/cycle refuge on the A259 at Selangor Avenue will be removed and replaced with a separate toucan crossing nearby. The toucan crossing will serve a wider benefit for both existing residents and those from the new development as it will be located on the desire line to and from the southern bus stop. The new crossing will also aid cyclists joining the shared use path on the northern side of the A259. The toucan crossing will be linked to the operation of the signal junction to ensure minimum delay on the A259. A controlled crossing across the site access arm, which will operate on demand, will remain as part of the signal junction design.

It is considered that the additional delay on the A259 is outweighed by the safety benefits of a controlled junction and additional benefits to the corridor. The access arrangement shown in principle on drawings 041.0025.009 Rev D and 041.0025.012 Rev A is therefore agreed.

It should be noted by the Local Planning Authority that, whilst the applicant has demonstrated that the signal junction will operate within capacity within the assessment period (2026 with development), the introduction of the signal controlled junction will only have limited capacity to accommodate future traffic growth and the ability to provide future capacity improvements is currently limited by the extent of available highway land.

Havant Road/A27 Slip Road/Church Lane Roundabout and Emsworth Road/Havant Road/A27 Slip Road Roundabout Improvements

Additional modelling work has been submitted as outlined within the Addendum Transport Assessment and the principle of the works shown in drawing 041.0025.005 rev C and drawing 041.0025.004 rev F have been agreed with the applicant to provide the required mitigation for the two junctions.

Additional measures to the Emsworth (North) arm to include flaring of the approach arm and removal of the right turn movement into/out of the Emsworth Road/Emsworth Road priority junction have been previously sought. Having reviewed the details of the improvements the impact on this arm specifically given the total improvement at the roundabout cannot be deemed to be severe. In addition future allocated development in the area will have a greater operational impact on this arm and additional improvements should be sought when this (future) application comes forward.

Sustainable Transport Contribution

Details of works to provide sustainable travel improvements have been agreed to improve connectivity to Emsworth Primary School. The agreed measures are designed to both encourage walking by creating an attractive walking environment and reducing inappropriate parking around the school site to discourage driving from the development.

A contribution of £82,000 has been agreed to implement the following measures:

- Footway widening to the rear of the parking bays between property numbers 163 and 185 Victoria Road.
- Provision of a raised table at the entrance to Emsworth Primary School
- Parking control measures at the junctions of Bosmere Gardens, Record Road and Nore Farm Avenue.

Travel Plan

The framework travel plan has been approved for the development site and suitable s106 obligations shall need to be secured in order to ensure appropriate delivery of the travel plan.

Recommendation

The local highway authority raises no objections to the application subject to the following obligations and conditions:

Obligations

- Provision of the site access as shown in principle on drawings 041.0025.009 Rev D and 041.0025.012 Rev A
- Provision of the improvements to the A27 roundabouts as shown in principle of drawings 041.0025.005 rev C and 041.0025.004 rev F

- A contribution to provide improvements to sustainable access to Emsworth Primary School
- Provision of a Full Travel plan with monitoring fees, approval fees and bond.

Conditions

No development hereby permitted shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority.

- provision to be made on site for contractor's parking
- construction traffic access
- the turning of delivery vehicles
- provisions for removing mud from vehicles

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction

Development Engineer - Highways

The layout of the estate has been checked by HBC (under agency arrangements) and it meets the recommendations contained within Manual for Street Design (MfS)

The detailed drawings within the planning application submission demonstrate that the proposed layout will provide satisfactory servicing arrangements for emergency vehicles, delivery vehicles, fire appliances and refuse vehicles. The layout will provide parking to Havant Borough council minimum parking standards for both vehicles and cycles.

The road and footway network will need to be built to an adoptable standard and maintained and managed by a company set up (or selected) by the developer. This maintenance agreement needs to be secured by means of a 106 Agreement.

A S106 legal agreement will be required to ensure that the general public have the right to pass and re-pass over the public area, road and footways to ensure integration of the proposed development into the surrounding existing settlement.

Traffic Management Team

No adverse comment

Southern Gas Networks- No objection. Request Informative Note to include:-

- The high pressure gas pipeline in the vicinity of the proposed development has a Building Proximity Distance (BPD). The building proximity distance (zone 1) is 3 metres either side of the pipeline
- Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring.
- No piling or boreholing must take place within 3 metres of the pipeline.
- Before commencing work on site the developer must contact our Pipeline Maintenance Section

County Minerals

Hampshire County Council acknowledges that a site mineral assessment was undertaken. Although the report identifies that due to a number of constraints, large scale extraction would not be suitable for this site, the MPA (Mineral Planning Authority) would still like to encourage the identified opportunity for incidental mineral extraction, prior and as part of the proposed development. As the report states, the recovered mineral could then be either re-used on site, which could encourage a reduction of excavation waste removed from site as well as inbound materials for construction uses associated with reduced costs.

Hampshire County Council would therefore request the following conditions to be

included in any permission for this planning application, to be delivered through submitted construction management plans or similar, requiring a statement outlining:

- i. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- ii. a method to record the quantity of recovered mineral (re-use on site or off site) and to report this data to the MPA.

Arboriculturalist

The supporting arboricultural evidence provided by ACD Arboriculture is comprehensive and I outline the following points:

Although extensive tree removal is required to facilitate development, the trees are all of low BS: 5837 (2012) grading, as such should not be considered a constraint to development. They do however provide extensive ecological benefit to the site which although falls outside my remit should be highlighted at this point.

In summary provided that the methodology prescribed in the AMS & TPP (TPP Drawing Number - BDWS20345-03) report is strictly adhered to and a pre commencement site meeting between – Arb Consultants, HBC Arb and the Developers is undertaken I would expect the retained trees to survive the development unscathed and to continue to grow on in the future.

Therefore I have no objections to this scheme in arboricultural terms.

In terms of tree planting; there is a great opportunity to establish specimen trees on the proposed POS and I would like to see extra heavy nursery (root ball or container grown) standards planted in this area – suggested species: London Plane or / and Oak.

Building Control

Fire Authority access to Plots served by Level Permeable surfaces to comply with Approved Document B Vol1 Section 5 if needed to access due to travel distance restrictions.

Storey heights where passing into internal parking areas to be confirmed and show compliance with Approved Document B Vol1 Section 5 if needed to access due to travel distance restrictions. Other comments might be raised if application is submitted to Building Control and fully assessed for compliance regarding ALL Approved Documents

Network Rail

As the west side of this site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts Asset Protection Wessex AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail

development both now and in the future

Officer comment: *NR comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land have been forwarded to the agent*

County Archaeologist

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.

Education Department

The proposed development of 161 dwellings would usually be expected to generate a total of 48 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments.

Having looked at the application form on your website I note that of this number 6 dwellings are proposed to be one-bedroomed properties. As Hampshire County Council discounts one bedroomed properties from its calculation when seeking a contribution the new dwelling number becomes 155 "eligible" dwellings for which I will be seeking a contribution from the developer to provide additional primary places in the area. These 155 dwellings are anticipated to generate 47 primary age pupils.

The development site is served by Emsworth and St James Primary Schools which are forecast to become full from existing housing developments. Consequently additional primary school places will be needed to cater for the additional 47 pupils and a contribution is sought from the developer to pay for this expansion. Details of the forecasting methodology used, along with the current pupil numbers in the Emsworth schools can be found at Appendix A.

Similarly Warblington Secondary School serves the proposed development but it can be noted in Appendix A that there is a sufficient number of secondary school places available to accommodate the yield from the proposed development.

The County Council has used previous extension projects to derive a cost for the proposed expansion, and this is estimated at £668,904. Details of how these costs were derived can be found in Appendix B. This will go towards the proposed expansion of Emsworth Primary School which is currently estimated to cost £1.831m (4Q2015 price base).

No contribution will be sought to provide additional secondary school places owing to the surplus places within the existing schools.

In summary, the contribution towards the expansion of Emsworth Primary School is necessary as without an expansion it will not be able to accommodate the children from the development. The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the school and therefore is fairly and reasonably related in scale and kind to the development. This information is supported by the County Council's '*Planning for School Places Guidance Document*' which sets out the methodology for assessing the impact of development on education infrastructure.

Without the provision of a contribution towards the provision of additional school places the County Council, as Local Education Authority, would object to the proposal on the

grounds that the impact on the existing infrastructure cannot be sufficiently mitigated and therefore the development is unacceptable in planning terms.

Environmental Health Manager

Conditions in respect to contamination, construction work noise, dust, burning lighting and post validation in respect to compliance with the noise impact assessment required.

***Officer comment:** Nuisance from construction work is an Environmental Health matter and informatives in respect to these matters are recommended*

Hampshire Fire & Rescue

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations. Recommendations made.

***Officer comment** - the response has been forwarded to the applicant.*

Housing

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

The applicants have submitted an Affordable Housing Statement in which they confirm that they propose to meet this obligation by providing 48 units onsite and a financial contribution to cover the additional 0.3 of a unit, and to agree the tenure split during the determination of the planning application. This approach is accepted and the calculation for this contribution will follow the methodology referred to at Appendix A of the Havant Borough Council Housing SPD July 2011.

The applicants have suggested a tenure mix for the affordable which consists of 24 affordable rented, 12 shared ownership and 12 discounted market (intermediate) homes, comprising 3 one bed, 26 two bed and 19 three bed.

Demand for affordable housing remains high in the Havant borough; currently there are 1755 households registered on Hampshire Home Choice seeking accommodation in our area. Of these over half are waiting for a one bedroom home whilst a further 582 are waiting for two bedrooms, 203 for 3 bedrooms and 67 for a 4+ bedroom home. Many of these are looking to downsize so the inclusion of a number of 1 bedroom homes in the development proposals is a welcome one. Movement to smaller accommodation would free up larger affordable homes that can be used more effectively by providing accommodation for our applicant families.

The Affordable Rented homes will be available to those applicants registered on Hampshire Home Choice (HHC) with a local connection to the Havant Borough. It is expected that Havant Borough Council receive 100% nomination rights to the proportion of the provision that is available as rented accommodation. Shared Ownership units will be expected to be allocated through Help to Buy South. Should this application proceed to final development it will help to improve the supply of this very limited resource and at the same time help towards the overall housing numbers required by the Borough.

Housing supports this development pending confirmation of tenure mix with regards to Starter Homes/ Discounted Market Sales Homes.

Waste Services Manager

New road way servicing these properties is suitable and sufficient to meet the requires standards for a 26tonne RCV to collect waste from these new properties

Local Lead Flood Authority HCC

Initial comments

Surface Water Drainage

We will require further information/clarification on the following points:

The suitability of using infiltration techniques on the site where there is shallow groundwater as discussed within the FRA under Section 3.2.1 including the infiltration rates

Confirmation that the new allowances for climate change will be considered within the design of the surface water system We would recommend that the developer discuss the proposals for surface water drainage with those they are proposing to adopt part or all of the system. Specifically the Highway Authority in relation to the proposals for swales adjacent to the roads within the development and the proposals to allow the potential adoptable roads to be used as flow routes or ponding areas in higher order events.

Comments on additional information

Surface Water Drainage

The proposed surface water drainage strategy is purely based on infiltration devices where the maximum groundwater level could reach to 0.5 m below ground level. Given the high probability of failure of such a proposed strategy, we cannot agree with the proposed strategy. Therefore, we would not be able to make any comments on the details of the proposed strategy until we have an updated drainage strategy.

Please note that the mechanism for securing long-term maintenance will need to be considered and agreed between the applicant and the Local Planning Authority. This may 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.

Officer comment:- *Revised details have been submitted which amend the strategy from infiltration to holding measures in accordance with the LLFA requirements and the LLFA have orally confirmed that the strategy is now acceptable but they are awaiting clarification on details of the connection to the sewer in Havant Road. Their further written comments are awaited.*

Engineering/Drainage

LLFA will comment on drainage elements of this proposal.

Currently the off road cycle track along the north side of Havant Road, west of Selangor Avenue provides cyclists with a safe uninterrupted route into Warblington. The addition of the junction, whilst controlled by traffic lights with a suggested 120 cycle time / pedestrian phase every second cycle, represents a backward step with no regular stage in the signal design where there is no flow into or out of the proposed access road and hence safe for a crossing to be made. Request consideration be given for a central island in the access road so the crossing of the new road can be made in two stages under 'walk with stage' conditions

Officer comment: *This matter has been forwarded to the agent and will form part of the off site Highway works and can be covered under a S106 Agreement.*

Environment Agency

We can confirm that the Environment Agency has no objection in principle to the

proposed development as submitted

Advice to Local Planning Authority (LPA):

The Environment Agency has no objection to the proposed development as it is not located within flood zone 2 or 3, and does not affect designated main river.

We welcome the change in proposed surface water drainage system which no longer includes the diversion of designated main river through the proposed development site.

Environment Agency data suggests that the groundwater table under the proposed development site is high. Therefore, you may wish to discuss the impact of this on the proposed surface water drainage strategy with the Lead Local Flood Authority (Hampshire County Council) who will be best placed to advise on surface water drainage matters.

We would remind you that policy DM25 of Emsworth Flood Risk Strategy, requires all developments in Emsworth to demonstrate a reduction in post development run off rates. We would encourage you to review, consider and ensure that the proposed development is in line with this policy.

Officer comment: See LLFA response.

Landscape Team

The hedgerows have been assessed under the Hedgerow Regulations (1997), and all three hedges lack sufficient plant species diversity or associated physical features to meet many of the Part II Schedule I criteria. Although the existing site hedgerows are not deemed to comprise 'Important' as defined by the Hedgerow Regulations 1997, they are deemed to contribute valuable linking habitat value that should be either retained or sufficiently mitigated for – something that is not sufficiently addressed within the submitted landscape proposals. Whilst I note the submitted proposals include partial retention of HR2, there appears scope for some further retention and for enhancement with appropriate supplementary planting and careful management operations.

Comments on amended plans

Landscape Masterplan – the applicant has not addressed concerns previously about the LAP position or the dispersed trim trail equipment. Having discussed the matter further with colleagues, HBC Communities Team support my concerns about the proximity of 'exercise stations' in spatially constrained areas close to proposed dwellings. HBC Communities Team are also in agreement that trim trail stations cannot be deemed an acceptable substitute for an equipped play area. From reference to Fields in Trust 'Guidance for Outdoor Sport and Play', the recommended benchmark guidelines for an equipped designated play areas are 400m for a Locally Equipped Area for Play (LEAP) and 1000m for a Neighbourhood Equipped Area for Play (NEAP). Existing distances to current equipped play spaces are well in excess of 1000m, with Emsworth Recreation Ground deemed to be the nearest formal provision. Whilst the NEAP requirement can be addressed by CIL contributions, I emphasise the requirement for provision of a LEAP within the proposed development (to be arranged and set out as per the guidance – please refer to the link below).

<http://www.fieldsintrust.org/Upload/toolkit/pdfs/Guidance-for-Outdoor-Sport-and-Play-Oct-2015.pdf>

For resolution, I recommend that an appropriate planning condition pursuant to an acceptable location, layout arrangement, with detailed equipment, surfacing and associated site furniture details and specification. Please note this may necessitate some development layout adjustment to coordinate.

Officer comment: *The area of open space to the north east of flats 71 to 76 has been identified as a location for the LEAP and these matters can be conditioned.*

Swales – resolution by condition is accepted.

Hard surfacing materials – whilst there are no adverse comments regarding the hard landscape plans indicating materials and placement locations, I recommend a planning condition pursuant to the engineer's details to verify additional build-up depths and more detailed material specification. My primary concern is associated with the 'hoggin footpath with timber edging' – the interpretation of this generic term can vary significantly and several poor quality footways have been delivered locally (the Nursery Fields development in Denvilles being just one example).

Enclosures – resolution by condition is recommended (to add hedge reinforcement fencing with associated specification information, coordinate with play areas and to correct errors e.g. screen wall proposed within an existing tree root protection area for plot 161).

Soft landscape – Some details are not considered sufficiently resolved. On the basis that the planting plans will also require update to coordinate with play provision requirements, I recommend this is conditioned to allow for appropriate coordination.

Crime Prevention -Major Apps

The site has high levels of permeability a review of research in this area has concluded that "Neighbourhood permeability ... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across all the studies: more permeability, more crime." With the proposed layout should incidents occur, the development will be difficult to police effectively. To reduce the vulnerability of the development to crime and anti-social behaviour I would recommend that connectivity about the development is reduced.

To provide for the safety of those using the footpaths they should be at least 3m wide, as straight as possible and lit to the standards within BS 5489:2013. Any planting within the vicinity of the footpaths should be such that it does not provide a place in which a person might lie in wait.

Defensible space is a key aspect of crime prevention, therefore, I recommend that defensible space is provided to the front and rear of all dwellings.

The plan shows a number of rear parking courts, such courts are vulnerable to crime. To reduce the opportunities for crime these parking courts should be lit to the relevant levels as recommend by BS 5489:2013.

To provide for the safety and security of residents and visitors lighting of the public highways should comply with the relevant sections of BS 5489:2013.

Officer comment: *The plans have been amended in respect to lighting, defensible space and landscaping in response to the above comments. Regarding permeability, connectivity around/through the site is an important factor in encouraging non-car use and facilitating informal exercise/play options.*

Public Spaces

No adverse comments received.

Southern Water

Additional infrastructure is required to serve the development - conditions and informatives required.

Portsmouth Water Company

No comments to make.

Natural England Government Team

No objection subject to Solent Recreation Mitigation Project contribution.

County Ecologist

Protected and notable species on site and within 50m (Pipistrelle, Soprano Pipistrelle, Clustered Clover, Unidentified Bat) of SINC, SSSI, Wader Brent Goose Strategy

Overall I have no overriding concerns with this proposal in terms of its ecological impact but consider that some additional information is required on the matter of impacts to off-site areas supporting wintering bird species.

The application is accompanied by an Extended Phase1 Habitat Survey (WYG, July 2016) and Wintering Bird Survey (WYG, July 2016) which provide a useful assessment of the site's ecological constraints. The habitats within the site are not especially rich, comprising agriculturally-improved grassland with poor species-diversity with boundary and internal hedging, none of which is considered to be 'important' under the Hedgerow Regulations. Other habitat present are scrub and herbaceous vegetation.

In terms of protected species, the site supports a typical assemblage of bird species and a small number of slow-worms. No trees offering bat roosting potential were identified and the site is considered to offer moderate value bat foraging/commuting habitat.

The ecology report suggest that suitable reptile habitat will be situated in the north of the proposed site, and the submitted landscape plans do show a strip of semi-improved grassland running along the northern/western boundaries. I cannot see the proposed 0.6Ha reptile receptor area (if this is distinct from the proposed boundary buffer) on these plans, and the proposed receptor area (as per the WYG report) seems to be outside the red line boundary as per the latest landscape masterplan. Some clarification would be helpful.

I note that an updating badger survey is recommended and I agree that this is a sensible approach.

Overwintering birds

The site features as Site H21 within the Solent Waders & Brent Goose Strategy (SWBGS) 2010 and therefore constitutes supporting habitat for birds associated with the nearby Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site. H21 has never supported SPA birds, although the level of survey effort deployed has not been sufficiently comprehensive to allow the site to conclusively be 'removed' from the SWBGS – the site was essentially highlighted as a potential site for use by SPA birds but surveys for the 2010 strategy did not confirm this. Wintering bird surveys have been carried out in 2013 (by Aluco Ecology) and again in 2014/15 (by WYG) with no SPA birds recorded. It would seem that additional surveys are/have been underway although no results are made available. On the basis of information submitted so far it can be reasonably concluded that the fields within this site are not currently used and may indeed be unsuitable for use altogether – given the presence of internal hedging and livestock it is highly unlikely that Brent geese in particular will occur and therefore the potential would be for grassland wader species such as curlew, lapwing, oystercatcher and golden plover. I am content that given the level of survey effort deployed at this site over the years there seems minimal potential for SPA birds to occur – clearly any newly-completed surveys may amend this view.

Some fields to the south of the site are however used by SPA birds. SWBGS sites H22B, H23D and H23F situated immediately south of the application site have each supported SPA birds in the past and there is some indication from Natural England that recent records have been collected. These fields are larger than the application site and lack any internal hedging and so the presence, albeit irregular, of SPA bird species, is not surprising. Whilst it is unlikely that direct impacts would occur, given the distances between the application site and these fields, there may be an increase in recreational pressure which, if not managed, may result in impacts to SPA birds. I note that Natural England have requested some further information on the extent to which human access from the application site and into the fields to the south is already an issue. There are no formal rights of way between the two (as far as I can see) but informal access e.g. for dog-walking or just as short-cuts may occur and, consequently, become more intense post-development as 'desire-lines' become established. Some additional detail from the applicant would be useful here in order that the full potential implications of any future development can be understood. There may, depending on the proximity of development activities and the location of any birds using the fields to the south, be a need to mitigate the potential impacts of noise and visual disturbance during construction over the winter months.

Alongside any site-specific measures there will clearly need to be a contribution towards the Solent Recreation Mitigation Partnership in order to mitigate for the in-combination effects of increased recreational disturbance.

In summary, whilst I do not have any significant concerns there are several matters which require further clarification if they are to be acceptable.

Additional comments Comments in respect to scrub and reptiles still applicable, those in respect to over wintering birds now addressed.

Officer comment: *Further clarification has been sought from the agent, who has confirmed that the existing scrub area to the north east currently providing habitat for reptiles is to be retained and an amended plan demonstrating this is to be submitted.*

Countryside Access Team

No comments received.

Royal Society for the Protection of Birds

No comments received.

Chichester Harbour Conservancy

Objects on the grounds of:-

- Recreational disturbance to the AONB coastline, especially given that a permissive path close to the site entrance leads directly south to the Harbour shoreline;
- Infilling a recognizable gap between areas of built form, thus harming the setting of the adjacent AONB and foreground to the South Downs.
- Eroding a 'green wildlife corridor', where access for wildlife moving south from land north of the A27 is via the railway line passing under the A27;
- This in turn would weaken the stance taken to protect similar 'gap' land on the south side of the A259 and thus represents a dangerous precedent.
- That the Conservancy does not accept the approach of using private package sewerage works because their on-going future maintenance cannot be guaranteed;
- And that without adequate waste water treatment, there are real concerns that groundwater and ordinary watercourses feeding into Chichester Harbour would become polluted, harming important international, national and local nature

conservation interests there.

If however, Havant Borough Council are minded to grant approval, this should be subject to a number of clauses in a suitably worded S.106 legal agreement to (a) mitigate for the impact of increased recreational disturbance to the Chichester Harbour SPA within Chichester Harbour, in accordance with the agreed protocols under the Solent Recreation Mitigation Project (SRMP) and ensuring the delivery, retention and maintenance of open spaces within the layout and, (b) ensure that the waste water pumping station/package treatment works is designed and installed to the recognized industry standard and in perpetuity maintenance is in place before any of the development is first occupied and continues to operate for the life of the development.

Community Infrastructure

The CIL liability for this site currently stands at £1,232,225.45 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. Subject to other statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. Monitoring Fees
3. Management Company
4. Management Plan
5. Open Space – on site play should be provided by the developer and arrangements for maintenance incorporated in the Management Plan
6. SRMP currently £181 (indexed) per dwelling, (161 X £181 = £29,141)
7. SUDS
8. Employment and Skills Plan
9. Education (HCC)
10. Travel Plan (HCC)
11. Highway Works (HCC)
12. Site Specific Transport Improvements (HCC)

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 which reduced the number of dwellings from 192 to 161 and amended the layout:

Number of neighbour notification letters sent: 109

Number of site notices: six

Statutory advertisement: yes.

Number of representations received: 70 including the Emsworth's Residents Association and the Warblington and Denvilles Residents Association, plus a Petition with 35 signatures objecting on the grounds that the Infrastructure is inadequate and not a feasible or environmentally friendly proposal

Principle of development

- Previously identified together with lands to the south as a gap between Havant and Emsworth and not recommended for development. Premature should be -withdrawn

until the strategic site SG3 is completed.

- It takes out an important part of the Emsworth / Denvilles 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 a further 500 plus 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 infrastructure, and important goals of connectivity and multi-functionality to create a robust network of green spaces to address identified deficits and need
- A slow but steady erosion of any significant green space between Emsworth and surrounding villages namely Southbourne, Westbourne, Denvilles and Havant. Ultimately these villages will lose their identity and will become a single mismatched urban area lacking cohesion, structure or sense of community, who locally will benefit?
- Previously identified together with lands to the south as a gap between Havant and Emsworth and not recommended for development. Premature should be withdrawn until the strategic site SG3 is completed.
- The local plan Housing Statement is not part of the statutory development plan at this stage. It ought not to be used for development management decisions ahead of the adoption of a revised local plan. 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 on the south side of the A259 and thus represents a dangerous precedent. The only local amenities are far from the projected site which is at risk of degenerating into a rural slum.

Highway issues

- Traffic density on the A259 is at congestion point during rush hours and increasing, and traffic from side roads has difficulty getting out raising concerns regarding safety
- Selangor Avenue is often used as a "rat run" now with cars driving at speeds in excess of 30 mph and further congestion on the A259 will only increase this causing bottle necks at the Victoria Road end.
- Public transport is inadequate. Parking at Havant and Emsworth railway station is also very limited and no parking is available at Warblington station
- Travel plan unrealistic without a reliable and affordable public transport system you will not encourage people away from their cars
- A new junction onto the A27 is required and this development should not proceed until this is provided.
- Car parking in Emsworth is already limited and road systems around Havant, the next closest shopping area, are also grid locked for a good proportion of the day
- Traffic will queue back to the A27 roundabout causing grid lock
- The modelling (including traffic lights) with vehicles backing up to the A27 roundabout does not take into account larger vehicles such as buses which will cause added congestion.
- The survey sites are too far from the development and more local ones should be used such as Havant Road junctions during peak times with Selangor Avenue, Nore Farm Avenue, Park Crescent, Barn Close and Record Road, which are closer and would give a far better waiting time assessment.
- The A259 is also used to carry traffic when accidents close the A27
- Inadequate on site parking
- 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 Emsworth roundabout manages to cut the town almost through the middle and therefore conflicts with the idea of a cohesive area
- Emsworth Primary School have many concerns with the speed and amount of cars utilising Selangor Avenue on a daily basis and are appealing for alternative arrangements re traffic calming measures
- Emergency services will struggle to attend many incidents on either road due to the amount of vehicles 'held up' in both directions
- Access to the site should be via Selangor Avenue, to minimise congestion on Havant Road

Officer comment: *On the matter of modelling and larger vehicles, the modelling is based on a standard unit measurement which includes allowance for vehicles of different sizes including lorries and buses. In terms of the site survey this reflects the fact that the majority of the traffic from the site would head in a westerly direction towards the junction with the A27.*

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.
- The development of Strategic Site 2 to the north of the Selangor site, and which contains a significant network of water courses needs to be factored in.
- The localised SuDS scheme proposed on-site is not coordinated with neighbouring SuDS proposals especially those proposed on Strategic Site 2. As such development of Selangor may prejudice the potential for the satisfactory development of the larger area, and lead to increased risk of flooding in Emsworth.
- In recent years frequent flood events, (affecting Selangor Avenue, Victoria Road, North Street and Bridge Road), have been caused by a combination of fluvial and high tides, and led to Emsworth being identified as a priority area by the Environmental Agency
- The revised plan does not provide an environmentally sensitive plan for ground and flood water: the site is made up of alluvial (shallow sandy clay) soil with seasonable chalk streams.
- 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
- The real effectiveness of the last local flood prevention work has not been properly tested with relatively less continuous torrential rain than a couple of years ago. The existing infrastructure is likely to be proved inadequate
- Concern regarding the maintenance of the private sewage package and potential for pollution to water courses feeding into Chichester Harbour

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, 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 Chichester 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 in isolated, and therefore unviable.
- The impact of the loss of the bulk of 3 on-site existing hedgerows and mature trees needs assessing. Extensive addition of native fruiting hedgerow planting should be made both on site and on the perimeter boundary if more of the existing hedgerows can't be retained, and enhanced.
- 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; i.e. the "quality" of the AONB/Ramsar/SAC, 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
- Needs to be considered in line with the Havant Biodiversity Action Plan prepared by Hampshire Wildlife Trust and published by Havant Council in 2011

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.
- 2 storey houses in a predominately single storey area why not bungalows, will there be a fence to provide separation.
- 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 .
- Trim Trail is poorly thought through, and 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 Selangor Avenue.
- The proposed density, height, mass and scale of this development is also considered inappropriate.
- Overlooking and possible loss of light should be examined

General Design and Layout Issues

- Excessive density out of keeping with neighbouring bungalows.
- The affordable housing is in the least attractive areas adjacent to the A27 creating a ghetto of affordable housing for families who have no choice. We should be creating balanced and sustainable communities.
- 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 Emsworth
- Serious consideration should be given to replacing the lost hedge and inclusion of allotments

- 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 original plan was to move the pipeline; why is this not being done
- 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.

7 Planning Considerations

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

- (i) Principle of development
- (ii) Nature of Development
- (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) The Effect of Development on Ecology
- (viii) Impact on Trees
- (ix) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) Principle of development

7.2 The National Planning Policy Framework (NPPF) was adopted by National Government on the 27th March 2012, replacing all previous National Policy Documents, including all Planning Policy Statements and Planning Policy Guidance Notes. The primary objective of the NPPF is to increase delivery of sustainable growth and development. It is about delivering growth that is not to the detriment of future generations. This positive growth should perform an economic, social and environmental role and should be allowed to go ahead, without delay. The NPPF requires local development plans to take local circumstances into account and meet the objectively assessed development needs of an area.

7.3 The Council's Adopted Local Plan (Core Strategy 2011 and Allocations Plan 2014) covers the period until 2026 and continues to form the basis for determining planning applications in the Borough. However the Core Strategy was adopted prior to the NPPF and the housing target was based on the now revoked South East Plan. The NPPF sets out that it is a key requirement for the Council to prepare a Local Plan that will meet the full, objectively assessed need (OAN) for housing in its area. In March 2016 research commissioned by the Partnership for Urban South Hampshire (PUSH) produced an Objectively Assessed Housing Need study for the whole area and for Havant identified a need for 11,250 homes by 2036 (450 dwellings per annum). This far exceeds the housing target in the existing Pre-NPPF Local Plan of 6,300 by 2026 (315 dwellings per annum). In response the Council adopted the Local Plan Housing Statement in December 2016, which is the first stage in a review of the Local Plan which will address the housing need for the Borough in light of the updated evidence. The Statement is in response to the high need for housing in the borough and sets out the Council's position regarding the development of greenfield sites for residential purposes, ahead of adoption of the new Local Plan. The Housing Statement relates specifically to sites which are not allocated in the adopted Local Plan, and it supports the principle of residential development on a number of urban extension sites.

7.4 A robust assessment took place of land in the Borough to inform the Local Plan Housing Statement. This showed that there was only a finite amount of available land which could

be used for housing, which is not sufficient to meet the Borough's housing need. This includes a strategic site in the area between Denvilles and Emsworth, to the north of the A27 and this application site. However strategic sites such as this take a reasonably long time to appropriately plan and bring forward comprehensively with the necessary infrastructure. As a result, the strategic site will not contribute to housing supply in the short-medium term. It was necessary when assessing the land suitable for future housing delivery to consider whether any sites could contribute to housing supply in the short term, given the identified housing need and the lack of a five year housing land supply. The application site was considered to be one which could deliver housing in the short term and did not have any constraints which could not be mitigated.

7.5 While the site lies outside the urban area, as defined by policy AL2 of the Havant Borough Local Plan (Allocations) and Policy CS17 (Core Strategy) it is nonetheless one of the sites identified for early release (Site Reference UE02b on Table 2) in the Local Plan Housing Statement. The undeveloped gap between Emsworth/Havant would be reduced by the development proposals. It is acknowledged that the site was previously excluded from the Adopted Local Plan because of its importance in maintaining part of the undeveloped gap, and the impact of the gas pipeline. However, without a five year supply of housing the Council has to re-assess all potential housing sites taking into account the definition of sustainability in the NPPF. Building on an undeveloped gap is not in itself a constraint identified in the NPPF that would constitute unsustainable development. Therefore in the Housing Statement re-assessment of all sites this site was identified as potentially sustainable. This scheme has been submitted in response to the inclusion of the site within the Council's Local Plan Housing Statement, which includes sites favoured by the Council to deliver the borough's future housing needs. The Local Plan Housing Statement identifies the capacity of the sites as 154 units. This proposal increases this number, but the Housing Statement yields are indicative only, and subject to satisfactorily meeting all other policy and material considerations a higher number of units is acceptable in principle.

7.6 The Local Plan Housing Statement Guiding Principle 4 states:.

The principle of residential development on Table 2 sites will be considered favourably in order to contribute towards the objectively assessed housing need and to significantly boost housing supply in the Borough. This material consideration means that there is sufficient weight to justify a departure from Policies CS17 and AL2. Proposals coming forward for Table 2 sites will be expected to continue to meet the remaining requirements of the Adopted Local Plan. Such sites will only be agreed in principle if accompanied by an Infrastructure Delivery Statement, produced as agreed by and in collaboration with the Local Planning Authority.

7.7 An Infrastructure Delivery Statement (IDS) in the format suggested in the Council's guidance has been submitted to cover the topics suggested in the Council's IDS guidance and to draw on comments from the local community regarding infrastructure pressures. Specialist reports have been submitted to identify the specific measures to address the development impacts, such as flooding, and highways, and these matters are considered further on in this report.

(ii) Nature of Development

7.8 The current application is for full planning permission with a single vehicular access off Havant Road and a pedestrian/cycle route onto Selangor Avenue. 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

7.9 The application seeks 161 No. dwellings which equates to approximately 25.8 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'*.

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

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

*High Density – Minimum of 60 dwellings per hectare
Medium Density – Minimum of 45 dwellings per hectare
Low Density – Up to 45 dwellings per hectare*

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

7.11 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'*

7.12 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 25.8 dph could be considered to be an appropriate density given the context of the site on the edge of the Emsworth settlement, local market signals and site constraints such as the gas main, proximity to the A27, and drainage requirements.

The Mix of Dwelling Sizes and Tenures

7.13 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 one and two bedroom flats to terraces and larger detached houses. In this case, the proposal comprises a mix of detached, semi-detached and short terrace family dwellings and one bedroom and two bedroomed flats. This is considered to be an acceptable mix for the site. 30% of the units (i.e. 48 units, comprising 24 affordable rented, 12 shared ownership and 12 discounted market sales in perpetuity) would be affordable in accordance with policy CS9. Whilst the majority of these are located along the northern boundary with the A27 interspersed with market housing, a number are located at the entrance to the proposed development, and in terms of building form they are consistent with the development in general, and on the whole considered to be acceptably integrated.

The Design and Layout of the Development

7.14 The proposal is for a cul-de-sac form of development of traditional character and the layout for the scheme has been informed by the position of the site in relation to the topography, gas main, trees, hedges and boundary screening and the nature and form of existing surrounding development. 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 to 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 number of 3 storey flat blocks has been reduced and the proposed character of development comprises mainly 2 storey housing, and small three storey blocks of flats (5), 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, and an existing area of scrub to the north west of the site would be retained undisturbed as a reptile receptor area. A footpath link is provided to Selangor Avenue providing connectivity to the adjacent neighbourhoods.

(iii) Impact on the Character and appearance of the area

7.15 The site currently is enclosed by existing development, and mature planting limits views from the immediate area, however, the site in association with land to the north and south forms part of a green lung that projects down to the coast. From the A27 existing tree planting provides screening. Open space would be located on the Havant Road frontage, together with a circular green walkway along the site boundaries. In addition open space would be provided within the site and at the north eastern ends, which will form a landscape setting for the development. The boundary vegetation will be retained and protected to enhance existing habitats with infill indigenous planting to increase structure and biodiversity. Large native structure trees will be planted within the wildflower and grassland areas of the open spaces to increase habitats for wildlife and enhance visual interest. Additional planting within these areas will also consist of native species. Occasional spring and autumn bulbs will provide seasonal interest within the grassed areas and at the entrance to the site. The proposal comprises, 2, 2 and a half and 3 storey development with that closest to Havant Road and Selangor Avenue not exceeding 2 stories. The form of development is considered to have regard to the site's context and not adversely impact the character and appearance of the area, and integration with the existing community would be assisted by the pedestrian/cycle route on Selangor Avenue which would also facilitate non-car access to the Primary School.

(iv) Residential and Neighbouring Amenity

7.16 The site is bounded to the east and west by existing housing. The submitted plans show that the proposed houses will have a minimum of 10m rear garden depths, and first floor window to window distances with existing dwellings is 42m or greater and would substantially exceed the 20m minimum set out in the Council's Design Guidance, and this relationship is considered to be acceptable. Although the scheme will increase the housing density of the locality, it is within the low density range and accords with both local plan policies and the guidance within the NPPF. The site lies in proximity to the A27 and noise assessment and air quality assessments have been submitted, which have been assessed by the Environmental Health team who are satisfied that subject to conditions a satisfactory environment for future residents can be achieved. Additionally informatives will be required to address the impact of construction development on existing residents. The impacts of traffic associated with the proposed dwellings are included in the assessment below.

(v) Access and Highway Implications

- 7.17 The application is supported by a Transport Assessment (TA) which has analysed the highways aspects of the proposed development. The TA undertook junction capacity assessments of five junctions, as follows:-
- Proposed Site Access
 - Southleigh Road/ Emsworth Road Junction
 - Victoria Road/ North Street Junction
 - Emsworth Roundabout;
 - Havant Road/ A27 Slip Road/ church Lane Roundabout and Emsworth Road/ Havant Road/A27 Slip Road Roundabout (A27 linked roundabouts)

Additionally the TA modelled a number of scenarios for the period up to 2026 including with development and mitigation scenarios.

- 7.18 Detailed surveys have been undertaken at key roads, junctions and roundabouts identified through discussions with both the Local Highway Authority and Highways England in the vicinity of the site. These highlight that the majority of traffic will turn right out of the site to travel towards the A27 in the AM Peak period (with the majority of traffic turning left into the site in the PM Peak period), and therefore the village of Emsworth will experience a smaller proportion of development traffic. 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 access would be via a signalized junction arrangement. The proposed access would support large vehicles including delivery and service vehicles entering and exiting the site and would be built to adoptable standards. The signalised junction arrangement has been designed to include the existing on-road physical cycle infrastructure, with separate cycle lanes incorporated into the design. In addition, a pedestrian/ cycle crossing at both the site access and on Havant Road is incorporated. A separate pedestrian/ cycle access is proposed onto Selangor Avenue to the east of the site. This will measure 3m in width and will be supported by bollards and appropriate signage.
- 7.19 As originally proposed the access was for a simple priority junction onto Havant Road, however, following concerns from the Highway Authority a signalised junction is now proposed, as it will provide a safer means of access. The anticipated queue lengths would be controlled by the use of a 120 second cycle time, and should not exceed 252m (in the 2026 PM Peak) which is within the 370m of the proposed access from the A27 roundabout, and therefore should not adversely impact that roundabout. As such the proposal is not considered to result in significant detriment to the amenity or safety of users of the highway, and the impact of the development on transport grounds is not considered to be such that it could be argued that the '*residual cumulative impacts of development are severe*' – the test set out in the NPPF.
- 7.20 Parking provision is provided to the front of the dwellings and within parking courts and numerically accords with the adopted standards and a number of visitor spaces are proposed throughout the site. Where provided, parking courts have been designed to be well overlooked by placing them alongside the apartment blocks or within view of neighbouring properties.
- 7.21 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.
- 7.22 Highways England and HCC Highways have confirmed that subject to conditions and S106 obligations, the highway considerations are addressed.

(vi) Flooding and Drainage

- 7.23 The Environment Agency Flood Risk Map shows the development site is located in Flood Zone 1. Whilst development is considered appropriate for Flood Zone 1, in accordance with the Technical Guidance in the NPPF, a Flood Risk Assessment has been submitted together with a drainage strategy. The Technical Guidance states that developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems. Although there is a potential risk of groundwater flooding due to the shallow winter ground water levels this would be mitigated by raising road levels and finished floor levels within the southern (low) part of the site. The application incorporates a sustainable drainage system which will store the volume of a 100 year return period storm plus 40% allowance for climate change. The sustainable surface water drainage system stores large return period storms and mimics the existing drainage condition of infiltration to ground utilising a series of soakaways and permeable paving areas maintained by a Management Company which will drain surface water from the roofs and car parking areas. Infiltration swales are provided adjacent to impermeable sections of the access road.
- 7.24 There is no positive drainage on the pastureland which currently drains partially to ground and partially via run off to surrounding land to the south and east. At times of heavy rain where the natural attenuation within the top soil is exceeded the resulting runoff is a concern to neighbouring properties in Selangor Avenue. There have been reported incidents of flooding in Selangor Avenue, however, the completion of the Nore Farm Stream Flood Alleviation Scheme in February 2016 has increased the standard of protection against flooding for the dwellings along Selangor Avenue, reducing the risk of flooding from 20% annual probability (1 in 5 year) to 1.4% annual probability (1 in 70 year) plus climate change. The scheme has created a Flood Water Storage Area within nearby arable land to the north of the A27. The size of the culvert that runs beneath the A27 has been reduced to prevent large volumes of fast-flowing water passing through. The Nore Farm flood alleviation scheme has been designed to reduce the flood risk to the affected area to the east of this site.
- 7.25 There have been previous issues with foul water flooding affecting the local area and the applicant has been working with Southern Water to assess the capacity of the existing foul sewerage network and establish an appropriate point of discharge for the new foul drainage. There is no existing foul water discharge or drainage infrastructure on site. Foul water drainage from the proposed development will be drained to an adoptable foul water pumping station situated at the southern border of the site adjacent to the highway access. The pumping station will connect into the existing foul drainage network in Havant Road via a rising main. Southern Water have confirmed that additional infrastructure is required in order for the existing sewer system to accommodate the proposed foul flows. This is required as the inadequacy of the existing system, which is already at (or over) capacity, will not be rectified in time to allow for the additional flows. A Section 98 sewer requisition is being progressed by the Applicant to implement a proposed sewer improvement to the local area in order to provide storage for foul flows which exceed those that the existing infrastructure can cope with, and which therefore have the potential to cause downstream flooding. This will be achieved by installing foul water attenuation within the proposed development site land adjacent to Havant Road for flows in the existing Havant Road sewer. The design and installation of the Section 98 works will be carried out by Southern Water but paid for by the Applicant.
- 7.26 The amended plans are supported by additional drainage reports and whilst the further written comments of the Local Lead Flood Authority are awaited, informally they have advised that subject to conditions the proposed strategy is now acceptable.

(vii) The Effect of Development on Ecology

- 7.27 The application is accompanied by an Extended Phase1 Habitat Survey (WYG, July 2016) and Wintering Bird Survey (WYG, July 2016) which provide an assessment of the site's ecological constraints. The habitats within the site are not especially rich, comprising agriculturally-improved grassland with poor species-diversity with boundary and internal hedging, none of which is considered to be 'important' under the Hedgerow Regulations. Other habitat present are scrub and herbaceous vegetation.
- 7.28 In terms of protected species, the site supports a typical assemblage of bird species and a small number of slow-worms. No trees offering bat roosting potential were identified and the site is considered to offer moderate value bat foraging/commuting habitat. The ecology report suggests that suitable reptile habitat can be provided in the north of the proposed site, and the submitted landscape plans do show a strip of semi-improved grassland running along the northern/western boundaries.
- 7.29 With respect to overwintering birds – the site has been highlighted as a potential site for use by SPA birds in the Solent Waders and Brent Goose Strategy 2010. Surveys do not however confirm this. Wintering bird surveys have been carried out in 2013 (by Aluco Ecology) and again in 2014/15 (by WYG) with no SPA birds recorded. On the basis of information submitted so far, the County Ecologist advises that it can be reasonably concluded that the fields within this site are not currently used and may indeed be unsuitable for use altogether – given the presence of internal hedging and livestock it is highly unlikely that brent geese in particular will occur and therefore the potential would be for grassland wader species such as curlew, lapwing, oystercatcher and golden plover. Given the level of survey effort deployed at this site over the years there seems minimal potential for SPA birds to occur.
- 7.30 However, given the proximity of the application site to sites designated for their nature conservation interest the application has been assessed under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations). The proposal would lead to a net increase in population, which would be likely to lead to a significant effect (as described in Regulation 61(1)(a) of the Habitats Regulations) on the Chichester and Langstone Harbours Special Protection Areas (SPA). Furthermore the development is not necessary for the management of the SPA. As a result a mitigation package is required, which can be secured through a financial contribution to the Solent Recreation Mitigation Project at a scale of £181 per dwelling (net) (plus monitoring and administration fees). Subject to this mitigation package being secured through a S106 Agreement, the level of mitigation provided is considered sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur. As such, an appropriate assessment under Regulation 61 of the Habitats Regulations is not necessary.
- 7.31 Whilst raising no overall concerns some additional information was required and has now been submitted in respect to the off site areas supporting wintering bird species. Natural England have confirmed that they are satisfied with the information submitted. The further comments of the County Ecologist are awaited and will be updated when received.

(vii) Impact on Trees

- 7.32 The Council's Arboriculturalist has advised that the supporting arboricultural evidence provided by the applicant is comprehensive and although extensive tree removal is required to facilitate development, the 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 including opportunities for tree planting for specimen trees on the proposed open space. 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.

7.33 Ecology is considered above and a condition could be imposed to require suitable planting.

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

7.34 The impacts of the proposed development on key infrastructure have been assessed and an Infrastructure Delivery Statement submitted in accordance with Guiding Principle 4 of the Local Plan Housing Statement. 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 in paragraph 7.35 below.

7.35 The CIL liability for this site currently stands at £1,232,225.45 - 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 to the following matters:-

1. Affordable Housing
2. Payment of a Travel Plan Bond, Monitoring Fee and Approval Fee
3. S106 monitoring fee
4. Management and maintenance plan for the lifetime of the development for all unadopted/communal areas including roads, open space, play area and SUDs and bond.
5. A contribution in relation to traffic management if required
6. Solent Recreation Management Plan contribution currently £181 (indexed) per dwelling, (161 X £181 = £29,141)
7. SUDS bond
8. Employment and Skills Plan
9. Education (HCC) contribution
10. Travel Plan (HCC)
11. Highway Works (HCC)
12. Site Specific Transport Improvements (HCC)

8 Conclusion

8.1 Whilst the development site is not an allocated housing site in the adopted Local Plan it has been identified as an in principle sustainable housing site in the Housing Statement. As the Council cannot currently demonstrate a full 5 year housing land supply, and the existing Local Plan does not meet the Objectively Assessed Housing Need, this is a compelling material consideration which indicates that a decision could be taken that departs from the local plan. In terms of whether the development would constitute sustainable development the submitted plans provide for a satisfactory form of development which achieves an acceptable impact on the character and appearance of the area, and the amenities of neighbouring properties. Technical requirements such as highway considerations have been addressed and the Local Lead Flood Authority is expected to confirm that the drainage strategy is acceptable.

8.2 In summary, the proposed development is considered to comply with the Housing Statement, the Borough Design Guide and the NPPF. It would boost the supply of much needed housing in a sustainable manner. As such the recommendation is for permission subject to confirmation of the final views of the Local Lead Flood Authority and Council's Ecologist; a Section 106 Agreement; and planning conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00774 subject to:-

- (A) confirmation from the Local Lead Flood Authority and Council's Ecologist that no objections are raised to the revised scheme;
- (B) a Section 106 Agreement as set out in paragraph 7.35 above; and
- (C) the following conditions (and any others 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 and documents:

Planning

Application Form
Letter to HBC addressing consultee and third-party comments 3rd March 2017
Infrastructure Delivery Statement March 2017
CIL Assumption of Liability Form
CIL Additional Information Form
Planning Design & Access Statement March 2017
Affordable Housing Statement April 2017
Statement of Community Involvement July 2017

Architect's Plans

Building for Life 12 Assessment
Topographical Survey
Planning Layout 18-259-100 Rev C
Storey Heights Plan 18-2059-102
Affordable Housing Plan 18-2059-103
External Finishes Plan 18-2059-104 Rev A
External Enclosures Plan 18-2059-105
Bin & Cycle Storage Plan 18-2059-106
Parking Strategy Plan 18-2059-107
Enclosure Details 18-2059-108
Housetype Plan 18-2059-109
Location Plan 18-2059-109
Sub Station Elevations & Floor Plans 18-2059-SUB-101
Constraints and Opportunities 18-2059-900 Rev A
Plots 53-61 (OPP) FRONT AND SIDE ELEVATIONS 18-2059-2BFA-2BFB-1BFA-101 Rev A
Plots 53-61 (OPP) REAR AND SIDE ELEVATIONS 18-2059-2BFA-2BFB-1BFA-102 Rev B
Plots 53-61 (OPP) GROUND FLOOR PLAN Floor Plans 18-2059-2BFA-2BFB-1BFA-103
Plots 53-61 (OPP) FIRST FLOOR PLAN 18-2059-2BFA-2BFB-1BFA-104

Plots 53-61 (OPP) SECOND FLOOR PLAN 18-2059-2BFA-2BFB-1BFA-105
GARAGE ELEVATIONS AND FLOOR PLANS 18-2059-GAR-101
GARAGE ELEVATIONS AND FLOOR PLANS 18-2059-GAR-102
PLOT 63 (AS) 3BH ELEVATIONS 18-2059-3BH-101 Rev A
PLOT 63 (AS) 3BH FLOOR PLANS 18-2059-3BH-102
PLOTS 6(AS) 7(AS) 50(AS) & 51(OPP) BUCHANAN ELEVATIONS 18-2059
BU-101
PLOTS 6(AS) 7(AS) 50(AS) & 51(OPP) BUCHANAN ELEVATIONS 18-2059-
BU-102
PLOT 38(AS) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-105
PLOT 38 (AS) ALVERTON (SPECIAL) FLOOR PLANS 18-2059-AL+-106
PLOT 48 (OPP) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-103
PLOT 48 (OPP) ALVERTON (SPECIAL) FLOOR PLANS 18-2059-AL+-104
PLOT 52 (OPP) TYPE 73 ELEVATIONS 18-2059-T73-103
PLOT 52 (OPP) TYPE 73 FLOOR PLANS 18-2059-T73-104
PLOT 62 (AS) TYPE 73 ELEVATIONS 18-2059-T73-105
PLOT 62 (AS) TYPE 73 FLOOR PLANS 18-2059-T73 106
PLOT 64(AS) TYPE 73 ELEVATIONS 18-2059-T73-107
PLOT 64 (AS) TYPE 73 FLOOR PLANS 18-2059-T73-108
PLOT 65(OPP) TYPE 69 ELEVATIONS 18-2059-T69-103
PLOT 65 (OPP) TYPE 69 FLOOR PLANS 18-2059-T69-104
PLOT 70 (AS) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-109
PLOT 70 (AS) ALVERTON (SPECIAL) FLOOR PLANS 18-2059-AL+110
PLOT 110 (OPP) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-101
PLOT 110 (OPP)ALVERTON (SPECIAL) FLOOR PLANS 18-2059-AL+-102
PLOT 117 (AS) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-107
PLOT 117 (AS) ALVERTON (SPECIAL) FLOOR PLANS 18-2059-AL+-108
PLOT 129 (OPP) TYPE 73 ELEVATIONS 18-2059-T73-101
PLOT 129 (OPP) TYPE 73 FLOOR PLANS 18-2059-T73-102
PLOT 156 (AS) ESKDALE ELEVATIONS 18-2059-ES-101
PLOTS 1 (AS), 5 (OPP), 85 (AS) & 100 (OPP) TYPE 64 ELEVATIONS
18-2059-T64-102 Rev A
PLOTS 1 (AS), 5 (OPP), 85 (AS), 100 (OPP), 121 (AS) & 133 (OPP) TYPE 64
ELEVATIONS 18-2059-T64-103
PLOTS 2 (AS), 131 (AS) & 132 (OPP)TYPE 69 ELEVATIONS 18-2059-T69-
105
PLOTS 2 (AS), 131 (AS) & 132 (OPP)TYPE 69 FLOOR PLANS 18-2059-T69-
106
PLOTS 3(AS) 4(OPP) 86(AS) 91(OPP) 92(AS) 99(OPP) 122(AS) & 130 (OPP)
TYPE 69 ELEVATIONS 18-2059-T69-101
PLOTS 3(AS) 4(OPP) 86(AS) 91(OPP) 92(AS) 99(OPP) 122(AS) & 130 (OPP)
TYPE 69 FLOOR PLANS 18-2059-T69-102
PLOTS 8(OPP) 15(AS) 27(OPP) 35(OPP) & 149(OPP) ENNERDALE
ELEVATIONS 18-2059-EN-101
PLOTS 8(OPP) 25(AS) 16(OPP) 23(AS) 26(AS) 27(OPP) 32(OPP) 35(OPP)
120(AS) 137(OPP) 142 (OPP) 149(OPP) & 157 (OPP) ENNERDALE FLOOR
PLANS 18-2059-EN-103
PLOTS 9(AS) 10(AS) 11(OPP) 12(OPP) 13(OPP) 14(OPP) 17(OPP) 22(AS)
33(AS) 49(AS) 78 (AS) 80 (OPP) 119 (AS) 138 (AS) &143 (AS) MAIDSTONE
ELEVATIONS 18-2059-MA-101 Rev A
PLOTS 9(AS) 10(AS) 11(OPP) 12(OPP) 13(OPP) 14(OPP) 17(OPP) 22(AS)
33(AS) 49(AS) 78 (AS) 80 (OPP) 119 (AS) 138 (AS) &143 (AS) MAIDSTONE
FLOOR PLANS 18-2059-MA-102 Rev A
PLOTS 16(OPP) 23(AS) 26(AS) 32(OPP) 120(AS) 137(OPP) 142(OPP) & 157
(OPP) ENNERDALE ELEVATIONS 18-2059-102
PLOTS 18(OPP) 21(AS) 30(OPP) 31(AS) 139(OPP) & 141 (AS) WOODCROFT
ELEVATIONS 18-2059-WO-101

PLOTS 18(OPP 21(AS) 30(OPP) 31(AS) 139(OPP) & 141 (AS) WOODCROFT FLOOR PLANS 18-2059-WO-102
PLOTS 19(OPP) 20(AS) & 140(OPP) WOODCROFT FLOOR PLANS 18-2059-WO-104
PLOT 19 (OPP) 20(AS) & 140(OPP) WOODCROFT ELEVATIONS 18-2059-WO-103
PLOTS 24 (OPP), 25 (OPP), 150 (OPP) & 151(OPP) FOLKSTONE ELEVATIONS 18-2059-FO-101
PLOTS 24 (OPP) 25(OPP) 150(OPP) & 151 (OPP) FOLKSTONE FLOOR PLANS 18-2059-FO-102
PLOTS 28 (AS) 82(OPP) 83(AS) 84(OPP) 101(AS) 102(OPP) 103(AS) 106(AS) & 107(OPP) FOLKSTONE ELEVATIONS 18-2059-FO-103
PLOTS 28 (AS) 82(OPP) 83(AS) 84(OPP) 101(AS) 102(OPP) 103(AS) 106(AS) & 107 (OPP) FOLKSTONE FLOOR PLANS 18-2059-FO-104
PLOT 29 (AS) ENNERDALE ELEVATIONS 18-2059-EN-104
PLOTS 29 (AS) 69 (OPP) 81(OPP) & 104 (AS) ENNERDALE FLOOR PLANS 18-2059-EN-106
PLOTS 34 (OPP) & 161(OPP) KINGSLEY ELEVATIONS 18-2059-KG-101
PLOTS 34 (OPP), 144 (OPP), 160 (AS) & 161 (OPP) KINGSLEY FLOOR PLANS 18-2059-KG-103
PLOTS 36(OPP) 37(AS) 66(AS) 108(OPP) 109(AS) 134(OPP) 136(AS) 145(OPP) 148(AS) 155 (AS) & 152 (OPP) ROSEBERRY FLOORPLANS 18-2059-RO-102
PLOTS 36(OPP) 37(AS) 66(AS) 134(OPP) 136(AS) 145(OPP) 148(AS) 155(AS) & 152(OPP) ROSEBERRY ELEVATIONS 18-2059-RO-101 Rev A
PLOTS 39-47 (AS) COLEFORD, HORNSEA & LOUGHTON FLOOR PLANS 18-2059-CO-HO-LO-103
PLOTS 39-47 COLEFORD, HORNSEA & LOUGHTON ELEVATIONS 18-2059-CO-HO-LO-101 Rev A
PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON FLOOR PLANS 18-2059-CO-HO-LO-104
PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON FLOOR PLANS 18-2059-CO-HO-LO-105
PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON ELEVATIONS 18-2059-CO-HO-LO-102 Rev A
PLOTS 67(OPP) 68(AS) 135(OPP) 146(AS) 147(OPP) 153(OPP) & 154 (AS) ROSEBERRY FLOOR PLANS 18-2059-RO-104
PLOTS 67(OPP) 68(AS) 135(OPP) 146(AS) 147(OPP) 153(OPP) & 154 (AS) ROSEBERRY ELEVATIONS 18-2059-RO-103
PLOTS 69(OPP) 81(OPP) & 104(AS) ENNERDALE ELEVATIONS 18-2059-EN-105
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON FLOOR PLANS 18-2059-AM-MN-103
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON ELEVATIONS 18-2059-AM-MN-101 Rev A
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON ELEVATIONS 18-2059-AM-MN-102 Rev A
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON FLOOR PLANS 18-2059-AM-MN-104
PLOTS 77(OPP) 79(AS) 105(OPP) & 118(OPP) ESKDALE ELEVATIONS 18-2059-ES-102 Rev A
PLOTS 77(OPP) 79(AS) 105(OPP) & 118(OPP) ESKDALE FLOOR PLANS 18-2059-ES-103
PLOTS 87(OPP) 90(AS) 93(OPP) 95(AS) 96(OPP) & 98(AS) TYPE 67 ELEVATIONS 18-2059-T67-101
PLOTS 87(OPP) 90(AS) 93(OPP) 95(AS) 96(OPP) & 98(AS) TYPE 67 FLOOR PLANS 18-2059-T67-102

PLOTS 88 (AS) 89(OPP) 94(AS) & 97(OPP) TYPE 67 ELEVATIONS 18-2059-T67-103
PLOTS 88 (AS) 89(OPP) 94(AS) & 97(OPP) TYPE 67 FLOOR PLANS 18-2059-T67-104
PLOTS 108(OPP) & 109(AS) ROSEBERRY ELEVATIONS 18-2059-RO-105
PLOTS 121(AS) & 133(OPP) TYPE 64 ELEVATIONS 18-2059-T64-101
PLOTS 123-128(OPP) 2BFC & 2BFD ELEVATIONS 18-2059-2BFC-2BFD-101 Rev A
PLOTS 123-128(OPP) 2BFC & 2BFD FLOOR PLANS 18-2059-2BFC-2BFD-103
PLOTS 123-128(OPP) 2BFC & 2BFD ELEVATIONS 18-2059-2BFC-2BFD-102 Rev A
PLOTS 123-128(OPP) 2BFC & 2BFD FLOOR PLANS 18-2059-2BFC-2BFD-104
PLOTS 144(OPP) & 160(AS) KINGSLEY ELEVATIONS 18-2059-KG-102 Rev A
PLOTS 158(OPP) & 159(AS) MAIDSTONE ELEVATIONS 18-2059-MA-103
PLOTS 158(OPP) & 159(AS) MAIDSTONE FLOOR PLANS 18-2059-MA-104
STREET SCENES 18-2059-SS-101 Rev A
STREET SCENES 18-2059-SS-102 Rev A
STREET SCENES 18-2059-SS-103 Rev A
STREET SCENES 18-2059-SS-104 Rev A
STREET SCENES 18-2059-SS-105 Rev A
STREET SCENES 18-2059-SS-106 Rev A
STREET SCENES 18-2059-SS-107 Rev A
STREET SCENES 18-2059-SS-108 Rev A
STREET SCENES 18-2059-SS-108 Rev A

Ecology

Biodiversity Checklist
Exhibition Board Notes
Ecological Mitigation and Management Plan Feb 2017
Bat Activity Survey Report Feb 2017
Wintering Bird Survey Report 28 Feb 2017
Extended Phase 1 Habitat Survey 1 March 2017
Reptile Presence/Absence Survey Report 1 March 2017

Drainage

Drainage Layout Sheet 1 of 2 CLXX(52) 2001 P3
Drainage Layout Sheet 2 of 2 CLXX(52) 2002 P3
Drainage Strategy Indicative Details CLXX(52)2003 P1
Flood Risk Assessment 1012052-CL-RPT-001 Rev C

Landscaping

Gap Report
Landscape Visual Impact Assessment Feb 2017 BDWS20345lvia Rev C
Landscape Management and Maintenance Plan BDWS20345man Rev B
Landscape Masterplan BDWS20345 10C
Landscape Proposals BDWS20345 11C Sheet 1
Landscape Proposals BDWS20345 11C Sheet 2
Landscape Proposals BDWS20345 11C Sheet 3
Landscape Proposals BDWS20345 11C Sheet 4
Landscape Proposals BDWS20345 11C Sheet 5
Landscape Proposals BDWS20345 11C Sheet 6

Landscape Proposals BDWS20345 11C Sheet 7
Landscape Proposals BDWS20345 20C Sheet 1
Landscape Proposals BDWS20345 20C Sheet 2
Landscape Proposals BDWS20345 20C Sheet 3
Hard Landscape Proposals BDWS20345 12 Sheet 1
Hard Landscape Proposals BDWS20345 12 Sheet 2
Hard Landscape Proposals BDWS20345 12 Sheet 3
Hard Landscape Proposals BDWS20345 12 Sheet 4
Hard Landscape Proposals BDWS20345 12 Sheet 5
Hard Landscape Proposals BDWS20345 12 Sheet 6
Hard Landscape Proposals BDWS20345 12 Sheet 7
Play Area Proposals BDWS20345 21
Soft Landscape Specification Rev A BDWS20345 March 2017

Highways

Revised Travel Plan March 2017 041.0025/TP/5
Addendum Transport Statement March 2017 041.0025/ATA/2
Havant Road & Church Lane A27 Roundabout Mitigation Proposals
041.0025.004 Rev F
Emsworth Road A27 Roundabout Mitigation Proposals 041.0025.005 Rev C
Havant Road Development Access Junction
Stage 1 Road Safety Audit April 2017
Havant Road Signal Junction & Pedestrian Crossing 041.0025.012 Rev A
Proposed Signal Junction Arrangement Refuse Vehicle Tracking 041.0025.009
Rev D
Updated Modelling Havant Road - Development Access v7.lsg3x

Miscellaneous

Noise Impact Assessment Covering Letter R3173-4-RP 3rd March 2017
Noise Impact Assessment Technical Report R3173-3 Rev 2 17th Feb 2017
Economic Benefits Statement Draft Report March 2017
Archaeological Desktop Assessment July 16
Air Quality Assessment July 2016
Proposed Site Layout and Levels Sheet 1 of 2 CLXX(11) 1001 P3
Proposed Site Layout and Levels Sheet 2 of 2 CLXX(11) 1002 P3
Arboricultural Impact Appraisal and Method Statement BDWS20345aia-amsA
Rev B
Tree Protection Plan BDWS20345-03
Tree Report (Tree Survey and constraint advice) BDWS20345tr
External Lighting Report
Utility Service Statement 1012052-RPT-00002 Rev B
Minerals Assessment Letter Report 30/01/2017 J11145/DB/c07
Minerals Extraction Constraints Plan
Geophysical Survey Report Dec 11 LP1211L-GSR-v1.2
Updated Preliminary Desk Study & Ground Investigations Letter Report 26th
July 2016 J11145/DB/c06
SGN Tree Planting Guidelines

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the submitted details 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: In the interests of amenity and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

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

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.

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.

- 5 Prior to the commencement of groundworks within areas of the site that are 'brownfield' (previously developed land & land in its immediate vicinity as set out in Geophysical Survey Report Dec 11 LP1211L-GSR-v1.2 and Updated Preliminary Desk Study & Ground Investigations Letter Report 26th July 2016 J11145/DB/c06), an assessment of the nature and extent of contamination associated with previous land use in those areas shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

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

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

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

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

3) A verification plan providing details of the data that will be collected in order

to demonstrate that the works set out in the Remediation Strategy (2) are complete, to include consideration of contingency action. All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future residential occupants.

- 6 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.

- 7 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, 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 2012.

- 8 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 2012.

- 9 Following completion of archaeological fieldwork a report will 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 2012.

- 10 Notwithstanding the submitted plans no above ground development hereby permitted shall be commenced until further details of the soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such

scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, specie sand planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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 2012.

- 11 Notwithstanding the submitted details no above ground development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

- i. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- ii. a method to record the quantity of recovered mineral (re-use on site or off site)

Reason: To encourage the identified opportunity for incidental mineral extraction, prior and as part of the proposed development and having due regard to the Hampshire Minerals and Waste Local Plan 2013 and the National Planning Policy Framework.

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

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

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

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

- 15 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.

- 16 Notwithstanding the submitted details no part of the development shall be first occupied until further details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

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.

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

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

- 18 Before first occupation, post validation testing shall be undertaken by a competent person to determine compliance with the noise impact assessment as provided by 24Acoustic (Technical report: R3173-3Rev2), dated 17 February 2017. Such testing can be achieved using sample dwellings, as per the measurement positions (as based on measurements done in 2012). This must 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.

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.

- 19 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.

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.

Appendices:

- (A) Location Plan
- (B) Layout Plan
- (C) Street Scenes
- (D) Street Scenes
- (E) Street Scenes
- (F) Proposed Signal Junction Arrangement

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Land north of Havant Road and west of Selangor Ave, Emsworth APP/16/00774

Objectors are marked X, Supporters are marked I. Please note not all objectors are listed on this plan

Scale: 1:2500



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Emerald
Plot 142

Woodcroft
Plot 141

Woodcroft
Plot 143

Woodcroft
Plot 144

Milkstone
Plot 128



Emerald
Plot 137

Emerald
Plot 130

Milkstone
Plot 139

Eskdale
Plot 118



Amberham & Milkstone
Plot 111-116

Avelton
Plot 110

Roseberry
Plot 108

Roseberry
Plot 109

Falkstone
Plot 107

Follisane
Plot 106

Eskdale
Plot 105

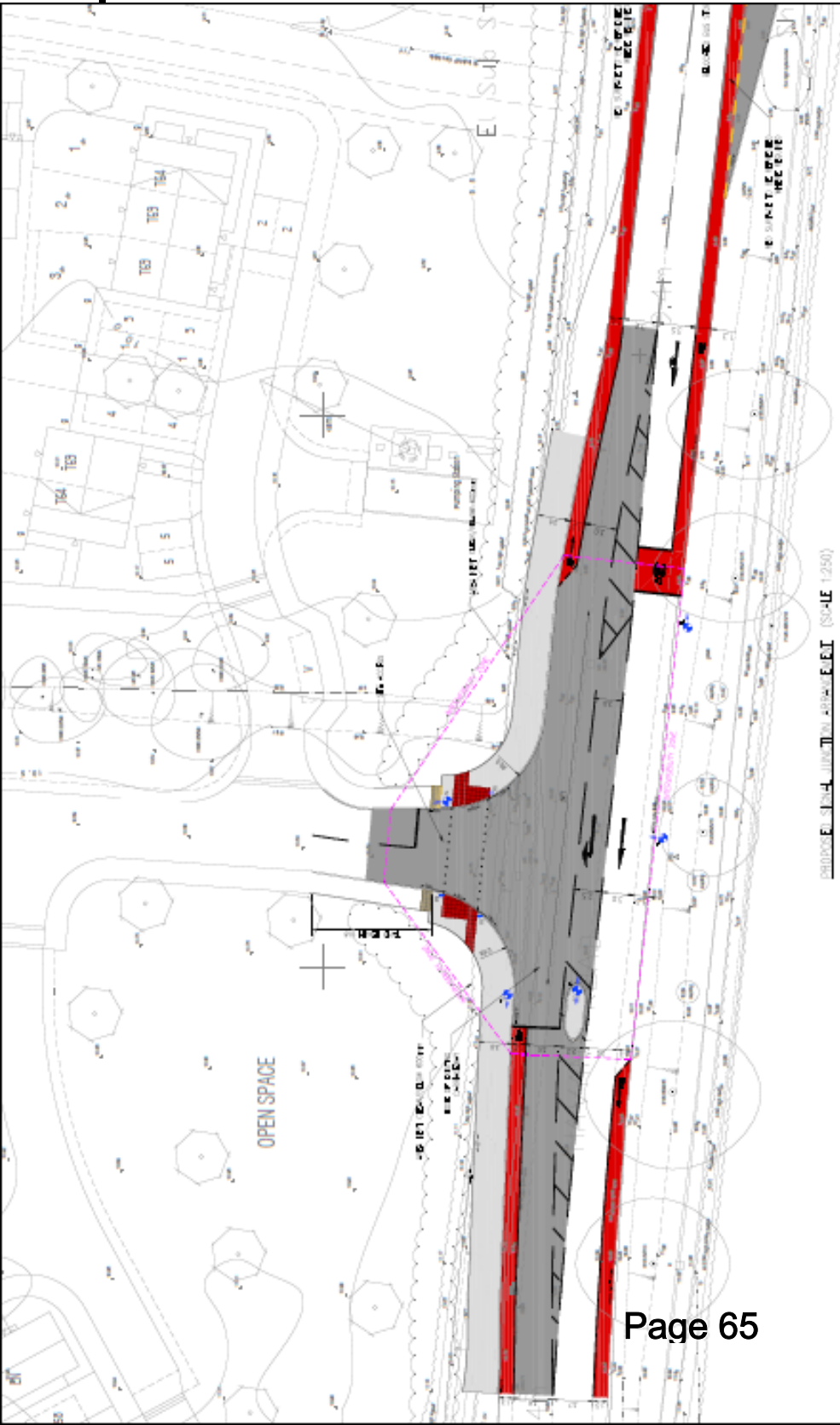
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Information has been provided by the applicant and the Gypsy Liaison Officer that the need for accommodation could not be met elsewhere. If planning permission were to be refused, this may result in eviction from the site, as there are no alternative pitches currently available.

This application has been considered against both the criteria set out in policy CS10 of the Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015 and found to meet the criteria. The Highway Authority has raised no objection to the scheme. Furthermore, the development is not considered to have a significant adverse impact on the amenities of neighbouring properties. In addition, the appropriate financial contribution towards the Solent Recreation Mitigation Partnership has been secured. The development is acknowledged to affect, to some degree, the character and setting of this part of the area in terms of impact on its rural appearance and tranquillity. However it is also acknowledged that whilst this development is in a rural location, this must be balanced against the need for a gypsy and traveller site; the personal circumstances of the applicant's household; and the design, layout and appearance of the development. As such this revised proposal is considered to have addressed the reasons for refusal in the previous application and is recommended for permission.

1 Site Description

- 1.1 The application site comprises an area of land of 0.8ha, lying on the northern side of Long Copse Lane, in the northern part of Emsworth. Long Copse Lane is a road of mixed character - at its western end, where it links with Hollybank Lane, the southern frontage of the road forms part of an established suburban area featuring a mix of dwellings with a density of approximately 18 dwellings per hectare, with open fields to the north. Approximately 300m east of the junction with Hollybank Lane, and beyond the junction with Redlands Lane, the character of the road changes on its southern frontage to feature a row of individual dwellings in larger plots, with a density of approximately 5.6 dwellings per hectare, before this gives way to open fields.
- 1.2 To the north, the land features a number of isolated dwellings and a sequence of stables/paddocks as part of a field system that extends further to the Borough boundary. The Havant Borough Townscape, Landscape and Seascape Character Assessment (Feb 2007) identifies the site as being located within Landscape Character Area 21 '*Southleigh Forest*' which is defined as '*The open area of farmland to the east, consists of medium sized fields of pasture in the north predominantly used for horse grazing with some hedgerow division leading to larger open arable fields to the south.*' The Lane itself eventually leads beyond the Borough boundary into Chichester District, where it meets North Street, part of the settlement of Westbourne. Along its length, footways are generally absent from the Lane, and street lighting is only provided up to the junction with Redlands Lane. The carriageway width in the vicinity of the site is 4.2m - 4.4m; this typical for this part of the Lane.
- 1.3 The application site lies approximately 650m west of the junction of Long Copse Lane with Hollybank Lane, and at this point is beyond the last of the dwellings in Long Copse Lane which lie within the Borough boundary. The site features an existing graveled access off Long Copse Lane at the south western corner of the site, extending to an area of graveled hardstanding within the southern part of the site which leads to a stable block within the south eastern corner of the land. The site is currently occupied by an unauthorised mobile home which is located to the north of the existing stables, and a septic tank has been installed between the mobile home and stable building. The remaining parts of the site are given over to an area of pasture used for horse grazing which is enclosed by post and rail fencing - a belt of well-maintained grass adjoins the pasture on its western and southern sides.

- 1.4 A two-storey dwelling, Hollybank Cottage, adjoins the application site to the west - the western boundary of the site featuring some established hedging and a number of mature Oaks covered by TPO1974. The southern boundary of the site features 1.8m high close boarded fencing on top of a small bank rising up from the carriageway of Long Copse Lane; this bank features some reduced native hedging, with a mature Ash the subject of TPO1974 lying just within the site. The eastern and northern boundaries of the site comprise post and rail fencing as used for the enclosure of the pasture; no natural landscaping is in place.
- 1.5 The site occupies an elevated position relative to the land beyond it to the north, and as such benefits from wide-ranging views to the surrounding landscape and the South Downs National Park beyond.

2 Planning History

- 2.1 10/74070/00- Change of use of land and erection of stable block with tack room, entrance gate, landscaping and associated access/ground works (Part Retrospective). - Permitted 21/07/10
- 2.2 APP/14/00381 -Extension to existing private stable block to provide feed / cart store for continued private use. Refused 04/06/14 on grounds of intensification of leisure development on the site and impact on the rural character of the area; however subsequently allowed on appeal under reference APP/X1735/A/2220161. The Inspector concluded that in summary, although the Council was correct to observe that an equine use does change the character of a rural area, he did not consider that the proposed extension would increase that change from the extent accepted by the Council in its original decision to approve the stables. The proposal would therefore have no adverse effect on the character and appearance of the area and there would be no conflict with Policies CS11 & CS17 of the Core Strategy or with the National Planning Policy Framework 2012. This development has now been implemented.
- 2.3 Representations received in connection with the current planning application have questioned the validity of the permission granted under 10/74070/000 on grounds that the application site as outlined in red on the 10/74070/000 application documentation extended beyond the applicant's ownership to the east; consequently it has been asserted that the development the subject of that permission should not be regarded as lawful as the location of the stable block shown on the application drawings is not as exists on site (it lying some 25m closer to the western boundary of the site with Hollybank Cottage than suggested on the 10/74070/000 application drawings). This matter is considered in further detail in paragraph 7.1 (xiii) - other matters.
- 2.4 An enforcement complaint was received on 23/12/15 - regarding a mobile home being brought onto the site. The matter was investigated and a Planning Contravention Notice (PCN) was served on the owners of the land on 1/2/16 in order to understand the time lines and the use of the mobile home. The information received from the agent addressing the questions raised by the council identified that the mobile home had been bought onto the site on 19/12/15 and that the applicant had no intention of occupying the mobile home (other than as may be necessary for any occasional overnight stay in connection with foaling or equine welfare) until after the determination of the current pending planning application. The agent further advised that there were no cooking facilities in the mobile home; further the touring caravan was just being stored as a chattel and was not occupied. As is identified below, in the interim a planning application was submitted for the Local Planning Authority to consider.
- 2.5 APP/16/00021 - Change of use from private equestrian yard to a mixed use comprising private equestrian yard and two pitch, private gypsy and traveller site (including amenity

block and two touring caravan pitches) - This application was received on 6/1/16 however was not made a valid planning application until 4/3/16 due to the requirement for further information from the applicant. The application was then refused on 29/04/2016 for the following reasons:

1 The application site lies outside of the built up area and its proposed use as a two pitch private gypsy and traveller site with equestrian yard is not considered to represent a form of development which is appropriate in this location having regard to Policy AL2 and the 'Update on Council approach to meeting the accommodation needs of travellers' of the Havant Borough Local Plan (Allocations) 2014, the National Planning Policy Framework 2012 and the Planning Policy for Traveller Sites 2015. Furthermore the form and extent of the development would have a significant and harmful impact upon the character and appearance of the site and the wider landscape, and would thereby conflict with relevant provisions of Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework 2012 and the Planning Policy for Traveller Sites 2015.

2 Notwithstanding Reason 1 above, the use of the site as a two pitch private gypsy and traveller site with equestrian yard is not considered to represent a sustainable or suitable form of development by virtue of the remoteness of the site from local facilities and public transport, and the rural character of Long Copse Lane which has an absence of footways and street lighting in the vicinity of the site. The proposed use thereby conflicts with Policy CS10 of the Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015.

3 Having due regard to the information submitted in respect of the intended occupiers of the site, it is considered that the proposed use of the site as a two pitch private gypsy and traveller site and equestrian yard would involve regular towing of small and large caravans into and out of the site along the narrow Long Copse Lane which would cause further deterioration of its verge edges, surface and foundations and would exacerbate the hazards to other road users. The use is therefore not considered appropriate for this location and would thereby conflict with Policies CS10 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

4 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Partnership, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

- 2.6 An appeal was lodged on 7/11/16 with the Planning Inspectorate, this appeal was placed in abeyance on 1/2/17 pending the outcome of this revised planning application. This current planning application was received by the Local Planning Authority on 28/11/16, however it was not made valid until 23/2/17 due to the requirement for further information. Enforcement action regarding the unauthorised residential use has been placed on hold whilst waiting for the outcome of this planning appeal and this current application. Officers are aware that concerns have been raised by the wider community regarding perceived inaction on enforcement matters, this is considered in paragraph 7.1 (xiii) below.

3 Proposal

- 3.1 This application proposes the change of use from private equestrian yard to a mixed use comprising private equestrian yard and single pitch, private gypsy and traveller site (including amenity block and one touring caravan pitch). This is a revised application from

the previously refused application APP/16/00021; the main changes involve the reduction of number of pitches and reduction in size of the amenity block. The static home forming part of the application, which has already been brought onto the site, has dimensions of 12.1m x 6.1m and lies approximately 3m off the eastern boundary of the site. The static home is 4m in height, sited on raised brick plinths of up to 800mm in height. The proposed amenity block, which is not currently on the site, is proposed to be located to the north of the static home and have a footprint of 5m x 5m with a pitched roof of 3.5m maximum height.

- 3.2 The static home has been provided within a graveled area serving two parking spaces, accessed off the graveled hardstanding serving the existing stable block, and a small area of grassed amenity space. Along the southern boundary of the site, immediately west of the stable block, an enclosed area would be provided to accommodate one touring caravan associated with the occupiers of the static home.
- 3.3 The application was submitted with a Design and Access Statement advising that the applicant and partner are Gypsy and Travellers within the meaning of Government policy in that they are a person of a nomadic habit of life, and is also an ethnic Romany Gypsy; and also a Tree Survey, Arboricultural Impact Assessment and Tree Method Statement. The application is also accompanied by a wide range of information, which was also submitted as part of the appeal documentation, this consists of the following:

- Appendix 1 - 2014 Appeal Decision on this site for application APP/14/00381
- Appendix 2 - Appeal decision for Shirehall Farm, Shirehall Road, Hawley, Kent, for proposed change of use of land to a private gypsy and traveller caravan site comprising one mobile home and one touring caravan
- Appendix 3 - the High Court judgment with regard to the above appeal decision
- Appendix 4 - Revised single pitch site plan
- Appendix 5 - the Officer's delegated report for the previous planning application APP/16/00021
- Appendix 6 - Appeal decision for Land at Tapmoor Road, Moorlinch, Somerset outlining what in this case constitutes a reasonably sustainable location for a Gypsy caravan site
- Appendix 7 - A further appeal decision for Marston View, Marston Bigot, Frome, Somerset, outlining what in this case constitutes a reasonably sustainable location for a Gypsy caravan site
- Appendix 8 - Department for Communities and Local Government - Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers
- Appendix 9 - Appeal decision at Hare Lane, Broadway, Ilminster, Somerset
- Appendix 10 - the Hampshire Traveller Accommodation Assessment (Forest Bus) 2013
- Appendix 11 - Department for Communities and Local Government 2007 Guidance on Gypsy and Traveller Accommodation Needs Assessments
- Appendix 12 - Appeal decision for Land at Marsh Farm, Drove Lane, Earnley, Chichester, West Sussex - September 2016
- Appendix 13 - Letters from local site owners regarding lack of available sites

A Hearing Statement on Highway Issues was also submitted as part of the application in order to respond to reason for refusal 3 of the previous application.

4 Policy Considerations

National Planning Policy Framework (NPPF) 2012

Planning Policy for Traveller Sites (August 2015) (PPTS)

The Government's original PPTS came into effect on the same day as the NPPF and

should be read in conjunction with the NPPF – it was subsequently updated in 2015.

The Government's overarching aim in the above planning policy documents *"...is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community."* To achieve this aim, Local Planning Authorities should make their own assessment of need for such sites within their area for the purposes of planning and *"...should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities."*

The Government guidance provides advice with regard to decision-taking for gypsy and traveller applications. Policy H advises that Local Planning Authorities should consider the following matters in determining applications of this nature:

- The existing level of local provision and need for sites
- The availability (or lack) of alternative accommodation for the applicants
- Other personal circumstances of the applicant
- That applications should be determined for sites for any travellers and not just those with local connections.
- Effective use of previously developed (brownfield), untidy or derelict land.
- Sites are well planned that positively enhance the environment and increase its openness
- Promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children

Havant Borough Local Plan (Core Strategy) March 2011

| | |
|------|---|
| CS10 | (Gypsies, Travellers and Travelling Showpeople) |
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS13 | (Green Infrastructure) |
| CS15 | (Flood and Coastal Erosion) |
| CS16 | (High Quality Design) |
| CS17 | (Concentration and Distribution of Development within the Urban Areas) |
| CS19 | (Effective Provision of Infrastructure) |
| CS20 | (Transport and Access Strategy) |
| CS21 | (Developer Requirements) |
| DM10 | (Pollution) |
| DM11 | (Planning for More Sustainable Travel) |
| DM12 | (Mitigating the Impacts of Travel) |
| DM13 | (Car and Cycle Parking on Residential Development) |
| DM14 | (Car and Cycle Parking on Development (excluding residential)) |
| DM8 | (Conservation, Protection and Enhancement of Existing Natural Features) |

Havant Borough Local Plan (Allocations) July 2014

| | |
|------|---|
| DM17 | (Contaminated Land) |
| AL1 | (Presumption in Favour of Sustainable Development) |
| DM18 | (Protecting New Development from Pollution) |
| DM24 | (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development) |
| AL2 | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |

Local Plan Housing Statement 2016

The Council adopted the Havant Borough Local Plan Housing Statement (LPHS) on 7th December 2016 as the first stage in the development of the Havant Borough Local Plan 2036. This document is a clear position statement as to which sites the Council considers could deliver sustainable development to address the identified housing need up to 2036.

The LPHS has identified a site immediately to the west of the neighbouring property of Hollybank Cottage, and to the north of the site itself, known as site UE76 Land North of Long Copse Lane, which is identified to provide approximately 260 dwellings. The Housing Statement makes clear that development, even on these sites, can only be considered sustainable under the NPPF if it provides the necessary infrastructure alongside new housing to fully mitigate its impact on the infrastructure network. The LPHS relates specifically to sites which are not allocated in the Adopted Local Plan.

The Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation

Assessment 2016-3036 (May 2017)

This Assessment sets out the level of need and requirements for gypsy and traveller pitches in the borough.

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

No Objection subject to conditions to protect the trees which are covered by Tree Preservation Orders

Chichester District Council

Chichester District Council have no objection to the application, but do question whether sufficient information has been submitted to demonstrate the applicant is still a travelling gypsy/traveller as set out in the PPTS. We would also like to advise the following.

Chichester DC would like to advise that we presently have a 7.3 year supply of gypsy and traveller sites and a 7.5 year supply for Travelling Showpeople (note figure accurate at time of consultee response).

We would also like to advise that there is concern from the adjoining Parish of Westbourne about the number of gypsy and travellers in the parish. Whilst it is noted that the application site is not in said Parish, the LPA would like to draw Havant BC to this concern due to the proximity of the site to the parish boundary.

To also note, for your information, there have been recent appeal decisions in the parish of Westbourne, in particular APP/L3815/W/16/3157057 for a single pitch, on Cemetery Lane where there are a large proportion of settled gypsy and travellers. The inspector found that there would be no dominating effect on the existing settled community of Westbourne.

Hampshire County Council - Gypsy Liaison Officer

Officer note: Hampshire County Council's Gypsy and Traveller Service was commissioned by the Local Planning Authority to analyse the planning application and assess whether it demonstrated (a) whether the applicants met the statutory definition of gypsies and travellers; and (b) whether the applicants had a need for accommodation. The Gypsy Liaison Officer's findings are as follows:

1. I am the Gypsy Liaison Officer for Hampshire County Council.
2. I have been asked by Havant Borough Council planning department to establish the Gypsy and Traveller ethnicity and planning status of Mr James Madgwick with regards to the above application.

3. At 09.00 hours on Monday 20th March 2017, I met with Mr James Madgwick (26 years of age) and his father Les (52 years of age) on the land I now know as Stables Adjacent to Hollybank Cottage, LongCopse Lane, Emsworth.
4. I discussed at great length the planning application submitted to Havant Borough Council by James Madgwick this included his family history, movements and cultural heritage.
5. I ascertained that his family roots are in the local area and the Madgwick family is a very strong Portsmouth Gypsy family.
6. James informed me that he had obtained planning permission for the on site stables a few years ago and more recently planning permission for a tack storage shed. He is living on the site with his partner Pasha Green (22 years of age) she is herself of Gypsy ethnicity and is pregnant, with the baby due in September 2017. They have been living on the site for about 12 months and hence the planning application for accommodation on the site.
7. I was advised that they had contacted numerous sites and local authorities in the south east to enquire about waiting lists and the availability of pitches. Currently there are no vacant pitches, have not been for some time and all sites have long waiting lists which will take years to work through for a pitch to become available. As a result it was decided that their own land was preferable to the side of the road.
8. Les Madgwick informed me that some years ago he and his family had visited and stayed with relatives on the former Hampshire County Council site at Bury Brickfields and having spoken to the former site manager I am able to confirm their visits to the site. It should be added that this particular site in the New Forest is particularly horse and pony orientated with most of the residents owning livestock and the connection with the Madgwick family as horse traders is very pertinent. In addition; as the site has planning permission is for Gypsy and Traveller residence and site licence conditions are only for that community, it goes without saying that only members of the Gypsy Traveller community reside on and visit the site.
9. Whilst talking to the Madgwicks I looked at many photographs indicating a Gypsy and Traveller horse trading lifestyle and also viewed historic film footage showing Mr Les Madgwick attending Appleby horse fair years ago with his family and living the traditional lifestyle in caravans and trailers. I discussed at length family and friends namely the Smiths, Wickens, Green and Ruston families and from personal experience I can say that I have had dealings historically with all of these families and have verified their Gypsy and Traveller ethnicity.
10. Since this meeting I have made enquires of the Traveller Liaison Officer in West Sussex who can confirm that the families listed above including the Madgwick family are well know in the West Sussex area and across the south east of the country as being of the Gypsy and Traveller community.
11. From the verbal and photographic evidence produced to support his way of life and from my experience with the Gypsy and Traveller community in general, their lifestyle and my personal knowledge of the Madgwick family, I am of the considered opinion that there is no doubt the applicant is of Gypsy ethnicity.
12. The site is approximately one acre in size, in a rural location and has been owned by the applicant for about the last eight years. The Madgwick family are

predominantly horse dealers as was evidenced by the stables on site being fully occupied. I established that the family have historically and still do visit most of the horse fairs in the country through out the year, not just as a family holiday but to conduct business buying and selling horses and ponies together with tack and equipment.

13. I asked where they stayed when travelling and did they have any documents to prove where they had travelled to and was informed that when travelling they stayed with friends and relatives on private land. However, historically they would have stayed at the side of the road but in keeping and in common with this community the retention of any records and official notices to quit is not very common.
14. I asked if it was possible to obtain written letters to prove where they had been and who they had stayed with over the years and was informed that this could be done if required.
15. Like most families of the Gypsy and Travelling community in this day and age they live in mobile homes when on their own land and take a mobile tourer (caravan) with them to live in whilst they are away on business and / or holidays.
16. I spoke to Mr Madgwick about any problems encountered when using the local lanes with horse boxes and large caravans. He informed me that businesses in the local area have used horse boxes for years and local residents have caravans sited on their driveways and it is not a problem for them driving up and down the lane when going away on holiday.
17. I enquired about local facilities in the area which would allow easy access for shops, schools and medical facilities and I was informed that the Gypsy and Traveller community are well used to travelling for the purposes of accessing facilities and in any case all they currently required was within a short distance of the site in question.
18. I was informed that during his life the applicant together with his family has travelled the Country widely for business / economic purposes and he is still away working for at least 3 to 4 months of the year. His home base would not solely be used as a place to commute to work and return home daily but would be somewhere for his family to establish a settled lifestyle whilst he is away as opposed to living at the side of the road due to the lack of local, regional and national pitch and transit site availability.
19. As reported earlier, Mr Madgwick's partner is due to give birth later this year and the requirement for permanent accommodation to facilitate a settled life style, access to doctors and midwife services and eventually schooling is of paramount importance in his life.
20. I am not by any means and do not profess to be an expert in planning and case law but I do have a limited knowledge of these matters and also practical expertise attained having dealt with matters and issues relating to the Gypsy and Traveller community over the last fifteen years.
21. During my visit I did inform the applicant that any evidence he could produce to prove a travelling lifestyle and if possible to show for economic purpose would be beneficial to his application. I advised that the planning officer having site of these documents prior to any planning meeting would be beneficial and suggested that his planning agent Mr Rowe or Dr Murdoch could facilitate this

for them.

22. The applicant has a cultural lifestyle of living in a traditional caravan and a history of travelling for economic purpose but would like to settle down for the stability, health and future education of his family. I conclude that after consideration of all the facts, my balanced view is that Mr James Madgwick is of Gypsy and Traveller status as required for planning purposes.

Further interviews were undertaken by the Gypsy Liaison Officer at the request of the Local Planning Authority, to clarify and explore further matters with the following response:

1. I am the Gypsy Liaison Officer for Hampshire County Council.
2. Further to the report I submitted on Friday 24th March 2017 I have been asked by Havant Borough Council planning department to enquire further with the applicant with regards to some specific questions which for the sake of regularity I have replicated as follows:

A. Why have they decided to settle in Havant and not Portsmouth or New Forest, which is where it appears they have strong links?

B. Do they own any other land that they could move onto? Where would they live if they did not own this land? (by the side of the road?)

C. What is the relationship with the address in Portsmouth? Do they own it etc?

D. Also I note in paragraph 22 of your report that the applicant would like to settle down for stability, health and future education of his family. Is he therefore looking for a permanent planning consent rather than a temporary permission?

3. At 14.50 hours on Wednesday 5th April 2017, I returned to the site I now know as Southdown View, Stables Adjacent to Hollybank Cottage, Long Copse Lane, Emsworth PO10 7UR where I spoke to the applicant Mr James Madgwick and his father Les.
4. I then put the above questions to the applicant and his answers were as follows.

In answer to question A: The applicant stated that whilst he has relatives and friends in the Portsmouth and New Forest area, the simple fact is that within a 2 to 4 mile radius of the land in question there are numerous family members, relatives and friends who would be able to assist his partner with livestock left in the stables and also ensure she felt safe when he is away at horse fairs and working. Also with the birth of the baby due in September there would be family around to ensure the safety and security of his partner whilst he was away.

In answer to question B: The applicant stated that he does not own any other land and if the current application fails then he will have to resort to living at the side of the road because there is no other suitable accommodation available in the local area.

In answer to question C: The applicant stated that his father, Les Madgwick owns and lives in a bricks and mortar property in the Portsmouth area together with his wife and two daughters. The house is a three bedroom property therefore does not have any spare capacity and in any case the applicant being of Gypsy ethnicity wishes to retain his cultural tradition of living in a caravan / mobile home accommodation.

In answer to question D: The applicant stated that he is making an application for permanent permission to reside on the land in question.

5. In view of the above answers it is my considered view that the applicant in this matter is in need of permanent accommodation in the light of personal changes, most particularly his partner's pregnancy. If the planning application for the land in question is refused then the applicant and his partner will almost certainly have to resort to living at the side of the road with all the issues and insecurity inherent in that lifestyle.
6. In conclusion, based on the evidence that has been collected and the applicant's need for permanent accommodation it is now my considered view that, given the evidence of local family connections and support network for the applicant and his family, the Planning officer and the Planning committee of Havant Borough Council, should be able to consider and take account of these local connections, the ethnicity and the personal circumstances of the applicant in deciding the application to establish permanent accommodation within the Borough.

The Local Planning Authority then requested that the Gypsy Liaison Officer investigate the submission from the applicants that there are no other suitable sites available for alternative accommodation in the surrounding area. The following response was received:

I have made enquiries of staff now employed to manage the two ex Hampshire County Council sites in the south of the county one of which is the Bury Brickfields site in the New Forest area and currently there are no vacant pitches and there are at least 12 people on the waiting lists for each site - some of whom have already paid their deposits.

I have spoken to the company who now manage all the sites in the West Sussex area and they advise that they likewise have no vacant pitches and have sixty (60) applicants on their waiting lists for the sites concerned.

Development Engineer - Highways

The Highway Authority advice is that this application cannot be refused on highway grounds because the cumulative harm on the highway network can not be identified. as required by National Planning Policy Framework (NPPF) Guidance.

Environmental Health

I have reviewed the revised application documents, and I note that matters raised in respect of drainage & water supply have not been addressed. There would appear to be no material change to the proposals as regards matters concerning Environmental Health, and as such all comments made previously under APP/16/00021 are considered to remain relevant.

For convenience, I have reproduced those comments below:

Brownfield Land / Contamination

The design & access statement refers to the extension of the stable block granted on appeal in 2014 as being a qualifying factor for the site to be regarded as 'previously developed land'. This is linked to paragraph 24 (sic, para. 26) of the PPTS, which refers to the obligation for the LPA to attach additional "...weight to the effective use of previously developed (brownfield), untidy or derelict land"

The equivalent paragraph from the NPPF (17, Core principles) uses very similar

wording but includes the word 're-using'. I would interpret both provisions to relate to the re-use of land which would normally be land that is not currently in productive, useful or relevant use (with respect to it's current planning status) or is unviable / under-used with respect to it's current permitted use class. It is relevant that the implementation of the planning consent for extension of the stables (presumably required at the time & for the foreseeable future) is recent, and I note that the current application does not seek to redevelop the stables (indeed it indicates that they are very much in current use).

As regards the curtilage of the 'previously developed land', it does not necessarily follow that the field / paddock should be regarded as curtilage to the stables; this may depend upon it's planning status &/or details of relevant land transactions.

Whilst I have no objection to this application in principle, I would consider that no additional weight should be attached to these proposals on the basis of the land being previously developed / brownfield.

As regards contamination - the site has been marked as greenfield land on mapping back to the earliest available issue (1867). The land use proposed is equivalent in terms of sensitivity to a residential development with private garden area(s), with the only difference being the standards of construction & structural ventilation provisions.

The risk of a significant contamination source being present at this site is relatively low, but is not negligible. Agricultural land can be affected by contamination through import of construction & demolition wastes for stabilising access tracks (etc.), informal storage of agricultural vehicles & machinery, and informal disposal of waste by burning or burial (whether by landowner, or others by means of fly-tipping). Desk-based sources of information are rarely informative with respect to these types of issues.

Sensitivity of the proposed land use with respect to exposure is relatively high, as stated above; but overall risks are arguably mitigated by;

i. pitch siting (plot[s] are) is central to the original field boundary, and disjoint from recent boundaries); not in a position likely to have been a former farm track where a degree of contamination might be expected.

ii. the dwelling[s] being mobile - not requiring foundations or contiguous direct ground bearing, and likely to be naturally under-ventilated (removing vapour / gas indoor exposure pathways)

The contamination risks are considered to be sufficiently low as to be reasonably comfortable with no requirement for intrusive site investigation to be required by condition on any approval granted.

The proposals do however require some limited groundwork's, so there remains the possibility that waste materials or other evidence of contamination could be identified in the course of implementation. If development control are minded to grant consent, I would request that the following informative be included on the decision notice:

"It is the responsibility of the developer to ensure development, upon completion, is safe & suitable for its consented future use. Contamination could potentially be present at the site that may be identified during the course of development. In the event that any discoloured soils or groundwater, oily sheens, foul or solvent odours, or deposits / inclusions comprising obvious waste materials be encountered during groundwork, or if groundwork staff report acute symptoms (skin, eye or respiratory); works in that area of the site should cease until an appropriate assessment of the nature and extent of the suspected contamination has been undertaken. The local planning authority should be notified of the nature of the contamination, and how that contamination is to be dealt with"

Services (Drainage / Sewerage)

The application details states that it is intended to dispose of foul sewage by means of a new cess-pit, and surface water by means of soakaway.

Soil succession in this area is topsoil over London Clay, meaning that soakaway is unlikely to be viable. Similarly, this could hamper the installation of leach-field disposal for the proposed cess pit, as viable installation depth may be very limited, and could be at risk of damage (e.g. by weight of horses &/or vehicles) if installed (unprotected) at very shallow depth in the paddock area.

I note that the tree location plan appears to show drainage pipework connecting the utility block & both static caravans to a chamber located to East of the site access, in turn just 22m east of the mapped position of the public foul sewer system. This pipework is marked in blue, suggesting that it is for surface water. However, the connections & destination shown would indicate that the pipes are likely to represent foul water. In either case, the pipework shown is inconsistent with the stated intention to utilise local disposal methods for surface & wastewater.

Disposal of surface water to a foul system should not be permitted, and disposal of foul to the public system will require consent of the local sewage undertaker. Given this lack of clarity, I would suggest that the means of disposal of both surface & foul water be confirmed by condition;

Construction of the development shall not commence until details of the proposed means of disposal of both foul and surface water sewerage have been submitted to, and approved in writing by, the Local Planning Authority. Submitted details shall demonstrate feasibility of any proposed local disposal methods, and the agreement of Southern Water in respect of any proposed connections to public sewage systems.

Reason: *To ensure appropriate means of wastewater management for the prevention of pollution, the mitigation of health risks to occupants of- & visitors to- the site, and to ensure that the site does not contribute either to downstream flooding or pollution.*

Services (Potable Water / Heat)

With reference to the DCLG good practice guide, I note that para. 5.2 requires a separately metered drinking water supply for each pitch, with meters provided within amenity buildings.

In addition, 7.17 states that (among other things) the amenity building at a minimum must include both a hot & cold water supply. The plans & statements make no mention of the source of the water supply or its adequacy for drinking water. Similarly, the application documents don't make any reference to the provision of hot water, the position of a boiler, or the means of fuelling a water heater. It is implicit, but not confirmed that an electricity supply will be provided to each plot - and in respect of water heating it may be as simple as an electric boiler over / under the kitchen sink to provide hot water. My principle concern here is the potable supply. I would prefer to avoid the creation of our first Regulation 8 re-supply - and would like to make sure that the potable supply to the site will be metered, and that the site owner will be a customer of Portsmouth Water, and not a third party re-selling the water supply. Water supplies should either be metered with both plots separately constituting direct customers of Portsmouth Water, or the site should be supplied as a single customer (i.e. supply shared between plots, with no additional re-charging between a primary customer & a subordinate plot).

Landscape Team

The application is deemed contrary to Policy CS11.1 because the proposals do not accord with the landscape character of the open countryside between Emsworth and Westbourne. Furthermore, Policy CS11.9 requires that development should maintain the gap between Emsworth and Westbourne.

The application site is located within Landscape Character Area 21 '*Southleigh Forest*' from the Havant Borough Townscape, Landscape and Seascape Character Assessment (Feb 2007). The landscape is identified as '*The open area of farmland to the east, consists of medium sized fields of pasture in the north predominantly used for horse grazing with some hedgerow division leading to larger open arable fields to the south.*'

In terms of openness / enclosure, prominence and visibility, there is particular reference to '*Views from the road out towards Westbourne across the open agricultural plain*'. Furthermore, the '*Encroachment of urban character into adjacent rural areas*' is regarded a key local issue for this landscape character area.

Despite the 1.8m height close board fencing installed along part of the Long Copse Lane, open views exist from public highway northwards to Ancient Woodland associated with Southleigh Forest, north-eastwards to Monks Farm (Listed Building) and beyond to the South Downs National Park.

If views are available beyond the site boundary, there is reasonable potential for the proposed application to have visual impact when viewed from surrounding landscape north and north-east of the site. White / light coloured caravans are visually prominent and may impact upon mid distance views from Westbourne Lane. Longer distance views may also be afforded from the South Downs National Park. Whilst screen planting would seem an appropriate means of mitigation – this would be at the expense of long reaching views mentioned above that are deemed an inherent part of the local visual amenity enjoyed by those travelling along Long Copse Lane.

Recommended landscape strategy for LCA 21 is to conserve and enhance the local character and avoid urbanising trends. Previous applications for the site afford consent for horse grazing pasture, timber stable / store and an associated access track without any stated provision for vehicle parking. The proposed application will unacceptably increase the building footprint area, which combined with additional vehicle parking, close board fencing and lighting columns are deemed inappropriate to the distinctly rural character.

From a landscape management perspective, I am further concerned the application proposals will cause over-intensification of the site to the detriment of landscape quality. The local soils are known to be slowly permeable, seasonally wet and vulnerable to over-compaction, which are not deemed appropriate for soak away drainage.

Planning Policy

The site lies on the north side of Long Copse Lane along which are a number of individual dwellings on large plots together with open fields generally in equestrian use for grazing. The site lies outside of and is not adjacent to the existing settlement boundary area; instead it is adjacent to a single dwelling and otherwise surrounded by open fields to the north and east with the large area of public open space (protected under Policy AL8 as a designated Local Green Space) associated with the Hampshire Farm development lying to the south. The existing built form (stable block) and permitted use of the site which includes a private stable block with tack room, feed and cart store is complementary to the rural surroundings of the site. This section of Long Copse Lane is rural in character, narrow, lacking pavements and street lighting.

As the site is not within the existing urban area boundary it is therefore in the area covered by Policy AL2 where new residential development should normally be restricted. The site is currently isolated from the nearby communities of Emsworth and Westbourne (in Chichester District), lying in the countryside area between these two settlements. The NPPF confirms that LPAs should avoid new isolated homes in the

countryside unless there are special circumstances.

The 'Planning Policy for Traveller Sites' (DCLG, August 2015) (PPTS) in paragraph 25 confirms that LPAs should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However it must be recognised that the Local Plan Housing Statement (adopted in December 2016) proposes an area of development (site UE76) to the north of Long Copse Lane that will extend the settlement of Emsworth to the north and east towards the application site. Policy comments on the previous application APP/16/00021 (for two mobile homes, caravans and amenity blocks) indicated that there is a difference in whether a proposed site is in open countryside as opposed to being immediately adjacent to the existing built-up/urban area in terms of the impact and extent to which it is contrary to policy. The development proposed in the Local Plan Housing Statement will take some time to bring forward, the Local Plan Housing Statement itself is not part of the Development Plan albeit it is a material consideration in the determination of the application and there are uncertainties as to how it will affect Long Copse Lane for means of access. Nevertheless, the development would reduce the openness of the countryside around the application site.

The PPTS expects that local planning authorities when carrying out their plan making duties will set pitch targets for gypsies and travellers which address the likely permanent and transit accommodation needs in their area. As the evidence indicated at that time, based on the Travellers Accommodation Assessment for Hampshire 2013 which showed zero need in Havant Borough for gypsies and travellers, no site allocations specifically for gypsies or travellers were made in the Council's adopted Local Plan (Allocations) 2014.

Since that time, with the change in the definition of gypsies and travellers made by the PPTS 2015 and the need to update the evidence base for the Havant Borough Local Plan 2036, a revised accommodation assessment has been commissioned jointly with a number of other Hampshire local planning authorities. The Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2016-3036 (May 2017) for Havant Borough references an interview conducted in March 2017 which identified that the household living on the site do meet the planning definitions. It also identified that the household has links to the area and has no alternative accommodation. The outcome of this is there is a need for 1 pitch as a result of the occupied pitch being unauthorised. The reason for this is explained in the methodology (Chapter 3) and reporting of the study results on current and future pitch provision (Chapter 7), paragraphs as follows:

Paragraph 3.34 Components of current accommodation need include "households on unauthorised developments for which planning permission is not expected".

Paragraph 7.16 'Only those households that meet the definition (i.e. in that they were able to provide information during the household interview that they travel for work purposes, and stay away from their usual place of residence when doing so – or that they have ceased to travel temporarily due to education, ill health or old age) form the components of need' based on responses to interviews.

The PPTS requires that local planning authorities "identify and update annually, a supply of specific deliverable sites against their locally set targets". While the policy approach through the adopted Local Plan has previously been sound and justified with no allocation, the position has changed following the publication of the 2017 GTAA, i.e. that there is now a need to be addressed which represents a local 'target'. While this could be carried out through the Local Plan process, given the need to determine the current application, with an appeal on hold pending this determination, and the timetable for the preparation Local Plan 2036, it could be considered that this application meets the need, subject to all other policy requirements including access and impact on the landscape being met.

The PPTS also sets out matters to be taken into account when considering planning applications for gypsy and traveller sites. These include (in paragraph 24):

- a) The existing level of local provision and need for sites,
- b) The availability (or lack) of alternative accommodation for the applicants,
- c) Other personal circumstances of the applicant.

Information has been provided that the need could not be met elsewhere; in particular, although having family connections in neighbouring areas in Portsmouth and in adjacent Westbourne there is no space available to accommodate the applicant and his household. Based on interviews undertaken by the Gypsy Liaison Officer for Hampshire County Council the ethnicity and planning status of the applicant has been established as meeting the definition of 'gypsies and travellers' as set out in Annex 1 of PPTS. Local Plan (Core Strategy) Policy CS10 is therefore of particular relevance to this application.

Policy CS10 includes criteria for the location of gypsy and traveller sites. These considerations include:

- no unacceptable adverse effect on the amenities of nearby residential and/or business uses;
- satisfactory means of access;
- adequate parking provision and turning space within the site;
- traffic generated being on a scale that is not inappropriate to the locality and not likely to cause a hazard to road safety;
- access to utilities and capable of being served by refuse and recycling collection services;
- reasonable distance from local facilities such as schools, welfare and health services;
- not in an area at high risk of flooding;
- not damage the historic environment or nature conservation interests; and
- suitable mitigation against contamination prior to occupation.

The layout plan shows the proposed pitch, to include a mobile home, touring caravan parking space, vehicle parking spaces and a utility building, is to be sited on the part of the site that is furthest from the closest residential neighbour. It is noted that the plans submitted with the application include the mobile home (already on site) although this is not specifically included in the description of the development being applied for.

Transport and highways consultee(s) will provide advice concerning the access and traffic implications although the existing approved use of the site would already require vehicle movements at least twice a day to care for the horses and would include regular movements of a lorry or car and horse trailer to transport horses to fairs and other events, stable bedding (clean bedding to the site and removal of muck heap from site), hay and feed, etc. Parking space and hardstanding on site appears sufficient to meet requirements although the horse trailer and caravan were seen to be parked on the side of the site closest to the neighbouring property (rather than as indicated on the layout plan) during a site visit.

Utility companies and environmental health consultees will advise on the location and connection to services and disposal of waste, requirements for cess pit etc. There should already be a connection to water supply for the horses unless brought onto site in a tanker however Portsmouth Water usually requires new dwellings to be metered. There may also be electricity connection already on site unless a generator is being used to light the stables and yard area; which may cause noise disturbance to neighbouring residents and should also avoid light pollution.

The NPPF expects development to be located where practical to give priority to pedestrian and cycle movements and to have access to high quality public transport

facilities. This is reflected in Policy CS20. Ensuring that the site is a 'reasonable distance' from local facilities, as required by Policy CS10, presents some difficulty given that Long Copse Lane is narrow with no footways or street lighting. What is a reasonable distance is not defined however pedestrian safety is of concern in any case. In assessing the accessibility of development sites to facilities Hampshire County Council uses a walking distance of no more than 800m to schools, and although 800m to the nearest bus stop is regarded as adequate a distance of 400m to a bus stop is normally considered as providing for ease of use. The nearest local shop and bus stop is located at Westbourne to the east but gaining access on foot to either Westbourne or Emsworth facilities requires a potentially unsafe walk, even with the use of the unmade Redlands Lane; and in all probability an unsustainable car journey instead.

The site is not in an area at high risk of flooding, or within a conservation area or adjacent to a listed building. The nearest listed building lies at some distance to the north west of the site, beyond the area that is identified for new housing development on the Local Plan Housing Statement. Regarding nature conservation interests, neither the site itself nor the adjoining land is subject to any ecological designation although the small paddock diagonally across the road to the south-west is designated a Site of Importance for Nature Conservation.

Policy CS11 seeks to ensure that the key landscape principles of the Borough's Landscape Assessment are protected and enhanced. The Council's Landscape advisor should be able to comment on the extent to which the application proposal affects this in the light of the development proposed in the Local Plan Housing Statement. Clearly the existence of the mobile home and associated activities such as washing hanging to dry introduces a domestic appearance to the site. Some activities such as the burning of rubbish could be conditioned to avoid nuisance to neighbours.

Policy DM8 refers to on-site landscape proposals, in particular, 'new landscape works that integrate successfully with the local environment and existing natural features, using local materials and plant species'.

The PPTS in paragraph 26(b) refers sites being 'well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness'. And (d) 'not enclosing a site with so much hard landscaping, high walls or fences, ...' The appearance of the site has already been changed by boundary treatments some of which may be viewed as neatening the appearance, for example the use of post and rail fencing around the grazing areas when compared with wire and electric fencing to some pony paddocks in the vicinity. Close boarded fences along the boundary to the road could be softened with natural hedge planting.

Previous policy comments also expressed concerns regarding touring caravans and how these can be conditioned or restricted so that they don't become further residential use. If planning permission is to be granted then a personal condition relating to the applicant could be used to ensure that consent and use is for a single pitch for his own household only. This would be appropriate as the need is based on the applicant's personal circumstances (including partner and impending family). Such an occupancy condition would, however, need to be monitored and enforced if necessary.

A mitigation package will be required in accordance with Policy DM24 Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development.

Finally on the subject of the proposals resulting in the loss of grazing land associated with the currently permitted use of the site, the British Horse Society publishes advice on the appropriate area of pasture needed per horse. For permanent grazing (where horses/ponies live out 24/7) 1-1.5 acres per individual is the norm, providing good pasture management is employed. However when horses/ponies are stabled for part of

the day 1 acre per individual may be adequate and for some individuals (such as native ponies and cobs) ¼-½ acre may be appropriate to avoid obesity and debilitating or life threatening metabolic disorders such as laminitis.

Conclusion

- The application site lies outside of the Emsworth urban area boundary, in the countryside area between exiting development and Westbourne, and the proposal does not meet the terms within Policy AL2 where permission will be granted.
- While the application proposes a new dwelling outside the current settlement boundary in the countryside, which is contrary to the NPPF (paragraph 55) and Local Plan (Allocations) Policy AL2, the adoption of the Local Plan Housing Statement in December 2016 and the proposal to accommodate some 260 new dwellings on Land North of Long Copse Lane is material to the current application.
- Advice from the HCC Gypsy Liaison Officer indicates that the applicant meets the PPTS planning policy definition of 'gypsies and travellers'.
- The Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2016-3036 (May 2017) demonstrates a need for one pitch for Gypsies and Travellers in the borough which this proposal can meet, subject to details being acceptable and/or capable of being conditioned..
- Information has been provided that the need could not be met elsewhere, in particular although having family connections in neighbouring areas in Portsmouth and in adjacent Westbourne (West Sussex) there is no space available to accommodate the applicant and his household.
- The proposal does not constitute sustainable development due to its distance from local facilities and public transport. This is exacerbated by the lack of pavement and street lighting along Long Copse Lane.
- The existing boundary treatments adjoining the road could be softened by planting with native species.
- An SPA mitigation package would be needed.

6 **Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 3

Number of site notices: 1

Statutory advertisement: 10/03/2017

Objections: 67, including Emsworth Residents Association and Westbourne Parish Council

Summary of planning issues raised (with officer comments where issues are not addressed in Section 7 below):

- 6.1 Local Plan documents state that there is no assessed need for gypsy and traveller sites to come forward in the period up to 2027 and no explanation has been provided as to why the site should come forward.
- 6.2 The development will introduce an alien form of structures onto the site, visible from the nearby vicinity and wider viewpoints. It would be a further encroachment into the gap

between Emsworth and Westbourne and be detrimental to the rural nature of Long Copse Lane.

- 6.3 The Allocations Plan defines the area within which the site lies as being an undeveloped gap - the proposed development does not accord with the exceptions allowed for under planning policy for development within such locations, and no justification has been provided.
- 6.4 The noise nuisance experienced by the immediate neighbours to the site from the current use of the site will be exacerbated and affect other users of the Lane and other land in the vicinity; both as a result of more intensive occupation and the increased amount of traffic visiting the site.
- 6.5 The adjacent residential property would be subject to a degree of overlooking and loss of amenity as a result of the development.
- 6.6 A grant of planning permission would result in an unjustified interference with the human rights of the occupiers of the adjacent residential property.
- 6.7 The availability of facilities in Westbourne relies on access from Long Copse Lane which is narrow and without pavements - as such the development will increase reliance on the private car which is contrary to the National Planning Policy Framework and the criteria of Policy CS10 of the Core Strategy.
- 6.8 The existing use of the site should not be regarded as a 'brownfield site' or 'previously developed land' due to the location of the stable buildings being significantly at variance from the plans approved under 10/74070/000 and APP/14/00381. Furthermore it should not be assumed that the whole of the site constitutes a curtilage suitable for development.
- 6.9 The loss of further pasture land will adversely affect equine welfare on the site.
Officer comment: *The availability of pasture land was discussed in the APP/14/00381 appeal, with the Inspector reporting " I am also satisfied with the explanation of the relatively high horse density on the site compared with the guidance of the British Horse Association, which essentially is one of the horses living mainly in the stables rather than permanently outside".*
- 6.10 The application shows no indication of how the development has taken account of the land on the opposite side of Long Copse Lane, which is designated as a Site of Importance for Nature Conservation (SINC).
Officer comment: *The SINC has been designated on the basis of the land comprising "Semi-improved grasslands which retain a significant element of unimproved grassland" - this status is not considered to be prejudiced by the proposals the subject of this application, as they are wholly contained within the application site which lies on the other side of Long Copse Lane.*
- 6.11 As a residential development in open countryside the proposal fails to meet the test of the meaning of sustainable development.
- 6.12 Long Copse Lane is not a suitable location to accommodate the type and volume of traffic associated with the use, which includes large caravans and associated vehicles for towing. With no pavements in place the use will pose a danger to pedestrians and other road users - including horse riders and cyclists - as well as damaging the road and verges/ditches.
- 6.13 There are already a number of gypsy/traveller sites within the Westbourne area - further provision in the area would dominate the existing settled community leading to social tensions. It is not clear whether there is a need for further pitches - if so, these other

sites might be capable of expansion.

- 6.14 The site will cause severe environmental damage to an area of outstanding natural beauty on the edge of South Downs National Park (SDNP), and will involve the loss of wildlife habitat.

Officer comment: *The site does not lie within an AONB or the SDNP; the land principally the subject of the application is an intensively used paddock area and is not considered to involve the loss of wildlife habitat.*

- 6.15 Insufficient infrastructure (both physical and social) is in place to support the site.

- 6.16 Concern regarding generation and disposal of waste from the site.

- 6.17 Concern regarding management of the site.

Officer comment: *Further information supplied by the applicant's agent indicates that the proposed accommodation is expressly for James Madgwick and Pasha Green.*

- 6.18 Application may set precedent for further caravans to be proposed for the site.

Officer comment: *The current application is for one pitch only; any further pitches would require a separate planning permission.*

- 6.19 Proposals to deal with waste water and surface water run off are inadequate - risks of flooding of Long Copse Lane and contamination.

Officer comment: *Foul and surface water arrangements could be reserved by condition for further analysis. The site is also not in a high risk flood zone.*

- 6.20 An existing mobile home has already been placed on the land without permission, and a replacement hedge has not yet been provided.

- 6.21 Approval of this application to extend the use of the site should not be countenanced when there is doubt over the lawfulness of the current uses and buildings on the site.

- 6.22 Character of buildings proposed is out of keeping with the majority of existing properties in Long Copse Lane.

- 6.23 The site is located within the 'zone of influence' of the Chichester and Langstone Harbours SPA where it has been identified that any net increase in residential development results in significant harm to the SPA due to increased recreational disturbance. The applicant has not made sufficient mitigation against such an impact.

Officer comment: *See Section 7(xi) below.*

- 6.24 Traveller status of applicants disputed.

Officer comment: *See Section 7(i) below*

- 6.25 The number of vehicles proposed to be associated with the development appears excessive when compared to normal parking standards.

7 Planning Considerations

- 7.1 In weighing the planning considerations arising from the proposal, 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 - including whether the resident of the site is a gypsy for the purposes of planning policy
- (ii) What is the existing level of local provision for Gypsies and travellers and the

- identified need for permanent sites
 - (iii) Whether there is alternative accommodation available
 - (iv) The personal circumstances of the applicant but not whether they have local connections
 - (v) Whether this is an effective use of previously developed (brownfield), untidy or derelict land
 - (vi) Whether the site is suitable for the proposed use by virtue of any previous contamination
 - (vii) Impact upon the character and appearance of the area
 - (viii) Sustainability
 - (ix) Impact upon residential amenity
 - (x) Highway considerations
 - (xi) Ecological considerations
 - (xii) Drainage
 - (xiii) Other matters
 - (xiv) Human rights
- (i) Principle of development - including whether the resident of the site is a gypsy for the purposes of planning policy

- 7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan (the Core Strategy and the Allocations Plan), unless material considerations indicate otherwise. The application site lies outside of the built-up area as defined by the Allocations Plan, and as such is in an area where new development would normally be restricted in line with the criteria of Policy AL2. The site is currently isolated from the nearby communities of Emsworth and Westbourne (in Chichester District), lying in the area between these two settlements. The NPPF confirms that Local Planning Authorities (LPA's) should avoid new isolated homes in the countryside unless there are special circumstances; these are considered in detail below.
- 7.3 'Gypsies and travellers' are defined in Annex 1 Planning Policy for Traveller Sites (PPTS). This sets out that the question to be asked when considering the 'nomadic habit of life' is not one of ethnicity but the activity of the persons claiming to be gypsies. It does not suffice to merely prove that a person is of gypsy stock; they must retain the nomadic habit of life; unless that person has ceased to travel for any of the reasons set out in Annex 1 of the PPTS.
- 7.4 The applicant has submitted with the application details of their personal circumstances and details of their gypsy/traveller status together with independent documentary evidence of the families travelling for work. The Gypsy Liaison Officer (GLO) has examined this information and interviewed the owners and occupiers of the caravans. The information included that during his life the applicant, together with his family, has travelled widely for business / economic purposes. Evidence was also shown through historic film footage showing Mr Les Madgwick, who is the applicants father, attending Appleby horse fair years ago with the wider family, this film footage showed the applicant living the traditional lifestyle in caravans and trailers. The applicant has advised that they still work away from home for at least 3 to 4 months of the year, with the work comprising a Gypsy and Traveller horse trading lifestyle.
- 7.5 Further investigations by the GLO included making enquiries of the Traveller Liaison Officer in West Sussex who confirmed that the Madgwick family are well known in the West Sussex area and across the south east of the country as being of the Gypsy and Traveller community. The applicant also advised that the proposed (currently unauthorised) site is his home base, which would not solely be used as a place to commute to work and return home daily, but would be somewhere for his family to establish a settled lifestyle, whilst he is away. The applicant advised that the only other option would be to live at the side of the road due to the lack of local, regional and national

pitch and transit sites.

- 7.6 In addition the Local Planning Authority have also taken into account that the applicant was, at some point, on an electoral roll for a property in Portsmouth. The GLO undertook a further interview in order to understand the circumstances of this matter. The applicant advised that his father, Les Madgwick owns and lives in a bricks and mortar property in the Portsmouth area together with his wife and two daughters. The house is a three bedroom property therefore does not have any spare capacity for James Madgwick and Pasha Green to stay. Furthermore the applicant, being of Gypsy ethnicity, has indicated that they wish to retain the cultural tradition of living in a caravan / mobile home accommodation, and the associated nomadic lifestyle. Evidence relating to the occupation of houses can have a bearing in terms of reaching a view on whether the applicant was practising a nomadic habit of life. However, even if the applicant has lived in a house for a period of time that alone would not fall foul of the definition of 'gypsies and travellers' as set out in the PPTS. The same can be said for the objections received from third parties that the applicant does not live at the site, however no firm evidence has been submitted to the Local Planning Authority to substantiate this. Furthermore by virtue of the nomadic lifestyle of the gypsy community, it is not unusual for sites to not be occupied for long periods of time, whilst they are away travelling.
- 7.7 Determining this issue is a question of looking broadly at the life being led, and the applicant's background, based on the evidence available in order to reach a conclusion. Travelling does not have to be on a permanent or regular basis but needs to be of some substance, taking place in order to contribute to livelihood rather than for personal enjoyment or socialising. Therefore, based on the evidence provided it is considered that the applicant has continued to travel for work and sets out that it is the intention to continue to do so. Therefore on the evidence before the Local Planning Authority, and regardless of any periods when he may have lived in "bricks and mortar", the applicant has continued to travel for work and has not given up a nomadic habit of life. It is therefore considered that as a matter of fact and degree, that the applicant has not 'settled' in the sense of ceasing to travel and has a nomadic habit of life. As such it is considered that the applicant is a gypsy by definition as defined in Annex 1 of the PPTS (2015). As a consequence the policy regime applying to gypsies and travellers is engaged, which comprises the PPTS and policy CS10 of the Core Strategy, which are therefore material considerations in this application, and are considered below.

(ii) What is the existing level of local provision for Gypsies and travellers and the identified need for permanent sites

- 7.8 The PPTS expects that Local Planning Authorities when carrying out their plan making duties will set pitch targets for gypsies and travellers which address the likely permanent and transit accommodation needs in their area. As the evidence indicated at that time, based on the Travellers Accommodation Assessment for Hampshire 2013 which showed zero need in Havant Borough for gypsies and travellers, no site allocations specifically for gypsies or travellers were made in the Council's adopted Local Plan (Allocations) 2014. This is the basis on which the previous application APP/16/00021 was determined, and given that there was zero requirement at that time, it was refused partly on grounds that there was no identified need for gypsy and traveller sites within the borough at that time.
- 7.9 Since that time, with the change in the definition of gypsies and travellers made by the PPTS 2015 and the need to update the evidence base for the new Local Plan to 2036, a revised accommodation assessment has been commissioned jointly with a number of other Hampshire local planning authorities. The Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2016-3036 (May 2017) for Havant Borough references an interview conducted by the GLO in March 2017, which identified that the household living on the application site do meet the planning definitions for gypsy and travellers as set out in Annex 1 of the PPTS. It also identified that the

household has links to the area and has no alternative accommodation. The outcome of this is there is a need for 1 pitch as a result of the occupied pitch being unauthorised. The reason for this is explained in the methodology (Chapter 3) and reporting of the study results on current and future pitch provision (Chapter 7), paragraphs as follows:

Paragraph 3.34 states that: components of current accommodation need include "*households on unauthorised developments for which planning permission is not expected*".

Paragraph 7.16 states that: '*Only those households that meet the definition (i.e. in that they were able to provide information during the household interview that they travel for work purposes, and stay away from their usual place of residence when doing so - or that they have ceased to travel temporarily due to education, ill health or old age) form the components of need*' based on responses to interviews.

- 7.10 The PPTS requires that local planning authorities "*identify and update annually, a supply of specific deliverable sites against their locally set targets*". While the policy approach through the adopted Local Plan has previously been sound and justified with no allocation, the position has changed following the publication of the 2017 GTAA, in that there is now a need to be addressed which represents a local 'target', which comprises the provision of 1 pitch in the borough. The GTAA will inform the allocation of gypsy and traveller sites in the emerging Local Plan, which is at the early stages of development. Given that the Local Plan is at an early stage and the lack of current other deliverable identified sites within the borough as a whole and the scale of need, consideration should be given to an appropriate site being granted permission. This would reduce the need for other sites, which could have a significant adverse impact on the landscape of the area. Given the available advice and evidence, it is considered that the granting of permanent planning permission on this site would address the need for gypsy and traveller sites within the area. The combination of these factors weighs significantly in favour of the development.

(iii) Whether there is alternative accommodation available

- 7.11 The application is submitted with a site search and enquiries to other gypsy and traveller sites within this part of Hampshire and over the county boundary in West Sussex. The GLO has subsequently verified the information that has been submitted in this regard. The two former Hampshire County Council sites, which are now run privately in the south of the county have no vacant pitches and there are at least 12 people on the waiting lists for each site. In terms of the sites in West Sussex, contact has been made with the company who now manage all the sites in the area, and it has been confirmed that they also have no vacant pitches and have sixty (60) applicants on their waiting lists for the sites concerned. Given this position and the fact that the site the subject of this application is in gypsy ownership and is being occupied, albeit on an unauthorised basis, this site would provide the unmet need for a single pitch site within the borough, which therefore weighs in favour of the development.

(iv) The personal circumstances of the applicant but not whether they have local connections

- 7.12 The application is supported with a statement indicating the personal circumstances of the applicant. The submission states that Mr Jimmy Madgwick lives on the site with his partner, Pasha Green, in a caravan. The couple moved onto the site in caravans because they are expecting their first child and had nowhere else to go. Mr Madgwick has registered the family with the GP surgery in Emsworth so that his partner can be assigned a midwife for the pregnancy. The arrival of the baby has now been indicated as being in September. The family is homeless as they have no other site where they can park their caravan and live. The statement also indicates that the site is their only home and if they had to leave there they would have to go back on the roadside, as it is clear there are no

vacancies on either permanent or transit sites elsewhere in the immediate and surrounding area.

- 7.13 It is considered that given these circumstances that whilst evidence has not been provided to demonstrate that the site is required as a general gypsy site, the nature of the occupation by James Madgwick and Pasha Green themselves is important to the recommendation of this application. Should permission be granted, a personal permission would be appropriate to reflect the evidence that has underpinned the application, and this has been agreed by the applicant.

(v) Effective use of brownfield land

- 7.14 The application submission indicates that this proposal would make an effective use of brownfield land. However, it is not considered that it can reasonably be argued that the site is either untidy or derelict, and the principal area of land affected by the development proposed is not considered to constitute brownfield or previously developed land. The former paddock area which is proposed to be used for the siting of the static home and amenity block exhibits a very different character from the stable yard itself and is not considered to lie within its curtilage for the purposes of identifying what area of the site is suitable for development in principle. The wider paddock area instead reads as part of the wider rural landscape that extends beyond the site to the fields beyond. As such the site is not considered to be brownfield or previously developed land and no weight has been afforded to this matter in the overall planning balance of this application.

(vi) Whether the site is suitable for the proposed use by virtue of any previous contamination

- 7.15 The site has been marked as greenfield land on mapping back to the earliest available issue (1867). The land use proposed is equivalent in terms of sensitivity to a residential development with private garden area(s). The risk of a significant contamination source being present at this site is relatively low, but is not negligible. Agricultural land can be affected by contamination through import of construction & demolition wastes for stabilising access tracks etc., informal storage of agricultural vehicles & machinery, and informal disposal of waste by burning or burial (whether by landowner, or others by means of fly-tipping).
- 7.16 The contamination risks are considered to be sufficiently low that there is no requirement for intrusive site investigation to be required by condition. An informative would be added to any approval to advise that if any contamination is found that the applicants would need to advise the Council's Environmental Health team.

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

- 7.17 One of the core planning principles set out in the NPPF is to take account of the different roles and character of different areas by, amongst other matters, recognising the intrinsic character and beauty of the countryside. Policies CS11 and CS16 of the Core Strategy set out a range of criteria that new development should be able to demonstrate in order to protect the environment and heritage of the Borough and secure high quality and appropriate developments - chief amongst these is that new development should ensure that the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected, and to respond to and respect local context. Policy CS11 also expressly seeks to maintain the undeveloped gap between Emsworth and Westbourne.
- 7.18 The application site comprises part of a paddock, situated in a part of Long Copse Lane which lies beyond the settlement boundary. Whilst an isolated dwelling lies adjacent to the site to the west, on all other sides the site adjoins open fields which are used for a variety

of grazing and equestrian uses. Where buildings and structures appear in this landscape, these are related to these rural uses. The application site is located within Landscape Character Area 21 'Southleigh Forest' of the Havant Borough Townscape, Landscape and Seascape Character Assessment which describes the landscape as *".....an open area of farmland.....consists of medium sized fields of pasture in the north predominantly used for horse grazing with some hedgerow division...."* In terms of openness/enclosure, prominence and visibility there is a particular reference to *"Views from the road out towards Westbourne across the open agricultural plain"* and the *"encroachment of urban character into adjacent rural areas"* is regarded as a key local issue for the landscape character area, where the strategy is to conserve and enhance local character.

- 7.19 The 'Planning Policy for Traveller Sites' (DCLG, August 2015) (PPTS) in paragraph 25 confirms that LPAs should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. However it must be recognised that the Local Plan Housing Statement (adopted in December 2016) proposes an area of development (site UE76) to the north of Long Copse Lane that will extend the settlement of Emsworth to the north and west of the application site. The identification of this neighbouring site for substantial residential development is a significant and material change since the determination of the previous application APP/16/00021, as it is considered that there is a difference in impact depending on whether a proposed site is in open countryside as opposed to being immediately adjacent to an existing built-up/urban area. While the development proposed in the Local Plan Housing Statement will take some time to bring forward, and there are uncertainties as to how it will affect Long Copse Lane for means of access, it is clear that it would reduce the openness of the countryside around the application site.
- 7.20 It is accepted that the applicant has carried out some works since the site was first acquired and subsequent alterations to the site have included the installation of gravelled tracks, extensions to the existing stables and the erection of post and rail fencing on both the internal and external boundaries of the site. Nevertheless the land was not previously developed, untidy or derelict land for planning purposes when the mobile home the subject of an earlier enforcement investigation was first brought onto site. The introduction of the static home and touring caravan in combination with the proposed utility block will therefore have had an impact upon the character and appearance of the locality. To that end views through to the static home from the main road are achievable. It is also reasonable to assume that once the residence is further established that more domestic paraphernalia would accumulate on the site further detracting from the openness of the location. However, views of the site and static home have to be actively sought; it is not directly evident to users of the road, or passers by, that the site is being used as a gypsy site. Furthermore the static home is of limited height, and from going along Long Copse Lane beyond the site entrance, the only visible built form on the site is the stables, which are set adjacent to the 1.8m close boarded fencing, with some hedging located in front.
- 7.21 Therefore, whilst it is accepted that the current use has led to some harm to the openness of the countryside location, it is well screened and is not out of keeping. In reaching this conclusion, account has been taken of the opportunity to introduce additional landscaping within and around the site, which is proposed to be secured by condition. Whilst native species are likely to take some time to establish, these would, in time, reinforce the well-established screening which already exists immediately outside the site, particularly on the southern boundary with Long Copse Lane. Much of the site remains open and does not jar against the wider area. Furthermore, the site is not so enclosed that it gives the impression that it is deliberately isolated from the rest of the community; this is a matter that weighs in favour of the development as set out in paragraph 24 of the PPTS.

(viii) Sustainability

- 7.22 With regard to the accessibility of the site, Long Copse Lane is a narrow rural lane with no

footways or street lighting present in the vicinity of the site. To the south, the site lies over 1km from the nearest local shop and over 800m from the nearest bus service (this assuming the use of the unmade Redlands Lane). To the east the site lies approximately 700m from the nearest local shop and almost 600m from the nearest bus stop in Westbourne - this relying on a journey of almost 0.5km along Long Copse Lane before reaching the outskirts of that settlement. The previous application was refused due to concerns over the sustainability of the site. In assessing the current application, it recognised that many gypsy and traveller sites are by their nature in relatively unsustainable locations. Therefore, it is recognised there is a balance to be taken in determining this proposal. This application has reduced the number of units from the 2 originally proposed to 1. This will result in fewer traffic movements, which would lessen the impact on the peace and tranquillity of this part of the area. Whilst it is acknowledged that future residents would be reliant on the private car, the proposal would provide a needed gypsy and traveller site in the area and would not have a significant adverse impact on the character and appearance of the area.

7.23 Furthermore it must be recognised that the Local Plan Housing Statement (adopted in December 2016) proposes an area of development (site UE76) to the north of Long Copse Lane that will extend the settlement of Emsworth to the north and west of the application site. As such given this change in context to the surrounding area, it would be difficult to justify a reason for refusal on the basis of the site being unsustainable. It is therefore considered that reason for refusal 2 in the previous application has been overcome in this proposal.

(ix) Impact upon residential amenity

7.24 As discussed above, the application site currently lies in a largely rural setting, with only one isolated residential property, Hollybank Cottage, adjoining the site to the west. Thus in terms of residential amenity it is only this property which is likely to be directly affected by the combined equestrian/one pitch gypsy and traveller site use applied for.

7.25 Hollybank Cottage is a two storey dwelling with a number of windows in its eastern elevation offering views over the application site. As such the distinct change in the character of the site described above will be fully appreciable to the occupiers of this property. At a more direct level, however, it must be acknowledged that the static home lies over 45m from the boundary with Hollybank Cottage and would be of a limited height (4m) in relation to this property. The curtilage of the static home is also separated from the boundary of Hollybank Cottage by the retained paddock area and area of grassland beyond. It is therefore not considered that there would be a harmful impact on Hollybank Cottage in terms of loss of privacy, overbearing impact or loss of light; nor need there be a significant loss of amenity through noise and disturbance arising from the residential occupation of the site given the separation distances and the fact that no business use is proposed in connection with the pitches. In addition the previous application, which was for 2 pitches, was not refused on adverse impact on residential amenity - it would therefore be unreasonable to introduce a reason for refusal on this basis for a single pitch.

(x) Highway considerations

7.26 In considering the highway issues arising from the application it is considered that two aspects need to be taken into account - firstly the ability of the site to accommodate the parking and turning movements associated with the proposed uses; and secondly the appropriateness of the site's location in terms of the access to it from the wider highway network when having regard to the ongoing intention of the applicants to continue to travel.

7.27 On the first issue it is considered that the submitted site layout plan satisfactorily demonstrates that the car parking, touring van storage and turning requirements

associated with the combined equestrian/gypsy and traveller pitch use of the site can be accommodated on the site without prejudicing highway safety.

- 7.28 The previous application was refused for reasons including a concern that the towing of small and large caravans into and out of the site along the narrow Long Copse Lane would not be appropriate and would cause further deterioration of its verge edges, surface and foundations and would exacerbate the hazards to other road users. This application has reduced the number of units from the 2 originally proposed to 1. The submissions made on behalf of the applicant sets out the family's travelling background and reaffirms that it is their intention to continue to travel, and to that end provision is made in the application for one touring caravan to be stored within the site, which will have to be taken into and out of the site as the travelling lifestyle of the site's occupiers requires. Given the reduction in number of units, with regards to the number of pitches and touring caravans, the Development Engineer has reviewed the application and has noted that the numbers of trips are reduced. Guidance in the National Planning Policy Framework, outlines that proposals would have to have proven severe cumulative harm on the highway network, in order for applications to be refused. Given the reduction in number of units, it is now not considered that the development would have a severe adverse impact on the safety or free flow of the highway network. It is therefore considered that reason for refusal 3 in the previous application has been overcome in this proposal.

(xi) Ecological considerations

- 7.29 The proposed introduction of a one pitch gypsy and traveller site is considered to have an impact on the Solent's Chichester and Langstone Harbours Special Protection Area (SPA), as this development would increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the SPA. Natural England's advice with regard to all new housing development within this zone is that it is likely to have a significant effect on the SPA. The measures of mitigation adopted by the local planning authority at the end of June 2014 requires a payment of £181 per dwelling (plus monitoring and administration fees) to the Solent Recreation Mitigation Partnership – this is to secure accordance with Policy DM24 of the Havant Borough Local Plan (Allocations) 2014.
- 7.30 The principle of securing developer contributions is set by policy CS21 of the Local Plan (Core Strategy) 2011 which states that:
Development will be permitted if on-site and/or off-site infrastructure requirements are met. Where new or improved infrastructure is essential for planning permission to be granted the council will require the on-site or off site provision and/or contributions through planning obligations, agreements or tariffs in accordance with the relevant legislation for off-site provision. The need for contributions will depend on information and advice from infrastructure providers on the expected impacts of the development on all the infrastructure types.
- 7.31 Policy DM24 of the Local Plan (Allocations) 2014 states that:
Planning permission will be granted for residential developments that avoid or mitigate a likely significant effect on the SPAs, caused by recreational disturbance through the in-combination effect of net additional dwellings. This mitigation can be provided through:
a) A financial contribution...
Where these measures cannot be provided development proposals will be refused, unless the applicant can show, subject to meeting the tests of the Habitats Regulations, that there would not be an adverse effect on the integrity of the SPAs.
- 7.32 The applicants have made the necessary planning obligation and returned the associated paperwork. As such the appropriate financial contribution has been secured and it is therefore considered that reason for refusal 4 in the previous application has been overcome in this proposal.

7.33 With respect to other ecological matters, the application is supported by a Tree Survey, Arboricultural Impact Assessment and Tree Method Statement in light of the proximity of the development to TPO trees on the site. Having visited the site, the Arboriculturalist is satisfied that the development has been carried out without detriment to the health of the TPO trees.

(xii) Drainage

7.34 A number of representations cite concerns that the development would have an adverse impact on the foul sewage network. The application proposes to install a septic tank. A number of conditions are proposed to require details of both foul and surface water drainage of the site in order that these technical matters are appropriately addressed.

(xiii) Other matters

7.35 It is clear from this application and the overall history to the site that local opposition to the proposal is strong. The objections raised by local residents and others concern various matters, including harm to outlook, reduction in privacy, potential noise disturbance, future use of the site, highway safety, sustainability and impact on local services. Furthermore concerns have been raised about the unauthorised situation of the site and subsequent matters relating to perceived lack of enforcement action on the site by the LPA.

7.36 It is acknowledged that the establishment of a gypsy site on the application site will have affected those living nearby to some degree. However it is considered that there is sufficient distance and vegetation between the nearest residential properties and the appeal site such that occupiers have retained a reasonable outlook and level of privacy, and are not subject to undue noise disturbance.

7.37 Furthermore a planning condition restricting the use of the site to no more than two caravans, comprising one static mobile home and one touring caravan and restricting any commercial activities would ensure the use remains at the current low level of activity. There is no evidence to substantiate the concerns that the development has led to flooding in the locality and or that the development has compromised highway safety.

Enforcement matters

7.38 Concerns have been raised regarding lack of enforcement action on this site, as it is currently being occupied by an unauthorised static home. There is a common misconception that breaches of planning control are a criminal offence and should automatically attract formal enforcement action. However, enforcement action is a discretionary power. It is for the Local Planning Authority to decide how to determine when action is necessary and the type of action that is appropriate. In making these decisions the authority should be mindful of maintaining public confidence in the planning system, but it should be recognised that in the majority of cases, formal enforcement action should be seen as a last resort.

7.39 The site has had a complex enforcement history, and the previous refused application is currently at appeal with the Planning Inspectorate; however it has been placed into abeyance whilst the Local Planning Authority considers this revised application. Given that the previous application is at appeal and that the revised application is currently being considered, it is not judged to be appropriate to instigate formal enforcement action until both this application and the appeal have been determined. Once these matters have concluded the Local Planning Authority would be in a position to take appropriate action, if necessary, based on the associated outcomes.

7.40 Concerns have also been raised regarding the stables built pursuant to 10/74070/000, and their associated extension allowed at appeal under application APP/14/00381, in that they

have not been built in the correct location (see Paragraph 2.3 above). Formal enforcement action may only be taken in cases where (i) there is a breach of planning control and; (ii) it is expedient to take such action. In general terms, this requires circumstances where an unauthorised development is causing serious harm, rather than it being a minor or technical breach in control. The matter of "expediency" covers a range of matters upon which a judgement needs to be based, a key issue being whether the breach would unacceptably affect public amenity or use of land that should be protected in the public interest. Any enforcement action should be proportionate to the breach, so for example, it would be inappropriate to take formal action against a trivial or technical breach. There will be cases where there is a breach of planning legislation but the breach or harm is so minor that action cannot be justified, i.e. it is not expedient or in the public interest to pursue the case.

- 7.41 It is therefore appropriate to consider whether it is expedient to take action with due regard to the impact on the character and appearance of the area and on the amenities of Hollybank Cottage. In terms of the impact on the character and appearance of the area, the stables are visible from Long Copse Lane, through a combination of filtered views through the existing hedging, and at points through gaps in the hedge. It is not considered that the location of stables in a countryside location is unusual, and as outlined by the Inspector in the appeal when an extension to the original (wrongly sited) stable block was allowed, it was not considered to have a significant adverse impact on the character and appearance of the area. The layout existing on site is not considered to have a significant adverse impact on the character and appearance of the area compared to the approval which was granted, furthermore as part of this application a landscaping condition is proposed, in order to strengthen and reinstate the existing hedging on the southern boundary.
- 7.42 In terms of the impact of the stables on the amenities of Hollybank Cottage, it is considered that given the layout and degree of separation, and the existing landscaping, which includes a protected tree, that the stables in their revised location do not have a significant adverse impact on the amenities of neighbouring properties compared to the originally approved location. It is noted that concerns have been raised with regard to the impact of glare from security lights located on the stables, causing light pollution and associated nuisance to Hollybank Cottage. As is detailed below, a condition is proposed in order to control lighting in terms of orientation and angle of lighting in order to address this issue.
- 7.43 As such given the considerations above, it is not considered that the existing stables have a significant adverse impact on the character and appearance of the area, or on neighbouring properties, compared to the impact that would have arisen had they been constructed in the originally approved location. It is therefore not considered expedient or in the public interest to take enforcement action regarding the stables.

Precedent

- 7.44 Local residents are also concerned that allowing the proposed development would set a precedent for similar development to take place on the adjoining land. However there is no substantiated evidence that any such development is proposed. Moreover any such proposals would have to be considered on their own merits having regard to adopted policy at the time and all other material considerations. This is not a reason to refuse permission for this scheme.

(xiv) Human rights

- 7.45 In considering this application for a mixed use comprising equestrian yard and one pitch gypsy and traveller site, Human Rights considerations must be taken into account; in particular:

(a) Article 8 - right to respect for private and family life

8.1 Everyone has the right to respect for his private and family life, his home and his correspondence.

8.2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

(b) Article 14 - prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

7.46 The Council must also have regard to Section 149 of the Equality Act 2010: 149 - Public sector equality duty, which states that:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.47 It is accepted that refusal of the planning application could constitute an interference with the applicant's rights under Article 8(1) and any decision should take into account the effects of that upon the applicant.

7.48 The refusal of this application could involve direct interference in his rights and the fact that there is little credible prospect of any private gypsy site being permitted in the near future is also a consideration under Article 8. However, as the application is recommended for permission, there would be no interference with the statutory rights.

7.49 Article 14 concerns the prohibition of discrimination. The Council has worked in a proactive way to engage with the applicants in order to understand the personal circumstances. As such it is considered that the Council has had due regard to the duties concerning matters of equality. Thus, there is no infringement of the rights conveyed by Article 14.

7.50 Concern has been raised that by permitting this application it would be contrary to residents' human rights with particular reference to allowing a form of development which is contrary to policy, where general housing is restricted and with regard to the impact on the amenities of neighbouring properties. It is considered that given the safeguards provided by planning conditions and other legislation, no material interference with the residents' human rights has been established and there is no need to consider the matter further.

8 Conclusion - Overall planning balance

8.1 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 some weight must be attached to this start point for considering the proposal, it is tempered by the findings that any harmful impact is fairly localised, and the development would not unduly affect the character and appearance of the wider area.

- 8.2 Furthermore it has been identified that a number of material considerations weigh in favour of recommending permission, for which considerable weight should be attached. There is an unmet need for one gypsy and traveller pitch in the Borough and it is unclear how other alternative sites would be identified and brought forward at this time. There are no alternative sites currently available. This scheme would therefore meet the unmet need for gypsy and traveller sites within the Borough. With Policy CS10 of the Local Plan engaged, detailed assessment of the criteria listed in the Policy would indicate that residential amenity will not be unacceptably affected by the development; that the site has an adequate access and parking/turning arrangements; that traffic generation will not be at a scale which will appear inappropriate to the locality or cause a hazard; that whilst at some distance from local facilities, the identified LPHS site will alter the degree to which the site is viewed as unsustainable; and technical drainage requirements can be met by relevant conditions.
- 8.3 It is considered that these material considerations in favour of the scheme outweigh any harm identified and justify a permanent planning permission. The nature of the occupation by James Madgwick and Pasha Green is important in the determination of this application, therefore a personal permission is necessary. In coming to this conclusion consideration has been given to the matter of a temporary planning permission which may be acceptable where there is an unmet need, no alternative provision, and a reasonable expectation that new sites are likely to become available at the end of the temporary period. However, given current uncertainties about the timetable for progression of the new Local Plan 2036 there remains considerable doubt as to when additional sites will be identified and made available. Given the lack of a clear timetable or reasonable expectation of a change in circumstances within a definite and foreseeable period, a temporary permission would not be justified in this case.
- 8.4 In overall conclusion, it is considered that there are compelling grounds for granting permanent planning permission subject to various conditions. A number of previous appeal decisions have been submitted by the applicant, in the appeal documentation for the previous application, and these have been taken into account. Those decisions highlight the importance of the balancing exercise that needs to be carried out in such circumstances. Having considered all other matters raised, it is considered that these are not of sufficient weight to lead to a different conclusion on this application and the application is therefore recommended for permission.

Conditions

- 8.5 The need for conditions has been considered in the light of the advice contained in Planning Practice Guidance. Occupation of the site is to be restricted to gypsies and travellers, in accordance with the definition given in PPTS, on the basis of identified need sufficient to clearly outweigh other considerations. Furthermore a personal condition is applied given the specific circumstances of the applicant.
- 8.6 In addition, the permission will be limited to one pitch with no more than one static mobile home/caravan and one touring caravan to limit the impact of the development. Commercial activities and the parking of larger commercial type vehicles will not be permitted so as to safeguard the character and appearance of the area and the amenities of neighbouring properties.
- 8.7 The external materials to be used in the construction of the utility/dayrooms would need to be agreed and used in the development to ensure that the buildings are appropriate to their setting. Details of the existing static home would be unnecessary given the well-screened nature of the site and the opportunity to secure additional planting.
- 8.8 A condition is required with regard to removing permitted development rights for any

building, structures, boundary treatment and any hardstanding. Any future suburban style walls, fences and hardstanding could harm the character and appearance of this site, which could serve to highlight its built-up nature in this countryside location. Given permanent planning permission is recommended it is considered reasonable for the Local Planning Authority to retain control over the site in this aspect.

- 8.9 Additional landscaping is required and would be secured through an appropriate condition, to also include revised details of tree protection. Furthermore control on external lighting is required, as there is no significant street lighting in the locality and areas of darkness at night is part of the rural character of the area and, given its proximity to the South Downs National Park, is required to protect the rural appearance of the area.
- 8.10 Details regarding the foul water/sewerage system are required in order to ensure that it is an appropriate way to drain the site in this location.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01234 subject to the following conditions:

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

01297-9 REV1 LOCATION PLAN
01297/2C REV FEB 17 PROPOSED SITE PLAN
MOBILE HOME ELEVATIONS AND FLOOR PLAN
PROPOSED UTILITY BUILDING PLANS AND ELEVATIONS.
01297-5 REV1 EXISTING STABLES

Tree Survey, Arboricultural Impact Assessment and Tree Method Statement To British Standard B.S. 5837: 2012 "Trees in Relation to Design, Demolition and Construction – Recommendations For Land of east of 'Holly Bank Cottage', Long Copse Lane, Emsworth, Havant, PO10 7UR Prepared by N J Trowell
Date 24 November 2015

Reason: - To ensure provision of a satisfactory development.

- 2 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of 'Planning policy for traveller sites'.

Reason: The development is contrary to the provisions of the development plan in that the site lies within the rural area and is unrelated to the needs of agriculture or forestry. Planning permission has only been granted in this instance because of insufficient site provision for the needs of the Gypsy and Traveller Community. This condition is therefore necessary in order to protect the character and appearance of the rural locality in accordance with Policy CS10 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015.

- 3 This permission shall enure for the benefit of James Madgwick and Pasha Green and any resident dependants only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when James Madgwick and Pasha Green and any resident dependants cease(s) to occupy the land.

Reason: This permission has been granted on the personal circumstances of the applicant and as such would have been unsuitable for a general gypsy and traveller site in accordance with policy AL2 of Havant Borough Local Plan (Allocations) 2014 and the Planning Policy for Traveller Sites 2015.

- 4 The amenity building (day room) hereby permitted shall be for the sole benefit of the occupiers of the Land adjacent to Hollybank Cottage, Long Copse Lane, Emsworth. The said building shall not be used other than as a utility building and for domestic storage purposes and shall not be used as ancillary residential accommodation, as a separate self-contained unit of residential accommodation or for any business or commercial use whatsoever.
Reason: The development is contrary to the provisions of the development plan in that the site lies within the rural area and is unrelated to the needs of agriculture or forestry. Planning permission has only been granted in this instance because of insufficient site provision for the needs of the Gypsy and Traveller Community. This condition is therefore necessary in order to protect the character and appearance of the rural locality in accordance with Policy CS10 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015.
- 5 There shall be no more than 1 pitch on the site and on the pitch no more than 2 caravans (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) shall be stationed at any time, of which only 1 shall be a static caravan.
Reason: The development is contrary to the provisions of the development plan in that the site lies within the rural area and is unrelated to the needs of agriculture or forestry. Planning permission has only been granted in this instance because of insufficient site provision for the needs of the Gypsy and Traveller Community. This condition is therefore necessary in order to protect the character and appearance of the rural locality in accordance with Policy CS10 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015.
- 6 No commercial activities shall take place on the site, including the storage of materials.
Reason: To protect the amenities of neighbouring residential properties in accordance with policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 7 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.
Reason: To protect the amenities of neighbouring residential properties in accordance with policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure or areas of hardstanding other than those shown on the approved site development scheme shall be erected on the site.
Reason: The development is contrary to the provisions of the development plan in that the site lies within the rural area and is unrelated to the needs of agriculture or forestry. Planning permission has only been granted in this instance because of insufficient site provision for the needs of the Gypsy and Traveller Community. This condition is therefore necessary in order to protect the character and appearance of the rural locality in accordance with Policy CS10 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy for Traveller Sites 2015.
- 9 No above ground construction works on the amenity block (day room) shall take place until samples and / or a full specification of the materials to be used externally on this building 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.

- 10 No external lighting shall be installed on the site unless details of the position, height and type of lights have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed and operated in accordance with the approved scheme and no other lighting shall be installed or operated.

Reason: To prevent light pollution and in the interests of the amenity of the area and neighbouring properties in accordance with policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

- 11 Within 2 months of the date of this permission full details of hard and soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities, and a programme for implementation, shall be submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the approved details and the approved implementation programme unless otherwise agreed in writing by the Local Planning Authority. **Reason:** To ensure the development does not have a significant adverse impact on the character and setting of the area in accordance with policies CS10, CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following granting of permission on the site; and any trees or plants which within a period of 5 years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. Any variation shall be carried out in accordance with the approved details.

Reason: To ensure the development does not have a significant adverse impact on the character and setting of the area in accordance with policies CS10, CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

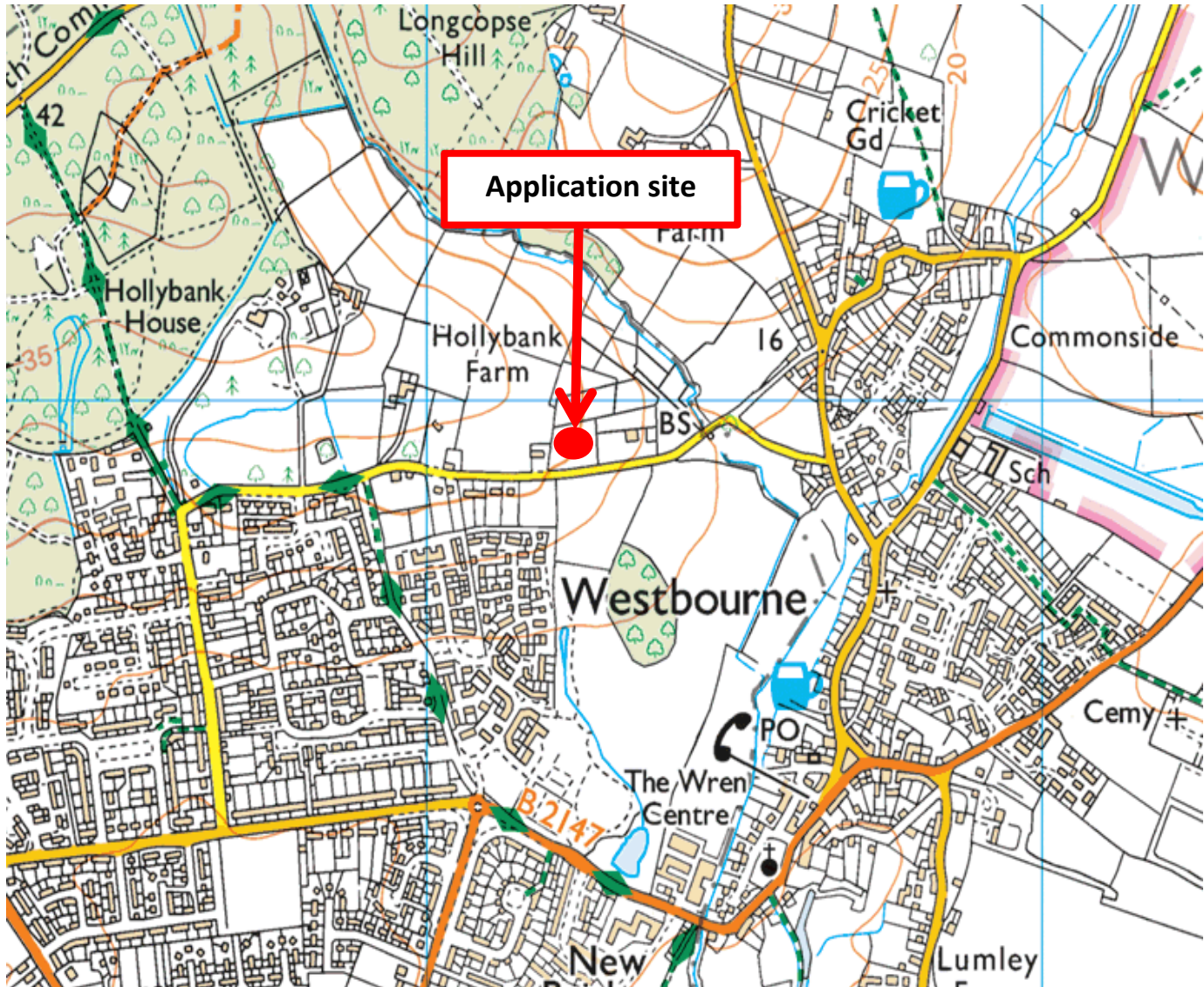
- 13 Within 2 months of the date of this permission details of water supply, proposals for the disposal of foul and surface water and facilities for recycling/waste management (including any associated structures) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented within 4 months of the date of this permission.

Reason: To ensure appropriate means of wastewater management for the prevention of pollution, the mitigation of health risks to occupants of - & visitors to - the site, and to ensure that the site does not contribute either to downstream flooding or pollution in accordance with policies DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

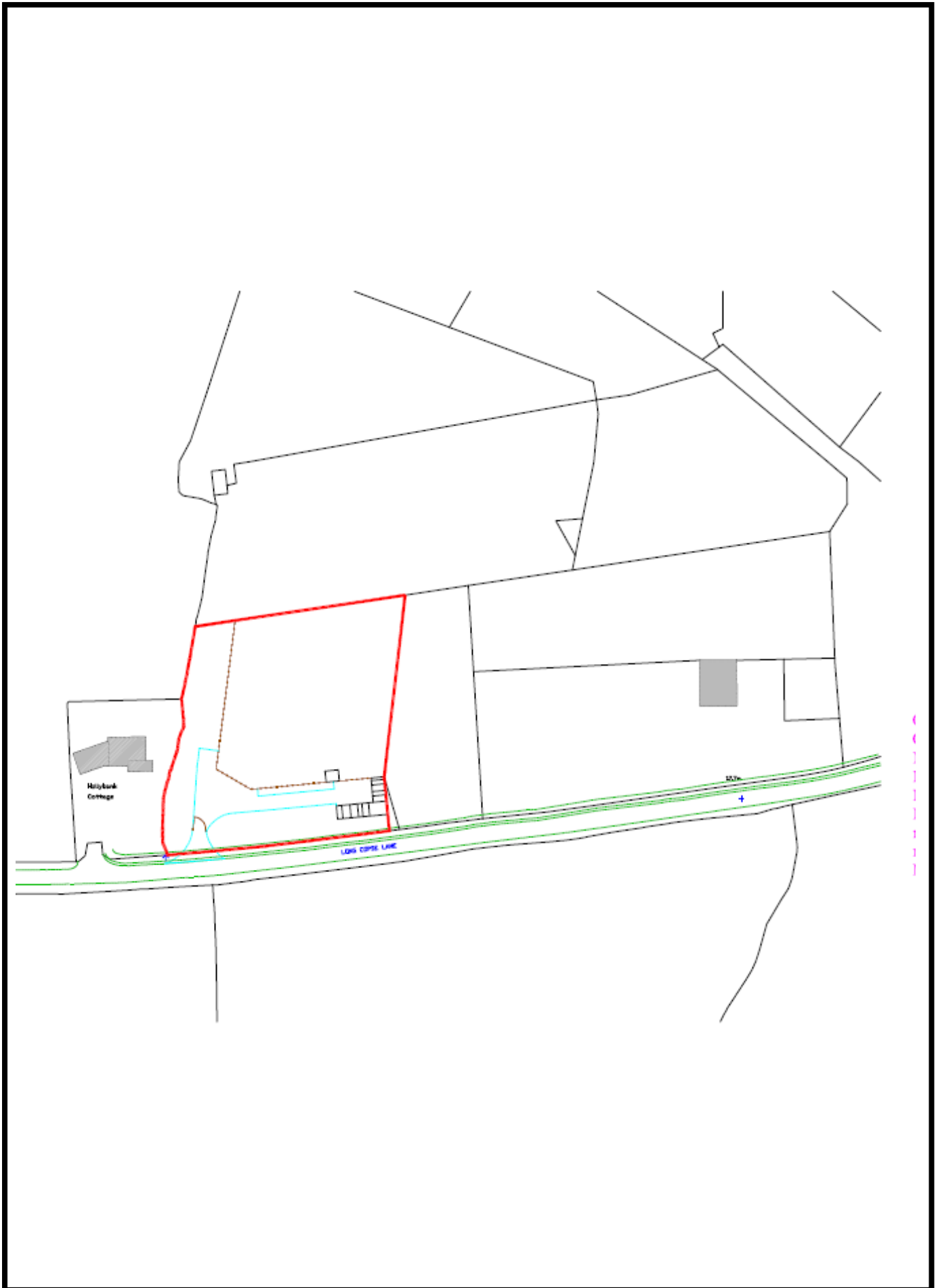
Appendices:

- (A) Location Plan
- (B) Site location plan
- (C) Proposed site plan
- (D) Mobile home floor plan and elevations
- (E) Proposed utility building floor plans and elevations
- (F) Existing stable elevations
- (G) Existing stable floor plans

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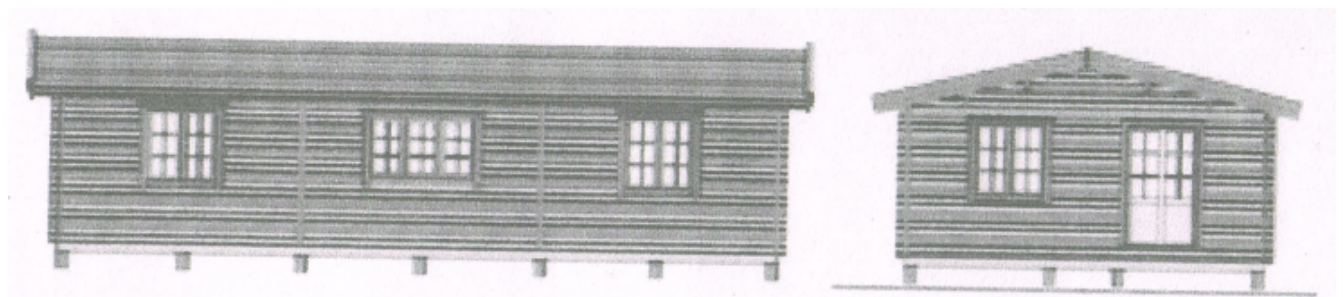
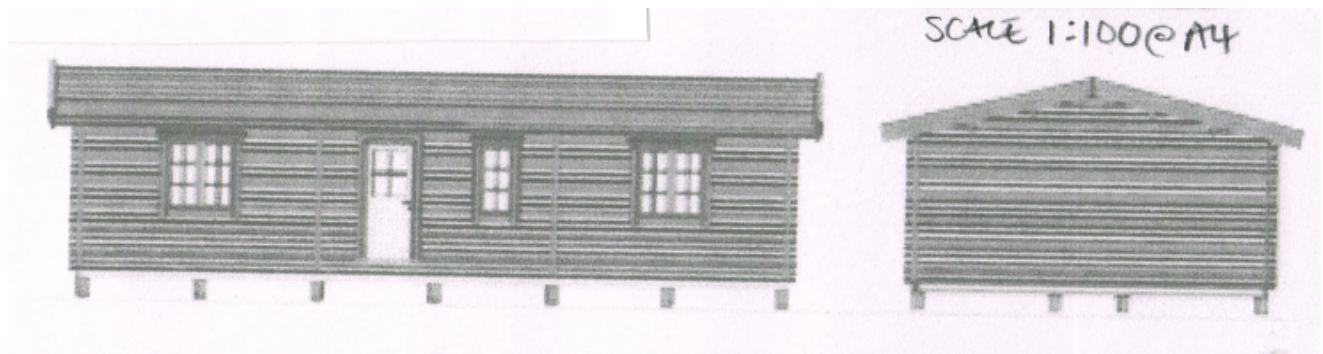
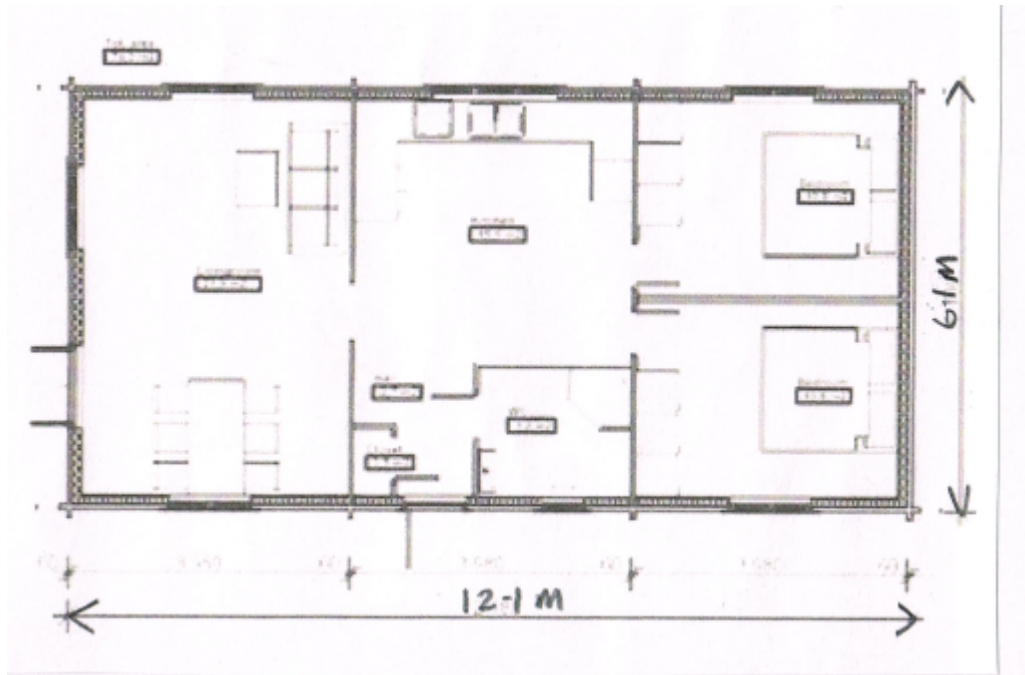
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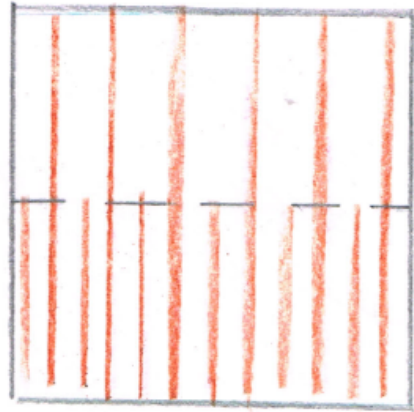
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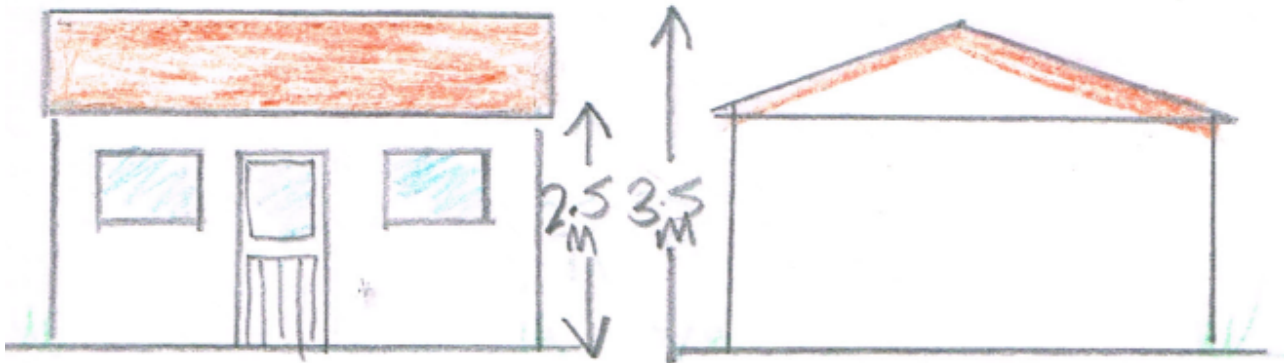
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FLOOR PLAN

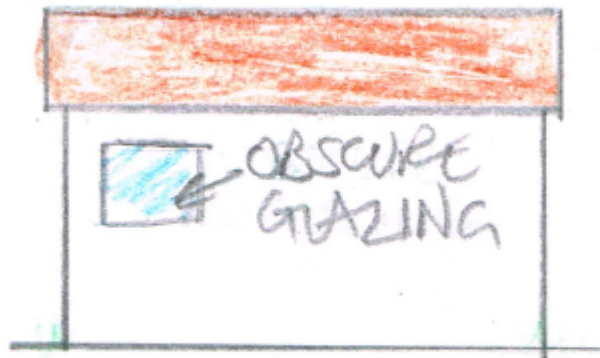


ROOF PLAN



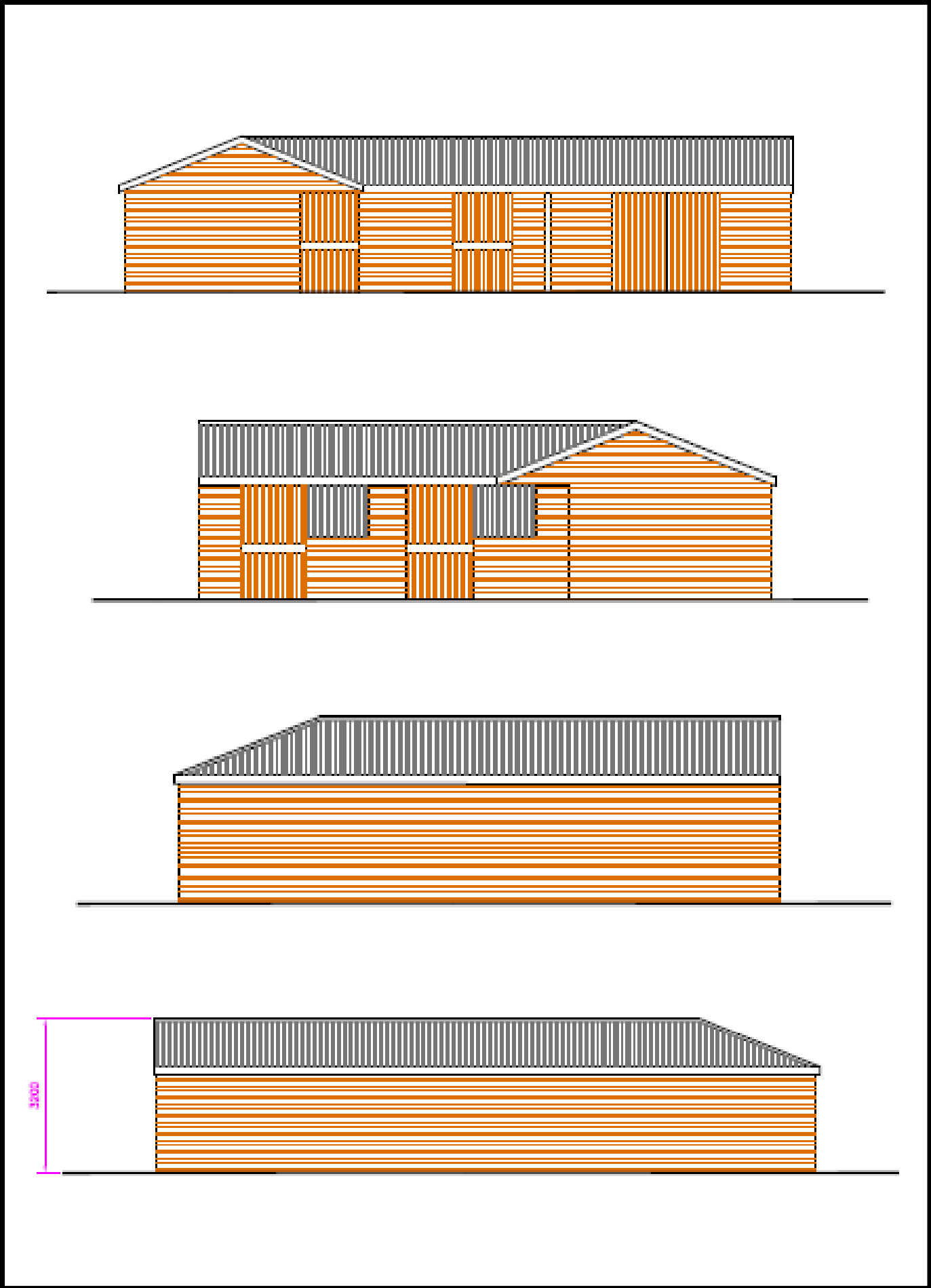
FRONT

SIDE

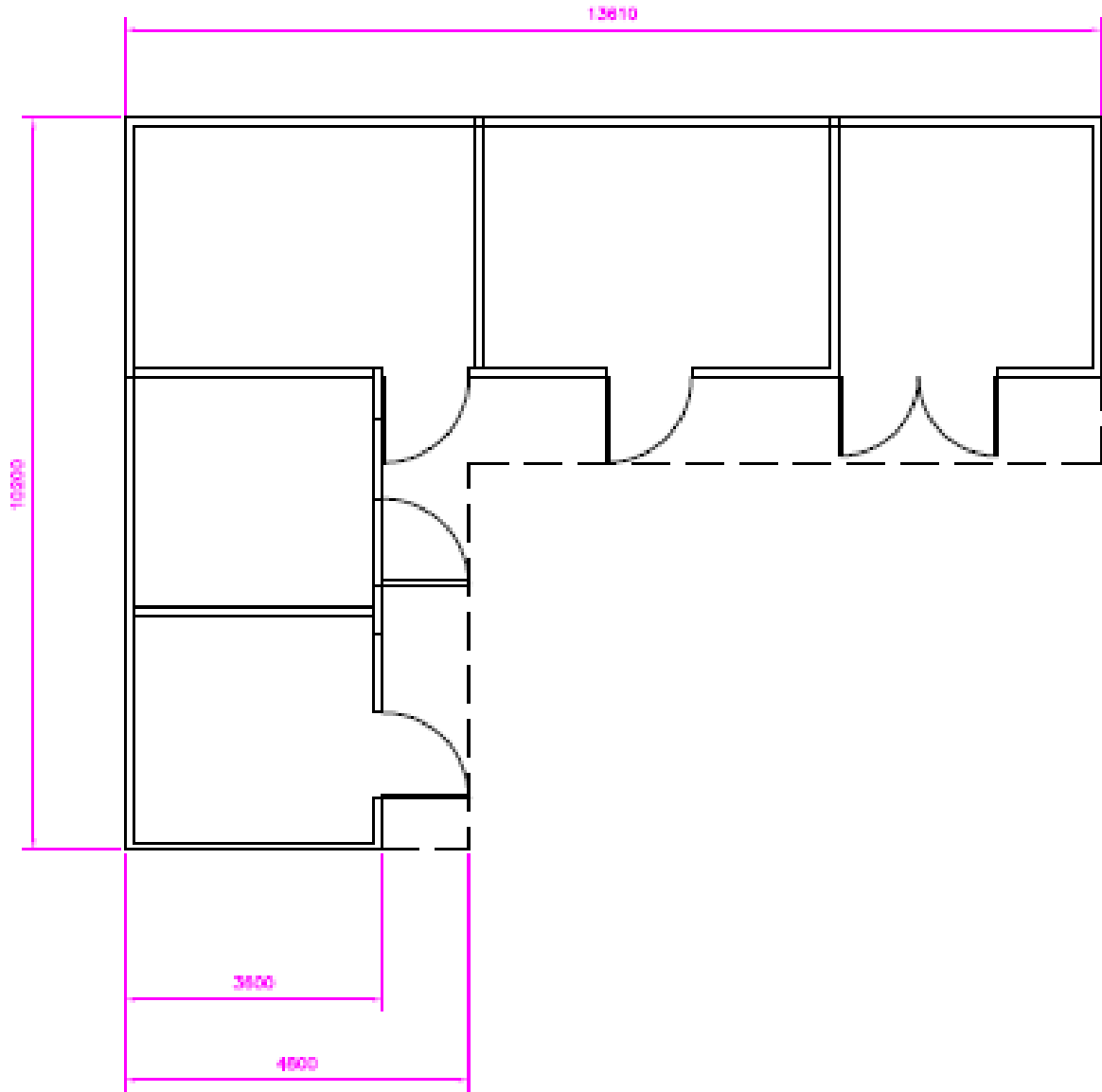


REAR

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The proposed Office Extension would by reason of its prominent siting, design, size, materials, height, mass and bulk have a harmful impact on the character and appearance of the area, detract from the appearance of the existing main building and represent an overdevelopment of this shallow and constricted site. The proposal would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

APP/15/00865 - Proposed new infill extension in addition to approved planning permission APP/14/01004 for two storey office block., PERMITTED,19/10/2015

APP/15/00723 - Variation of Condition 10 of Planning Permission APP/14/01004 relating to approved plans., PERMITTED,21/08/2015

APP/14/01004 - Proposed new two storey office block and car parking. PERMITTED 10.12.14

3 Proposal

- 3.1 The proposal currently under consideration is for the erection of an extension to the south-western corner of the existing main building. The extension would be two storeys in height although at ground floor level it would be used for open car parking such that the first floor would be supported on piers. The roof form incorporates pitched roofs of traditional forms and a small area of flat roof to the back of the building. The front and rear elevations include larger and smaller gables with a hipped roof to the south west elevation. In terms of materials, the proposal is to use tile hanging and brick detailing bands and tiles to the roof all to match elements of the existing buildings.
- 3.2 The extension would project forward of the existing building by approximately 5m towards New Road. The extension would provide an additional 43.6sqm of office floorspace. It would be linked to the existing office internally.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
CS17 (Concentration and Distribution of Development within the Urban Areas)
CS2 (Employment)
DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
DM18 (Protecting New Development from Pollution)

Havant Borough Design Guide SPD December 2011

Havant Borough Parking SPD July 2016

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency

The Environment Agency has no comments to make.

Environmental Health

No comments received.

Development Engineer (Highways)

The Highway Authority has no adverse comment to this application providing the turning areas are constructed and laid out as shown on the submitted plan in order to ensure that vehicles can turn on site and enter the highway in a forward gear.

Network Rail

No comments received.

Comments in relation to previous (similar) application below:

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land (detailed comments provided in relation to:

- Future maintenance
- Drainage
- Plant & Materials
- Scaffolding
- Piling
- Fencing
- Lighting
- Landscaping

Southern Electric

No comments received.

Economic Development

The proposed development has the potential to support 3 new jobs on the site at the established ratio of sq metres per person. With this in mind I can support the development.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

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

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area and the existing building
- (iii) Impact on employment and business
- (iv) Impact upon residential amenity
- (v) Car parking/highway matters
- (vi) Environmental issues

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria. The Havant Borough Local Plan seeks to both support economic development and to protect the character and appearance of the Borough, and in doing so secure the delivery of sustainable forms of development in line with the National Planning Policy Framework (NPPF).

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

7.3 The site is located in a prominent position to the south of New Road in Bedhampton and to the east of the Bedhampton Level Crossing in West Street. There are clear views of the site therefore from the south-west, west, north and north-east with the bend to New Road making the site particularly prominent to pedestrians and from vehicles approaching from the south-west. The site is also viewed from the railway line which runs to the south of the site.

7.4 The site is triangular in shape and has a limited depth. In recent years as can be seen from the planning history it has been developed for commercial office use (residential uses being considered inappropriate in particular because of concerns over impacts from the adjacent railway). The commercial use of the site has been supported by the Council and this has included the conversion of existing buildings and the erection of a purpose built office building. As a result of these developments the site is now fully occupied by the office buildings and their associated car parking. The buildings have been maximised in terms of floorspace as can be seen from their design which takes the form of a 'stepped' footprint alongside the railway line to maximise the site coverage.

7.5 The area fronting New Road is mainly residential in character in the vicinity of the site. The most prominent building on the application site is the two storey office building which is set approximately 5.8m back from the pavement fronting New Road. This building is of domestic scale and is in proportion to the residential frontage to New Road. It is symmetrical in design with a central gable and slightly set back wings, all with pitched roofs. Tile hanging and good quality bricks help to provide an attractive appearance to the

building and break up its apparent mass and bulk. To the east of this building is a less prominent two storey building set approximately 10.6m back from the pavement to New Road. This building is relatively recessive in the street scene when compared to the larger and set forward main building.

7.6 The Havant Borough Local Plan (Core Strategy) policy CS16 together with the Havant Borough Design Guide Supplementary Planning Document 2011 set out the Council's design criteria in relation to new development.

7.7 Policy CS16 states that, *Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:*

1. Responds to, draws inspiration from and respects local context and (amongst other matters):

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

Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;

These criteria are considered particularly important to the consideration of the current application. In this case it is also necessary to consider whether changes made to the previously refused scheme are sufficient to overcome the concerns raised in the previous reason for refusal (see Part 2 above).

7.8 The current proposal is to extend the main building further to the south and west by the addition of a further two storey addition. As this is located at the narrowest part of the site the proposed extension would cover the full depth of the site and project in front of the existing main building towards New Lane. The roof would be positioned approximately 1.2m from the pavement to New Road with the front wall approximately 1.4m back. The extension would be different in style to the existing development on the site as it is open to the ground floor (to provide car parking). The roof design and materials including the front gable and side hipped roof and the use of tile hanging and brick detailing would pick up on some existing features of the main building.

7.9 The main changes in design terms between this and the previous application relate to the following:

Front Elevation:

Double hipped roof changed to hip and gable;
Render and tiled roof changed to tile hanging, brick detailing band and tiles to roof;
Changes to front window locations.
Set slightly further from site frontage

Rear Elevation:

Materials change as above.

Side Elevations:

Alterations to roof form
Materials change as above

These changes are considered to improve the appearance of the proposed extension when compared to the previous scheme. In particular the materials and roof form picks up on elements of the existing main building rather than the contrasting materials and roof

form of the previous application. There do however remain concerns in relation to the proposed development.

7.10 It is considered that notwithstanding the amendments made to the previous scheme, the proposed extension would remain a dominant element on the site being most prominently positioned adjacent to the site frontage. The symmetry and 'domestic scale' of the existing main building would be dominated by the forward projecting extension. The extension would also contrast in design and have a 'top heavy' non-domestic appearance although the tie in to the existing building in terms of materials and roof forms would help to reduce the visual impact. The maximisation of site coverage is also considered to result in a visual over-development of the site maximising the built form and detracting from the setting of the existing buildings.

7.11 Overall the negative aspects of the development identified above would need to be weighed against any economic benefits resulting from the development.

(iii) Impact on employment and business

7.12 The proposed extension would provide a modest additional office floorspace and therefore an opportunity for potential additional employment at the site. The previous application included no details in relation to existing or proposed employment; this application has included the following information:

One key feature the scheme benefits from is its ability to adapt to the changing needs of the users over the its lifespan of the building. The applicant has always sort to create a place where people want to work within their locality and has expressed concerns to councillors over the lack of job opportunities for young people in particular, within their ward - with many having to travel as far as Southampton to find employment. The site has already proven that it is successful in recruiting local people and businesses and the potential to provide a further office unit can only increase the job opportunities that are available. The business case for this development is solid and is supported by the council's corporate strategy. As well as creating a new opportunity's for a local businesses in a new state of the art office facility which boasts 4G broadband, it also has close links to rail and bus as well as the motorway.

7.13 A letter has also been submitted from Codepotato Limited who rent an office at Aura House. They comment on the attractiveness to businesses of the office accommodation at Aura House, the ideal location of the site and the fact that they may be looking to expand their facilities at the site.

7.14 The Councils Corporate Strategy seeks economic growth and environmental sustainability. Employment uses are supported by the Havant Borough Local Plan (Core Strategy) 2011. In particular policy CS2 states that *Planning permission will be granted for development proposals that (amongst other matters) Provide jobs, generate wealth or produce an economic output on existing employment sites that are not fit for current purpose*. It is however noted that in relation to offices that the plan favours *town centre locations for the provision of B1a offices and other town centre uses*. This site is not located within a town centre.

7.15 Whilst business use and any associated employment is a key priority of the Council this has to be balanced against the environmental impacts of the proposals (another key priority) highlighted in paragraphs 7.3 - 7.11 above. In this case officers consider that the employment and business opportunity provided by the development would not on balance override the clear concerns in relation to the character and visual amenities of the area that would result.

(iv) Impact upon residential amenity

7.16 The proposed extension is set well off the closest residential property and it is not considered that the proposals would result in any significant overlooking or overbearing impacts. The development would increase commercial activity at the site, however, given the busy context of New Road, West Street, the Bedhampton Level Crossing and Railway station, this would be a modest change in activity and is considered acceptable. Car parking is considered separately below.

(v) Car Parking/highway matters

7.17 The proposals together with the existing use would require the provision of 10 car parking spaces to meet the Councils Car Parking Standards. This is achieved on site by the open ground floor parking below the proposed extension. The parking plan shows 10 parking spaces. Parking is still tight on the site and this emphasises the complete site coverage and concerns highlighted above. The Development Engineer raises no objection in terms of parking as the car parking standard has been met, and car parking provision in itself was not cited as a reason for refusal of the previous scheme.

(vi) Environmental issues

7.18 The site is located adjacent to the railway line and busy roads. The non-residential nature of the development means that overnight noise impacts and sleep disturbance are not concerns. A noise impact assessment has been provided and should planning permission have been recommended a suitable condition in relation to noise could be imposed.

7.17 Given the proximity of the site to potential contaminants a planning condition in relation to contamination would have been appropriate should planning permission have been recommended.

8 Conclusion

8.1 In conclusion, whilst the current proposal is considered to represent an improvement to the previously refused scheme, the revised proposal is still considered to have an unacceptable impact on the character and appearance of the area, detract from the appearance of the existing main building and result in an overdevelopment of the site. Whilst it is recognised that the development would provide additional business floorspace and employment opportunities, on balance and given the small scale of development these opportunities are relatively limited and are not considered to outweigh the environmental harm identified. A refusal of planning permission is therefore recommended.

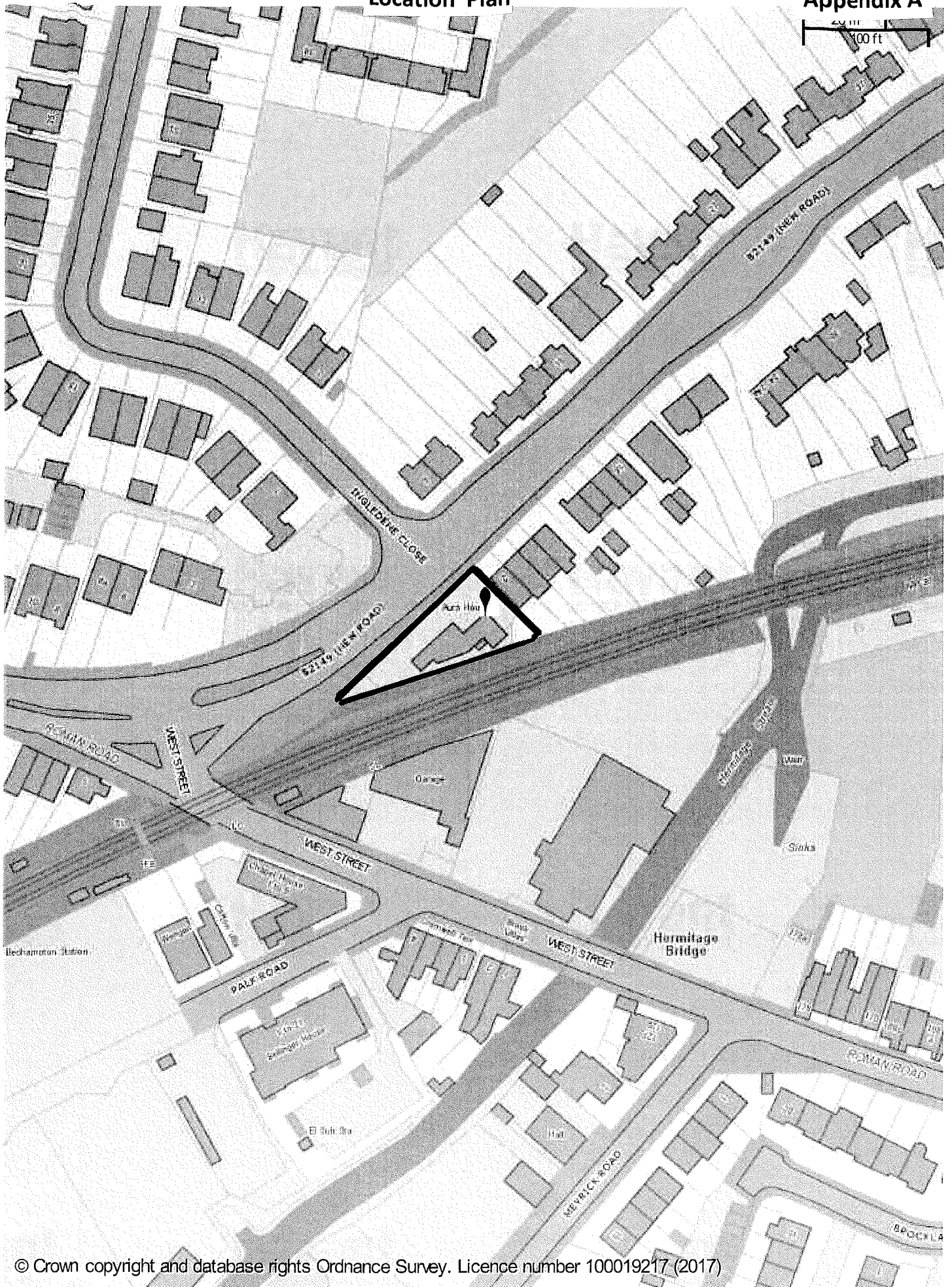
9 **RECOMMENDATION:**

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/17/00347 for the following reason:

1 The proposed Office Extension would by reason of its prominent siting, design, size, height, mass and bulk have a harmful impact on the character and appearance of the area, detract from the appearance of the existing main building and represent an overdevelopment of this shallow and constricted site. The proposal would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

Appendices:

- (A) Location Plan
- (B) Existing Site Plan
- (C) Proposed Site Plan
- (D) Proposed Parking Plan
- (E) Existing and Proposed Ground Floor Plan
- (F) Existing and Proposed First Floor Plan
- (G) Existing Front and Rear Elevations
- (H) Proposed Front and Rear Elevations
- (I) Existing and Proposed North-East Side Elevations
- (J) Existing and Proposed South-West Side Elevations



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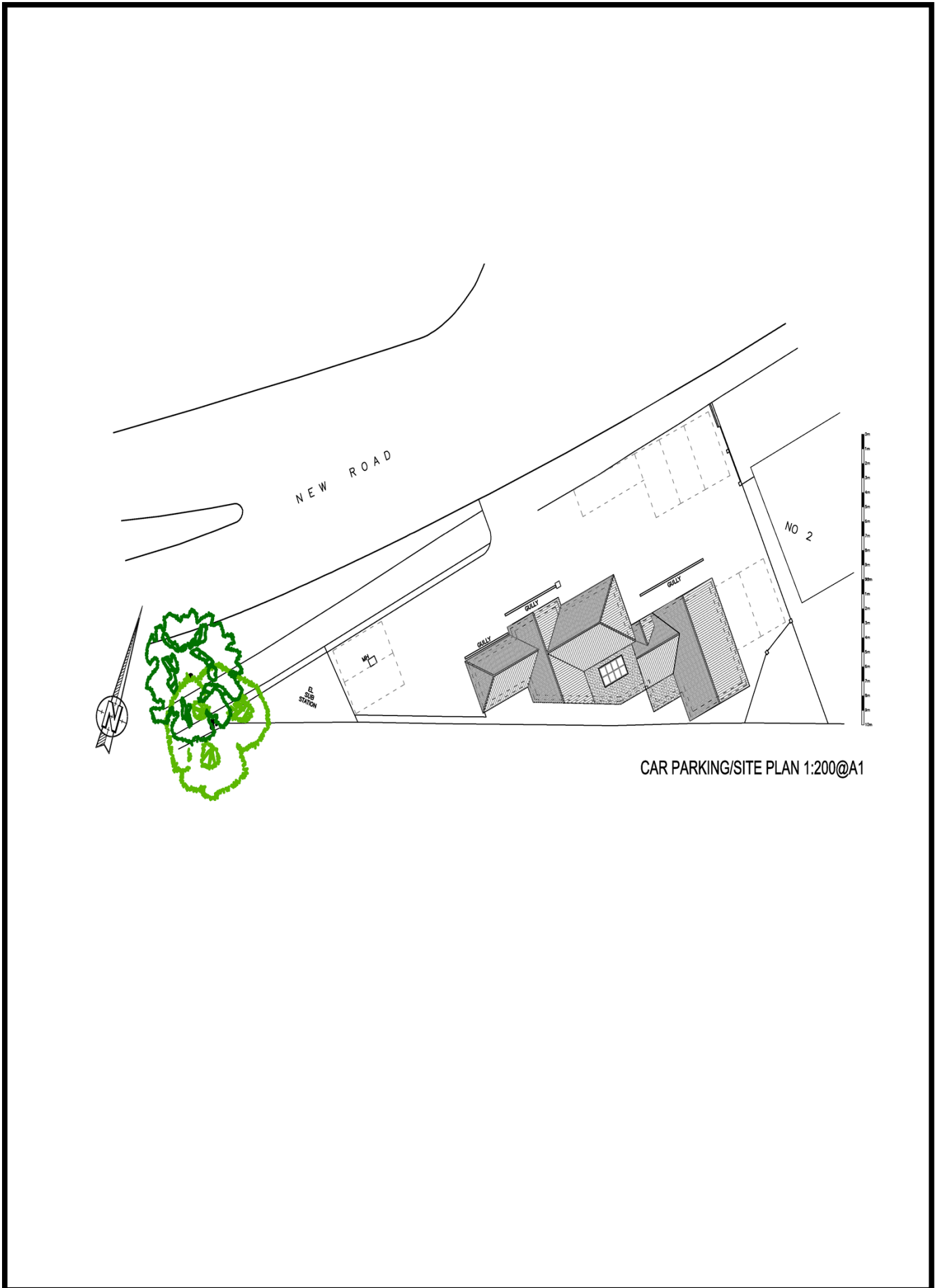


Aura House, New Road, Havant, PO9 1DE

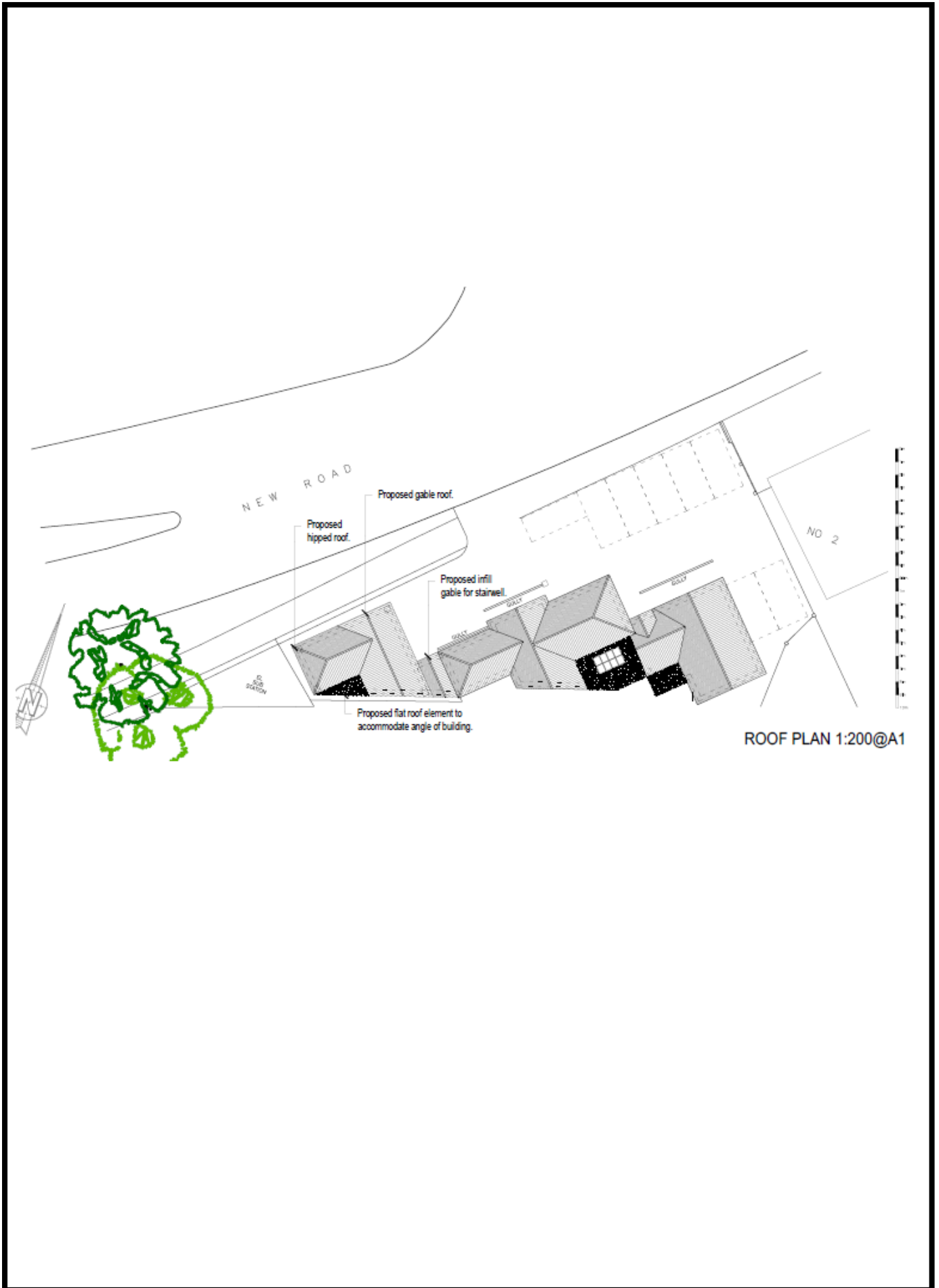
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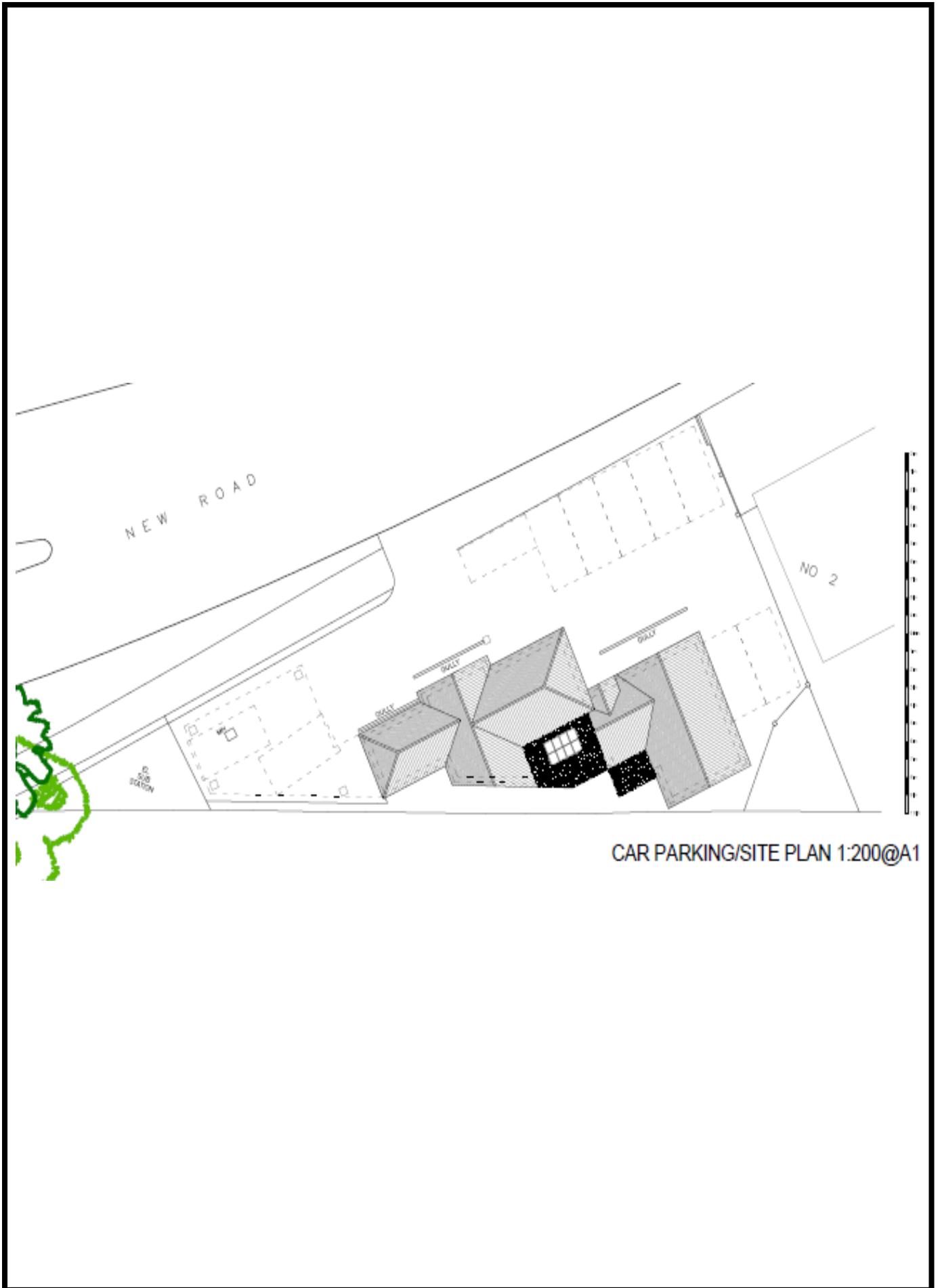
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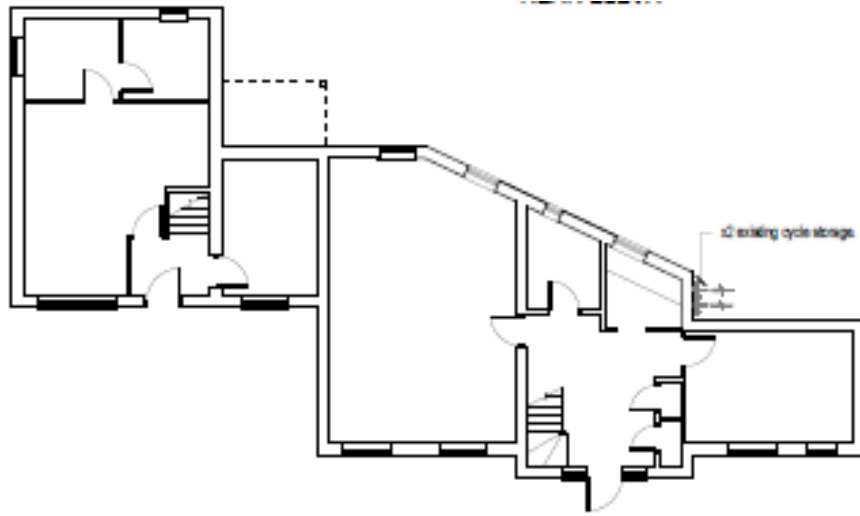


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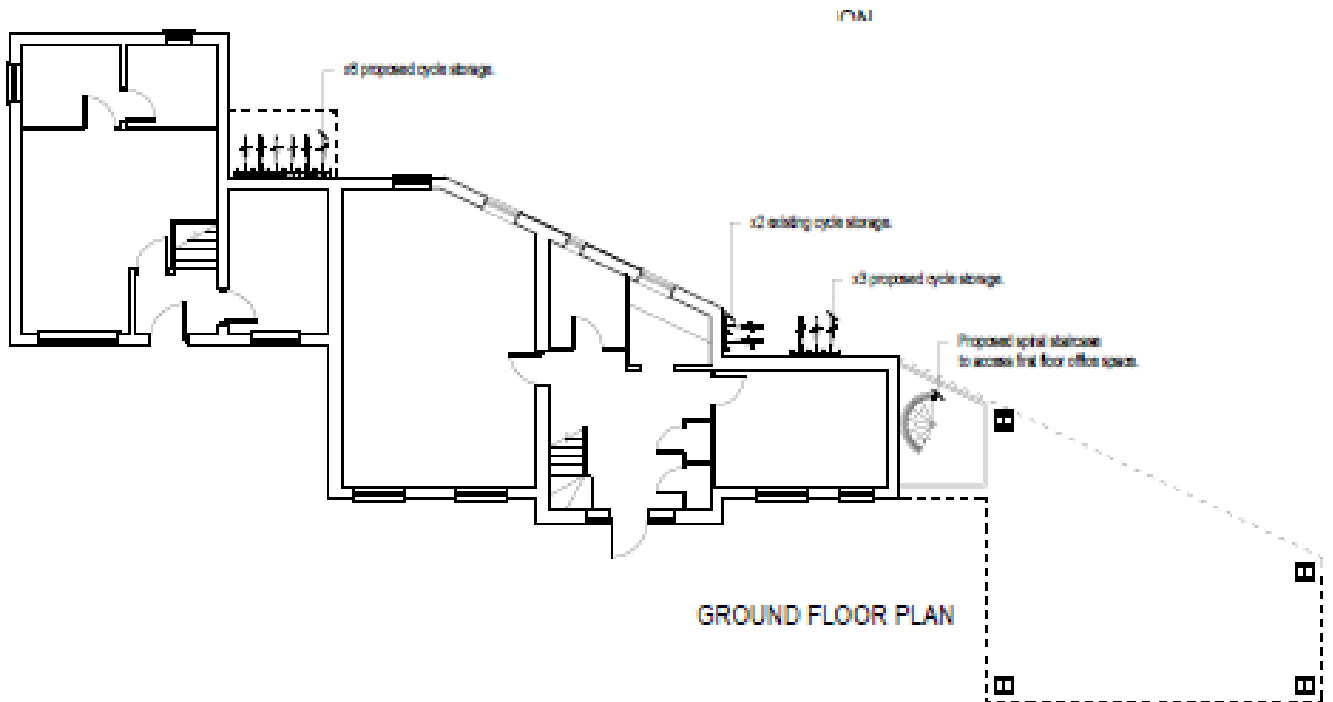


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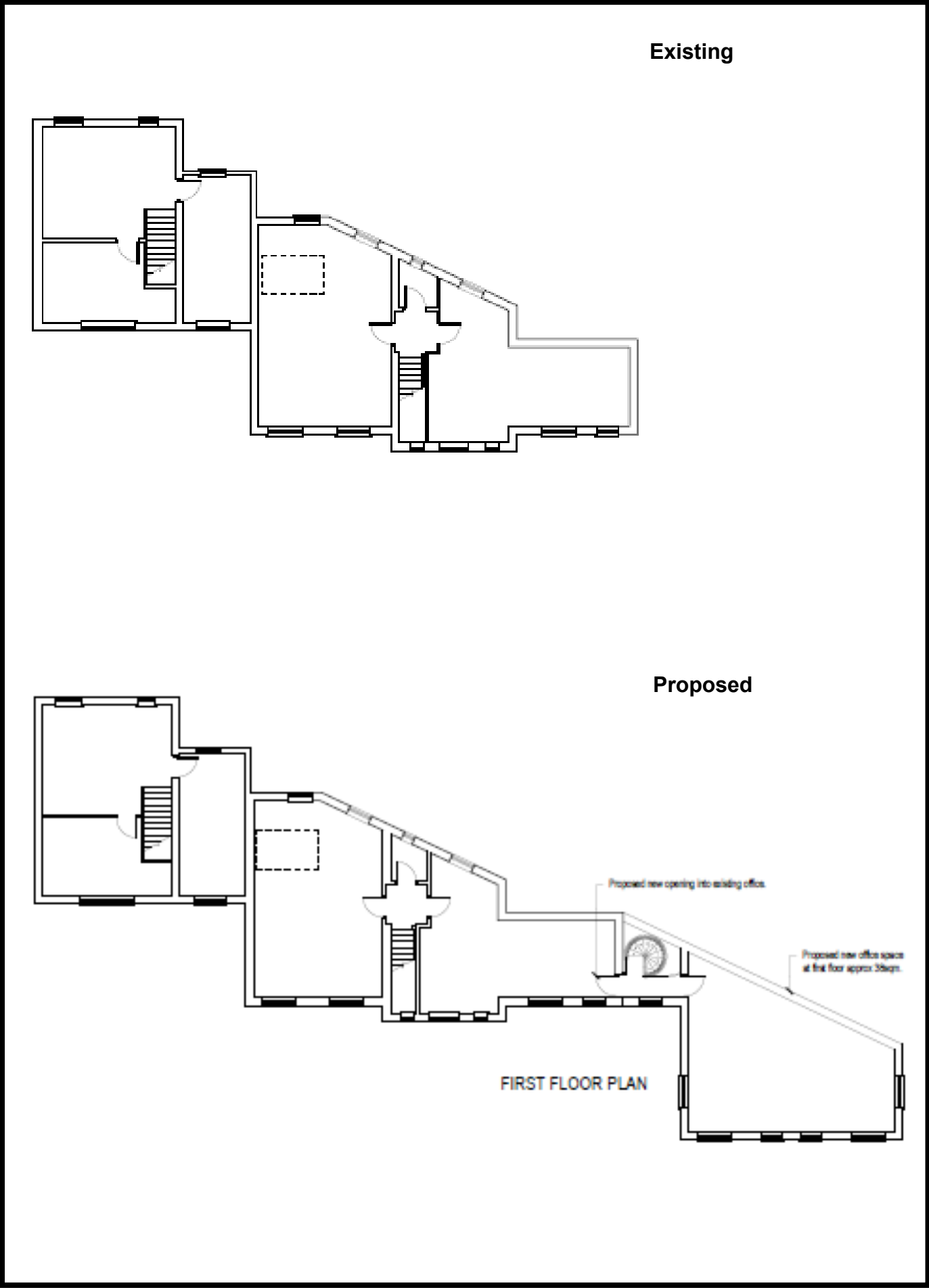
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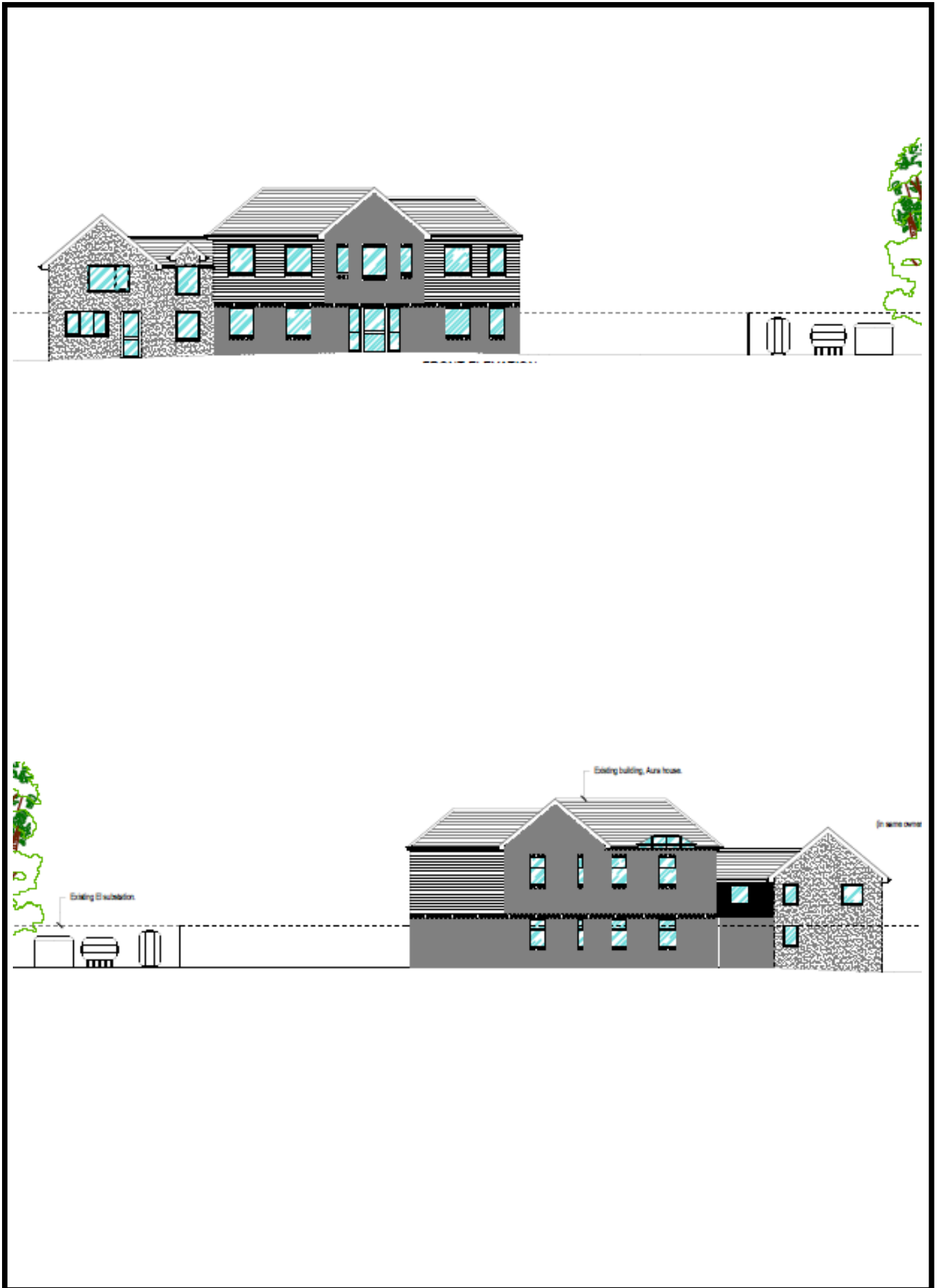
Proposed



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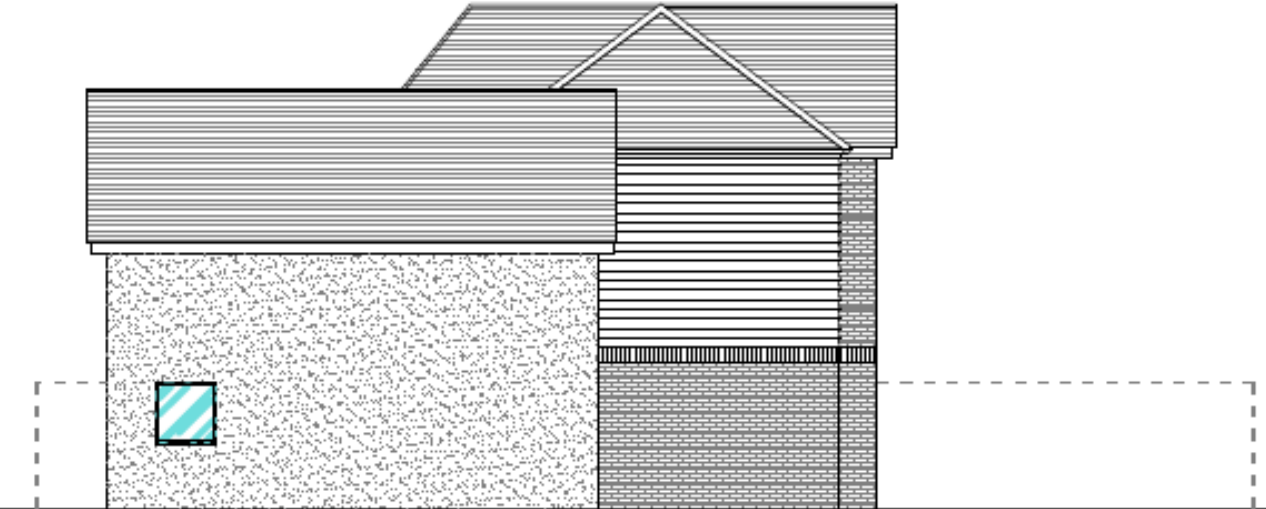
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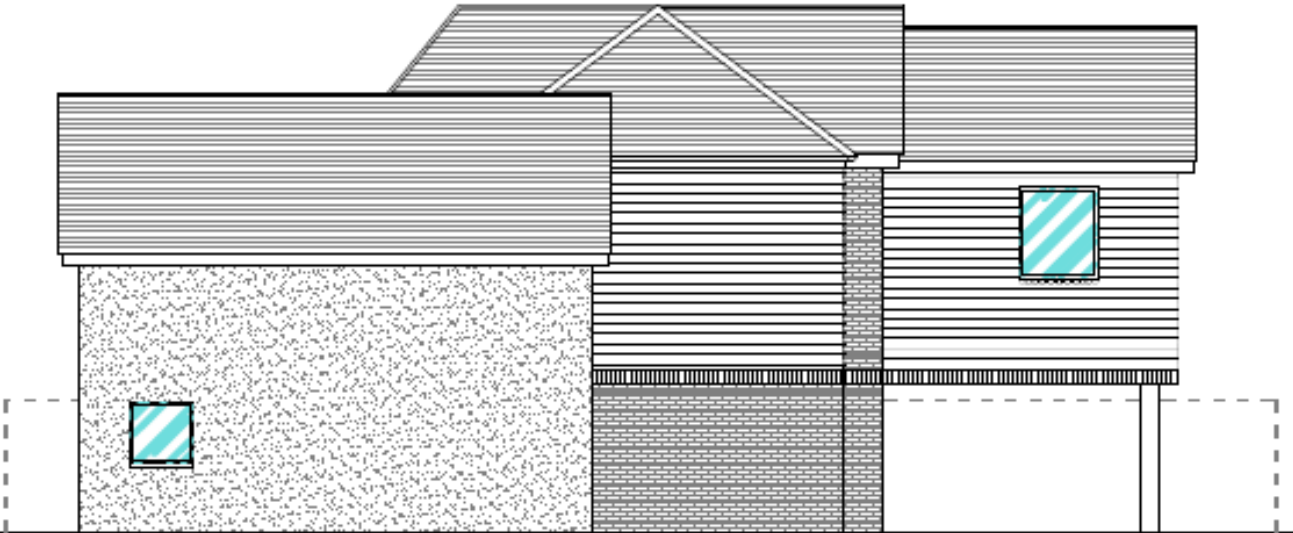
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EXISTING NORTHEAST SIDE ELEVATION



PROPOSED NORTHEAST SIDE ELEVATION

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EXISTING SOUTHWEST SIDE
ELEVATION



PROPOSED SOUTHWEST SIDE
ELEVATION

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Rota for the rotating Chairmanship for the Development Management Committee 2017/2018

- Cllr Lulu Bowerman
- Cllr Paul Buckley
- Cllr Gary Hughes
- Cllr David Keast
- Cllr Dianna Patrick
- Cllr John Perry
- Cllr Clare Satchwell

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