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PLANNING COMMITTEE AGENDA

Membership: Councillor Crellin (Chairman)

Councillors Branson, Howard, Hughes, Lowe, Patrick and Weeks

Standing Deputies: Councillor Tony Denton, Councillor Brenda Linger, Councillor Imogen Payter and Councillor Richard Stone

Meeting: Planning Committee

Date: 11 November 2021

Time: 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Gill Kneller
Chief Executive

2 November 2021

Contact Officer: Mark Gregory 023 9244 6232
Email: mark.gregory@havant.gov.uk

Can Councillors Please Submit Any Detailed Technical Questions On The Items Included In This Agenda To The Contact Officer At Least 4 Hours Before The Meeting Starts.

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1 Apologies for Absence	
2 Minutes	1 - 94

To approve the minutes of the Planning Committees held on 27 May, 3 June, 24 June, 12 August and 9 September 2021.

3	Declarations of Interest	
4	Matters to be considered for Deferment	
5	Applications for Development	95 - 98

Part 1 - Applications and other matters previously viewed by the Site Viewing Working Party

5a	APP/20/00441 - Land west of, Hulbert Road, Havant	99 - 204
	Proposal: Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant.	

[Additional Information](#)

Part 2 - Applications and other matters to be viewed by the Site Viewing Working Party

5b	APP/21/00605 - Land at Forty Acres Farm, Havant Road, Havant	205 - 258
	Proposal: Re-plan part of the residential area of the site to facilitate an additional 34 new homes within the development area to create a total 147 dwellings, inclusive of the additional 34 units.	

[Additional Information](#)

Part 3 - All other Applications for Development

5c	APP/21/00680 - 157-157C London Road, Waterlooville	259 - 292
	Proposal: Construction of additional storey over existing store building to create a one-bedroom, one-person flat, storage building to be altered internally to create cycle store.	

[Additional Information](#)

GENERAL INFORMATION

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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 *Mark Gregory (tel no: 023 9244 6232)* on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Please contact the named officer above if you wish to attend in person, otherwise we would encourage attendance virtually via the webcast on the Council's website.

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Members of the public, County Councillors, and Non-Members of the Planning Committee may submit a written deputation to meetings of the Planning Committee provided that it relates to an item on the Agenda for a particular meeting. A depute, who has submitted a written deputation may also ask to address the Committee in person at the meeting.

If there has been a deputation within six months of any previous appearance on the same or similar topic (irrespective of whether or not the member(s) of the deputation might be different) then no such new deputation will be received until that time limit has expired. However, "same or similar topic" does not apply to applications for planning permission considered by the Planning Committee.

A copy of a deputation must be received by the Democratic Services Team not later than 48 hours before the start of the meeting (other than when the meeting is on a Monday, when notice has to be in by the previous Wednesday). Written deputations may be sent by email to the address set out below. If a person wishes to also address the Committee in person he or she must indicate this when submitting their written deputation.

A deputation from a member of the public, agent or a County Councillor may be no longer than 750 words (including footnotes). A deputation from a Havant Borough Councillor, who is not a member of the meeting, shall be no longer than 1,500 words (including footnotes). A deputation may not contain images or photographs.

All written deputations will be published on the Council's website at least 24 hours before the start of the meeting. There will be no opportunity to respond to a written deputation after it has been published, unless the response is to correct a technical error and is received 4 hours before the start of the meeting.

Written Deputations may be sent to:

By Email to: DemocraticServices@havant.gov.uk

By Post to :

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

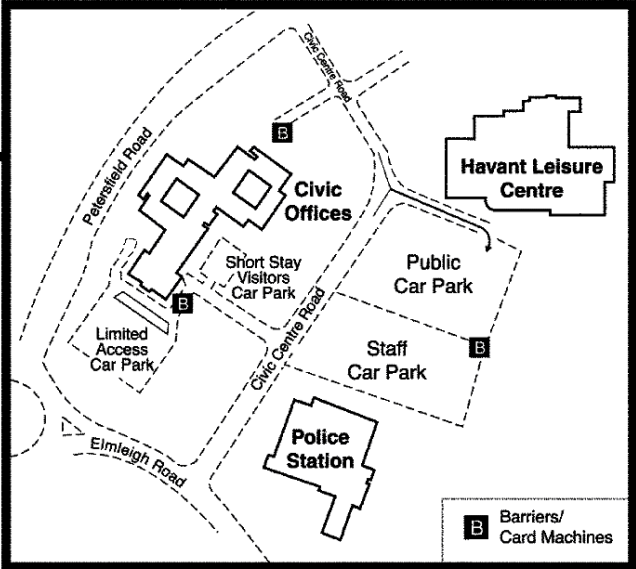
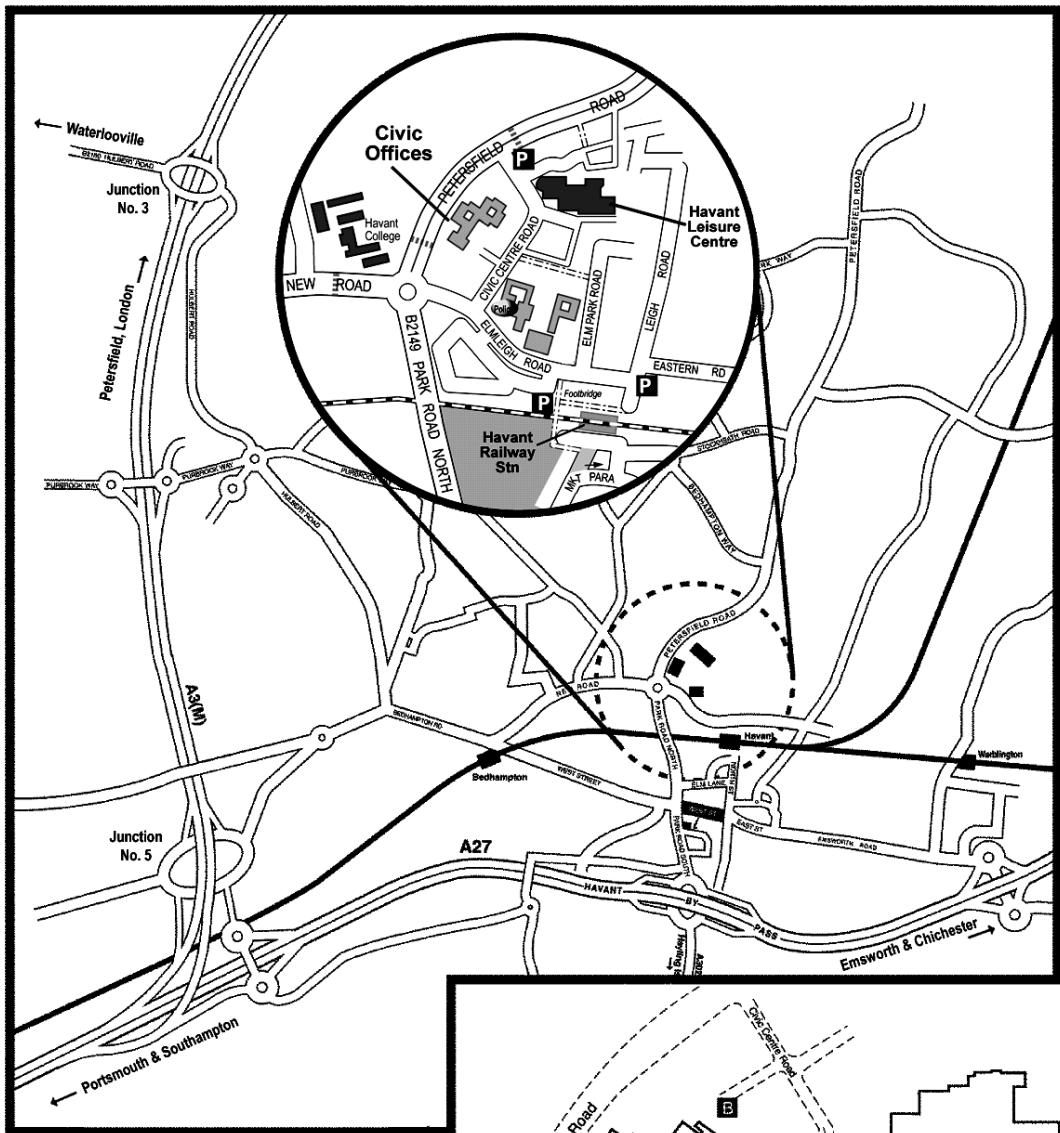
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Who To Contact If You Wish To Know The Outcome Of A Decision

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)



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HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 27 May 2021

Present

Councillor Crellin (Chairman)

Councillors Hughes, Patel, Patrick and Branson (Standing Deputy)

14 Apologies

Apologies for absence were received from Councillor Shimbart.

15 Declarations of Interests

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

16 Matters to be Considered for Site Viewing and Deferment

There were no matters to be considered for site viewing and deferment.

17 APP/20/00376 - Fowley Cottage, 46 Warblington Road, Emsworth

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

Proposal: Nine new dwellings on the site surrounding the retained Fowley Cottage, 2 on the Warblington Road frontage and 7 in the rear garden area.

The Committee considered the written report and recommendation to refuse permission

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

- (1) a written deputation from the applicant;
- (2) a written deputation from Councillors Kennett and Thain-Smith; and
- (3) an update sheet with a revised recommendation.

The Committee was addressed by Mr Glanville, who reported the history of the site together with the history of applications to develop this site. In support of his written deputation, Mr Glanville highlighted the following issues:

- The density of the current application was approximately 19 dwellings per hectare which represented an increase of a third on the previous application.

- If this application was not granted, this site might not be developed and thereby make no contribution towards the housing supply or re-usable sustainable urban land contrary to the NPPF and the Development Plan.
- Density was appropriate and in line with emerging local plan
- Not all of the Fowley Cottage site was included in the application. If permission was granted, there would be an opportunity for further development on the remaining land which could make up the 20 dwellings currently allocated for the site
- The proposal was compatible with the character of the area
- The density complied with the Local Plan and was consistent with National Planning Policy Framework (NPPF)
- The proposal was also consistent with Criterion 4 of Core strategy Policy CS9
- The proposal complied with the Post Examination Referendum version of the Emsworth Neighbourhood Plan
- Whilst it was acknowledged that Policy H13 of the Submission Version of the Havant Borough Local Plan (currently at Examination) sought about 20 dwellings on the site it was important to note that this figure did not relate to the entire site and various constraints that affect the application site. This policy was also the subject of an outstanding objection and yet to be tested at Examination. This was recognised by the Appeal Inspector who confirmed very limited weight should be given to this policy at this stage.
- The application site was the subject to a covenant that restricted the number of dwellings that could be built to south of the existing house/tennis court to 7
- Many local residents including the Emsworth Residents' Association supported the proposed development.
- 90% of those who commented on the Planning Portal said they would object to any greater number of dwellings on the site than are found in the application design.

With regard to the deputations received, the officers:

- (i) reminded the members that if the Committee took a covenant into account when determining this application it could vitiate the decision; and

- (ii) advised that the findings in the report took into account the fact that not all the available land was included in the application site

In response to questions from the Committee, officers advised that:

- The whole of the developable part of the site was in Flood Zone 1. The sites included in Flood Zones 2 and 3, which caused concern, were not included in the red line.
- The covenant was not a material consideration.

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

A member expressed concern that placing 20 houses could be detrimental to the area and pointed out that the Harbour Board and two of the ward councillors had not objected to the proposal. However, a majority of the Committee considered that

- (1) the development appeared to be contrary to some of the policies in the Post Examination Referendum version of the Emsworth Neighbourhood Plan;
- (2) the proposal was contrary to the Council's Local Plan;
- (3) the proposal deprived the opportunity to provide affordable housing; and
- (4) insufficient housing was proposed and did not make best use of the site

During the debate the members were reminded that they were required to determine the application as submitted.

A majority of the Committee were therefore minded to refuse permission and it was:

RESOLVED That application APP/20/00376 be refused for the following reason:

- 1 At a density of only 18.9 dph the application fails to make efficient use of land and is therefore contrary to the requirements of the National Planning Policy Framework, Policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, Policies H3 and H13 of the Submission Havant Borough Local Plan and D3 of the Emsworth Neighbourhood Plan.

[Voting on the resolution was as follows:

For: Councillors Crellin, Hughes, and Patel

Against: Councillor Branson

Abstention: 0]

18 APP/20/00875 - Aura House, New Road, Havant

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

Proposal: Change of use of Office (Use Class B1) to 6 residential flats (Use Class C3) with parking and associated external changes to facilitate the change of use, including the two storey extension previously approved under Planning Permission APP/18/00449.

The Committee considered the written report and recommendation from the Head of Planning to refuse permission

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

- (1) included written deputations submitted by Ms Brooks, Mrs Buckley, Mr Allsop, and County Councillor Fairhurst;
- (2) detailed an update to the planning considerations;
- (3) summarised additional representations and comments received since the report was published; and
- (4) provided additional information requested by the Site Viewing Working Party

The Committee was addressed by the following deputies:

- (a) Mr Allsop, who on behalf of the applicant, read out his written deputation supporting the application; and
- (b) County Councillor Fairhurst, who supported Mr Allsop's comments and further supported the application for the following reasons:
 - (1) the Council had permitted similar development nearby in closer proximity to the railway line than this proposal;
 - (2) the development was situated on a residential street and set further back from the road than the adjoining residential properties. Therefore, it was difficult to justify refusal on grounds of the impact of noise and vibration;
 - (3) the applicants proposed to move to another site within the Borough. Therefore, there would not be a loss of business floorspace or employment within the Borough;
 - (4) the development would help meet the demand for flats for younger people in the Borough;

- (5) the site was within a sustainable location with train and bus services nearby; and
- (6) this was an opportunity to provide accommodation without impacting on greenfield sites.

The officers made the following comments, in response to the deputations received:

- The building was designed for modern office use and in active use. Therefore, it was difficult to justify a change of use of the building to residential on the grounds that the building was no longer fit for its current use
- Policy CS2 sought to safeguard sites of business uses
- It was difficult to quantify the impact of Covid 19 on start-up businesses in the long term. However, it was anticipated that there always be a demand for such premises for small start-up businesses.
- Previous appeals, set out in report, were material considerations when considering this application
- The Committee was required to consider the application on its own merits. The other developments referred to in the verbal deputations were either built before the Council adopted its space standards, had different designs or were subject to less sources of noise.
- It was not known when the current uses would relocate

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

- Although, the room sizes were small they met the national space standards
- All forms of housing, particularly two bed dwellings, were required for the Borough. However, such housing needed to be of a good quality.
- The applicant's plans to market the flats were not a material planning consideration.
- The applicant was looking to install a stronger form of noise attention measures on the elevation of the development facing the railway line.
- The Environmental Health Officer had advised that there was no longer any vibration issue.
- There was an acceptable level of noise within the building provided the windows were closed.
- Due to the sustainability of the location, the parking provision was considered acceptable.

The Committee discussed the application in detail together with the views raised by deputees.

A majority of the Committee were minded to grant full permission, contrary to the officer's recommendation, for the following reasons:

- (i) the principle for this development had been established;
- (ii) there was a shortage of housing supply in the Borough with a high particularly high demand for 1 and 2 bed properties;
- (iii) the impact on the character and appearance of the area and neighbouring properties had been addressed as the appearance would not change;
- (iv) the impact of residential amenity noise and vibration has been mitigated by the applicant and supported by officers;
- (v) the loss of business space would be minimal compared with the excess of business space in the Borough demonstrated by the applicant;
- (vi) the ecological issues could be addressed by a Section 106 Agreement; and
- (vii) the other issues could be mitigated by conditions

RESOLVED that

- (A) application APP/20/00875 be granted permission subject to a legal agreement to address the ecological issues and such conditions (where considered appropriate) to cover:
 - Time limit for commencement of the development
 - Materials and finishes
 - The obscure glazing and fixed shut windows requirements
 - A compliance condition ensuring that the proposal is in accordance with the submitted noise report
 - A requirement that the noise conditions are complied with prior to occupation
- (B) authority be delegated authority to the Head of Planning, after consultation with the Chairman of the Committee, to determine the terms of the legal agreement and the conditions referred to in (A) above;
 - The provision of the parking provision details

- The provision of the electric vehicle charging point mentioned in the deputations
- The provision of details of the cycle storage and design
- Lighting
- The improvement of the fencing to the railway line
- The issues raised by the water authority relating to the impact on the Aquifer
- Landscaping

(Voting for the resolution was as follows:

For: Councillors Crellin, Patrick, Branson, Patel, Hughes
Against: 0
Abstentions:0)

19 APP/21/00075 - 3 Westmead Close, Hayling Island

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

Proposal: Demolition of existing dwelling; Erection of 1No. two storey three bed dwelling and associated works.

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

The Committee received the supplementary information, circulated prior to the meeting which set out an amendment to recommended Condition 2.

In response to questions from the Committee, officers advised that the Council had received 3 objections and 1 letter in support, which were summarised and addressed in the submitted report.

RESOLVED that the permission be granted for application APP/21/00075 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:

20069-PL-005 REV B Amended proposed elevations uploaded on the 17.05.2021

PL007 Indicative section uploaded on the 11.05.2021

Amended proposed plans (floor plans) uploaded on the 17.05.2021

20069-PL-001 REV C Amended block plan received on the 26.05.2021

20069-PL-006 REV C Amended indicative streetscene received on the 26.05.2021

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the bedroom and bathroom windows in the first floor on the side elevations facing north and south shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and 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 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the 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 in the Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

20 APP/21/00264 - 33 Victoria Avenue, Hayling Island

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

Proposal: Single storey rear extension

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

The Committee received amended Appendices C, D, E and F, which were circulated prior to the meeting. **Page 8**

RESOLVED that the APP/21/00264 be granted permission 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:

Location Plan
Block Plan
Existing and Proposed Ground Floor Plans - P100A
Existing and Proposed Site Plan - P102
Existing and Proposed North and South Elevations - P103
Existing and Proposed East and West Elevations - P104
Existing and Proposed 3D Plans - P105

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.

21 APP/21/00199 - Hayling Billy Trail - 3 sites at 1. Mill Lane, Langstone; 2. North Holt (Car Park), Victoria Road, Hayling Island and 3. Former South Hayling Station site Adjacent to Station Theatre, Hayling Island

(The site was viewed by the Site Viewing Working Party)"

Proposal: Display of 3No. non-illuminated Heritage Trail signs with former station names 3 sites at: 1. Mill Lane, Langstone; 2. North Halt (Car Park), Victoria Road, Hayling Island and; 3. Former South Hayling Station site Adjacent to Station Theatre, Hayling Island.

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

In response to questions from the Committee, officers advised that:

- The signs were designed as a replica of the Southern Railway signs that were in place at each station before the line closed in 1963.

- It was not intended to give an explanation on site for spelling the station sign using the spelling as it was in the railway's operational life.

RESOLVED that the APP/21/00199 be granted advertisement consent subject to the following conditions:

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

Red Line Plan
Design and Access Statement

Reason: - To ensure provision of a satisfactory development.

22 Appointment of Site Viewing Working Party

RESOLVED that:

- (a) the Site Viewing Working Party be constituted with the terms of reference set out in paragraph 3.1 of the submitted report;
- (b) Members of the Planning 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.

The meeting commenced at 5.00 pm and concluded at 7.30 pm

.....
Chairman

HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 3 June 2021

Present

Councillor Crellin (Chairman)

Councillors Hughes, Patel, Patrick and Linger (Standing Deputy)

Other Councillors Present:

Councillor(s):

23 Apologies for Absence

Apologies for absence were received from Councillors Branson and Mrs Shimbart.

24 Declarations of Interests

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

25 Matters to be Considered for Site Viewing and Deferment

There were no matters to be considered for site viewing and deferment.

26 APP/20/00990 (East Hampshire District Council Ref 51680/001) - Havant Thicket, adjacent to Sir George Staunton Country Park, Reservoir and Pipe Line, Middle Park Way, Havant

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

Proposal: Hybrid application seeking:

- 1) Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (Ml), to support the planned bulk supply transfer of at least 21Ml/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park ; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir.

- 2) Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) control house partially incorporated within landscaped earth mounding adjacent to the south west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m).

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

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

- (A) included written deputations submitted by an anonymous local resident, Borrow Investments Ltd, Mrs Bell, on behalf of Havant Climate Change Alliance and Havant Friends of the Earth, Mr Childs, Ms Codling, Ms Comerfield, Councillor Davies, Councillor Francis, Ms Harvey, on behalf of Havant Brough Tree Wardens, Mr Luck, Ms Morgan, Ms Saunders, Ms Schwager, Ms Stevenson, Ms Viney, Mrs Young and Portsmouth Water;
- (B) gave responses to questions submitted by Councillors prior to the meeting;
- (C) summarised eight further representations, including reference to a petition received after the report was published; and
- (D) Updated the planning considerations set out in the report.

In view of the public interest shown in this application, the Chairman, in accordance with the Committee's adopted deputation procedure, agreed to an extension of the time allowed for deputations as follows:

- 3 minutes for each objector
- 21 minutes for those speaking in support

The Committee was addressed by the following deputees:

- (a) Ms Brooks, who on behalf of the Havant Climate Change Alliance and Havant Friends of the Earth accepted that a reservoir was needed but, with reference to her written submission, objected to the proposal for the following reasons:
- (i) the size of the reservoir should be smaller retaining more ancient woodland and reducing the risk to Leigh Park in the event of the embankment failing;
 - (ii) although the planting proposed exceeded the amount of woodland that would be lost, this would not compensate habitat that would also be lost:
 - (iii) the carbon emissions generated by the proposal would have a cumulative effect with others locally and nationally, which would run counter to the government's target of cutting emissions;
 - (iv) a commitment to the long term ecological monitoring and management of new woodland and pasture habitats was essential to its maintenance and encouragement of biodiversity
 - (v) the visitors centre should be placed further away to the south where it could still be by the water's edge for views and built as an example of the highest standards of sustainability with net zero carbon emissions.
 - (vi) the cycle and pedestrian paths should be surfaced with tarmac which would last longer and be more comfortable to use by wheelchairs and pushchairs. Joint use paths should also clearly separate cyclists and pedestrians.
- Mrs Brooks requested that a decision on the application be delayed until:
- (1) firm commitments on emissions and biodiversity had been resolved; and
 - (2) there is a viable plan to mitigate/compensate for these emissions
- (b) Mr Childs supported his written representation objecting to the proposal by highlighting the following concerns:
- (1) the 72 alternative sites investigated did not reference any options created by a new pipeline or a second or third reservoir; the new pipeline allowed for two or more smaller reservoirs and this should be investigated thoroughly;

- (2) no wildlife corridors had been proposed in the reservoir plan. The applicant should redesign the proposal with a corridor and use ancient soil from the destruction of the Avenue to kick start recovery;
- (3) smaller trees should be relocated from the Avenue to accelerate growth of the woodland corridor;
- (4) planting of satins in clay was unacceptable;
- (5) the applicant had not accounted for loss of any of the approx. 3 km² ephemeral surrounding waterways in its calculations;
- (6) the applicant had not shown how the reservoir would look during summer and autumn;
- (7) the location of visitor centre was not based on environmental concerns;
- (8) an isolated visitor centre with two roads would be a magnet for vandalism and impossible to police; and
- (9) The use of the roads by cars and coaches would drive out wildlife

During his deputation Mr Childs corrected a typographical error in his written deputation relation to the size of the corridor.

(Mrs Childs failed to complete his verbal deputation within the time allowed)

- (c) Ms Harvey supported her written representation objecting to the proposal by highlighting that:
 - (1) this was an opportunity to prevent the destruction of four areas of ancient woodland which were under threat by this proposal;
 - (2) there were numerous other sites that could be used; and
 - (3) Havant Thicket was one of many small woodlands which were under threat. The protection of this and other small areas of woodland were as important as retaining the rainforests to ensure climate control.
- (e) Mr Smith, on behalf of Havant Tree Wardens, supported the Wardens' submission by highlighting the following concerns:

- (1) the loss of the Ancient Woodland would threaten the habitat of 'species of conservation concern' which could not be found elsewhere. In many cases these woodlands were the last stronghold of threatened species;
- (2) Ancient Woodlands were rich in complex communities of trees, plants, fungi, and microorganisms and which had taken hundreds of years to grow but could be easily degraded;
- (3) the soil created by Ancient Woodlands had its own rich nutrient character which made it the perfect environment for everything that lived within it. The soil could not be simply be dug up and relocated, any more than the rich flora and fauna of Ancient Woodland could be mitigated for by planting saplings nearby in plastic tubes;
- (4) Ancient woodland habitat could not be recreated;
- (5) the project's aim to have 'no net loss of biodiversity' ignored the loss of particular ecosystems and skewed the statistics, which made the compensation plans look more effective on paper than they really were;
- (6) there was also a failure to take account of the additional damage from 'Edge Effects' (e.g. woodland opened up to additional intrusion, lighting & trampling) and pollution from construction, additional traffic etc. Neither did it take into account the cumulative impacts of this further fragmentation of Ancient Woodland in the area;
- (7) a study showed that a mere 7% of Britain's native woodlands were currently in good ecological condition. including many Ancient Woodlands. Conservation of Ancient Woodlands and restoration of those in poor condition was an urgent national priority;
- (8) studies also showed that Biodiversity was declining faster than at any time in human history. Current extinction rates, for example, were around 100 to 1,000 times higher than the baseline rate, and they were increasing. Such declines were undermining Nature's productivity, resilience and adaptability, and were in turn fuelling extreme risk and uncertainty for our economies and well-being;
- (9) the additional destruction of Havant Thicket and other local woodland from the proposed pipeline to Otterbourne had not been mentioned;
- (10) there was no overriding reason for the permanent loss of Ancient Woodland, particularly since:

- The reservoir capacity was excessive and it was intended to export water elsewhere in the Southeast
 - Local Communities would not benefit from the new water supply, but suffer the impacts of increased traffic, woodland loss etc.
 - The depth of stored water would prevent recreational use.
 - There were no details as to how Leigh Park would be protected from flooding. It would not protect local chalk streams such as The Ems from current overabstraction.
- (11) Havant Thicket, which was a public asset, would be lost to a private venture whose purpose was to generate profit
- (f) Ms Saunders, supported her written submission by highlighting the following issues:
- (1) the need for the reservoir had been framed as water scarcity (water resource deficits). However, a total of 65% of the water provided by the plan would not be from the reservoir, if these targets were increased, they could cover the 35% expected from the reservoir offering an alternative solution;
 - (2) although there had been an in-depth consultation process in previous years (2004, 2008), the content was out of date. The 4000 people who had signed the petition 'Prevent the Destruction of Ancient Woodland at Havant Thicket and Surrounding Areas' and the objections noted in the application from the Woodlands Trust outweighed the 239 people who supported the proposal in the applicant's spring 2021 consultation; and
 - (3) an alternative option which would prevent the loss of ancient woodland had been offered to the applicant and referred to in the submission made by Borrow Investment's deputation particularly points 4 and 7
- (g) Ms Stevenson, supported her written submission by focussing on the following three issues:
- (1) the proposal would lead to an unacceptable destruction of trees and area of primary pastureland. The importance of the valuable native species trees to be lost was recognised by the fact they many of these trees were protected by Tree Preservation Orders. The planting of saplings will not compensate for the loss of these trees. The felling of these trees would release carbon dioxide and affect climate change;

- (2) the provision of two access routes with two entries would double the impact on trees on the site within the Thicket and the application site and as a result there would be no tranquillity in the countryside and meadows that the local residents currently benefited from. The same routes would be required to service the conflicting needs of car users, walkers, cyclists and horse riders. The proposal represented a loss of their current level of access to the countryside; and
 - (3) the application should not be considered in isolation from other development plans in the area. The reservoir would consume the last pocket of countryside in the area.
- (h) Mrs Young, supported her written submission by highlighting the following issues:
- (1) the proposal would destroy a unique and precious ecosystem and thousands of mature trees, whose carbon capture could never be replaced by planting young saplings which take 30 years to mature. Many the trees planted last year had died because they had not been watered;
 - (2) the loss of the trees would increase the risk of flooding to nearby properties. Killing and all this woodland, flora and fauna, and wildlife was inexcusable;
 - (3) this proposal represented a loss of an Ancient Woodland which were being destroyed constantly for numerous housing developments;
 - (4) Portsmouth Water had chosen this site for economic and not environmental reasons;
 - (5) the removal of the trees would have a detrimental impact on air quality for everyone in the vicinity;
 - (6) the proposal would create a flood risk for nearby properties and other properties in Havant and lead in an increase in insurance costs. The real risks created by dams nearby residential areas had been demonstrated recently in areas such as Whaley Bridge;
 - (7) the dam would be overbearing to properties in Winterslow Drive;
 - (8) the public relations campaign for the development of the reservoir in 2008 was so effective that people still believed that the newly proposed reservoir would be available for activities such as fishing, boating and swimming;

- (9) the siting of a reservoir close to properties in a deprived area would encourage youths to use this reservoir as a swimming area and thereby increase the risk of drownings. The proposal should incorporate safety measures to discourage swimming and help those who did run into difficulties trying to swim in the reservoir;
 - (10) this was the wrong location for a reservoir and needed to be somewhere else. Portsmouth Water had 70 potential sites as detailed in a map they produced. Some of them were, in no doubt more suitable, or they wouldn't have been considered otherwise;
 - (11) the reservoir should be sited nearer to where the water would be supplied;
 - (12) the application should be considered in relation to the proposals for Otterbourne Waterworks.
- (i) Mr Taylor, on behalf of the applicant, spoke in support of the application. With reference to the applicant's written submission, Mr Taylor highlighted:
- (1) the applicant's long-standing track record of delivering to the local communities they served and their continuing commitment to engage to shape the reservoir;
 - (2) that the proposal would meet the demand for water in the South East and was a response to the Government's calling for investment in regional water resources to support the country's increasing need for resilient water supplies in face of climate change and population growth;
 - (3) that the Water Resources South East Group had identified this as a preferred scheme which had also been approved by Defra;
 - (4) that the proposal was an environmentally-led scheme with a vital role to play in securing resilient supplies and safeguarding two of Hampshire's world-famous chalk streams: the rivers Test and Itchen;
 - (5) that the proposal would allow the applicant to store an excess of sustainable water from Bedhampton Springs during winter and be used to supply the applicant's customers and Southern Water's customers;
 - (6) the additional benefits that would be provided by the proposal, especially for local communities and wildlife;

- (7) that while not proposing large scale water sports to maintain the tranquillity of the area for wildlife, the applicant was open to local water sports involving local community groups to be provided by a specialist partner;
- (8) that the applicant was looking to provide local job opportunities, including apprenticeships, volunteering and wide-ranging education;
- (9) that the proposal presented an opportunity to improve wellbeing and mental health in the area.;
- (10) that the proposal provided an opportunity to create a wetland on the northern edge, providing a tranquil haven for a wide variety of birds, including threatened species;
- (11) that the materials for the wetlands, where possible, be sourced from the application site;
- (12) the plans to create or restore up to 180 hectares of woodland and woodland pasture on the reservoir site and nearby, with a focus on increasing biodiversity and species-rich habitats;
- (13) the plans to improve 5.5km of local streams and get local environmental projects off the ground with a grants scheme;
- (14) that although the nature of the site would change and woodland would be lost, the applicant had adapted its plans to reduce this to an absolute minimum;
- (15) arrangements to mitigate and compensate the ecological impact;
- (16) the consultation and customer research undertaken in development of this proposal and support expressed for this proposal;
- (17) that the applicant would continue to involve local community groups and residents in the development of the reservoir;
- (18) the controls in place to approve the design and construction of reservoirs;
- (19) that the Environmental Agency had signed off the Environmental Statement and Flood Risk Assessment;
- (20) that the operation of the reservoir would differ from the management of other reservoirs as in this case the applicant would have control on the amount of water that could be pumped into the reservoir;

- (22) the emergency measures that would be in place to prevent the reservoir from flooding nearby properties; and
- (23) the importance of safety to the applicant and that its safety record had been recognised by ROSPA.

In response to questions from the Committee, officers advised that

- The reservoir would be mainly used by Portsmouth Water customers.
- The creation of the reservoir would enable Portsmouth Water to give the water they extract from the western region to Southern Water. However, if needed water from the reservoir could be transferred to Southern Water.
- The proposal met the Government's aim of water companies working together to provide regional water resources to support the region's increasing need for resilient water supplies.
- The primary access route to the site would be from the north (74%) and signage would be installed encouraging visitors to use this access.
- The number of passing points on the proposed northern route would be agreed under a reserved matters application.
- The application was supported by a robust assessment of alternative access routes from the north as set out in the report.
- An alternative option (2A) had been put forward by a third party as an alternative access route from the north. However, this was ruled out for the reasons set out in the report.
- The amount of water to be supplied to Southern Water from the reservoir would depend upon the level of capacity and the need.
- The basis on which the size of the reservoir was determined was covered by the report. In essence a number of factors including the need to be viable and a requirement to meet the needs of Portsmouth Water Company and Southern Water. Details of alternatives were also set out in the report.
- It was unfortunate that the proposal would lead to a loss of ancient woodland but this loss had been reduced to an absolute minimum and mitigation plans had been carefully developed with the support of Natural England, the Environment Agency and Hampshire County Council

- The decision to use the traditional planning application process was made by the applicant
- The stakeholder group had a wide variety of views and the individual members had submitted individual responses to the proposals; a majority of the members of the group were in favour of the application as submitted.
- The application was outline in nature so the siting of the visitors centre would be determined under a reserved matter application. The applicant was committed to look at alternatives before submitting a reserved application
- The design of the visitors centre to accommodate disabled visitors would be a matter for the reserved application.
- The management of the visitor centre would be the subject of a legal agreement.
- The application did not propose any improvements to the river Ems but the closest watercourses. One of the primary objectives of the proposal was to safeguard the internationally recognised chalk streams of the Test and Itchen.
- Conditions were proposed to secure details of safety measures to be put in place.
- There would be enhanced land and environment management for biodiversity on the wider site through collaboration with Forestry England and Hampshire County Council, including a long-term site management plan
- It was hoped that part of the woodland creation would involve the planting of native species

The Committee discussed the application in detail together with the views raised by deputees.

During the debate, one member of the Committee acknowledged that although there was a need to protect chalk streams and there was need for reservoir, she felt that the benefits of a reservoir of the size proposed did not outweigh the loss of the ancient woodland and the disruption to existing wildlife habitats and countryside.

However, a majority of members were minded to grant permission for the following reasons:

- the strategic management of water from one company to another was not unusual.

- Alternative sites had been considered and this site was the best location
- Conditions would adequately address the safety concerns and the applicants had expressed a commitment to work with the local groups to also address their concerns
- Although this would involve a loss of trees, the benefits of a strategic arrangement for the supply of water across the region outweighed the loss of the ancient woodland
- The scheme had been supported by the Environment Agency, Natural England and the Campaign of the Protection of Rural England.

In response to comments made during the debate, the officers acknowledged that it was regrettable that the proposal would lead to the loss of ancient woodland. However, the size of the reservoir had been justified and that the alternative sites were not considered suitable because they were not in close proximity to Bedhampton springs or local watercourses that could accommodate the capacity of water likely to be generated if the emergency measures were invoked.

The officers also drew the Committee's attention to the extensive consultations that had taken place and amendments made to overcome concerns raised during the consultation period and the educational opportunities proposed for the local communities under this scheme.

It was therefore:

RESOLVED that

- i) the Head of Legal Services be authorised to enter into a S106 Agreement to secure the Heads of Terms set out in paragraph 7.318 of the submitted report:
- ii) APP/20/00991 be granted permission subject to:
 - (A) the completion of the Section 106 Agreement as set out in paragraph 7.129 of the submitted report; and
 - (B) Full Planning Permission being granted for only the following part of the above proposal as described:

Full Planning permission for Development of a reservoir for raw water storage, A pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (MI), to support the planned bulk supply transfer of at least 21MI/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park ; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir, and

- (C) Outline Planning Permission being granted with respect to the following part of the above proposal as described:

Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) control house partially incorporated within landscaped earth mounding adjacent to the south west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m).

- (D) the conditions set out in the submitted report (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision).

[The voting on the resolution was recorded as follows:

For: Councillor Crellin, Hughes, Patel, Linger

Abstention: Councillor Patrick

Against: None]

(the meeting adjourned at 7.35 pm and reconvened at 7.43 pm)

27 APP/20/00991 - Pipeline from Proposed Reservoir Site, Middle Park Way to land adjacent to, West Street, Havant

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

Proposal: Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground).

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

The Committee received the supplementary information, circulated prior to the meeting which included written depositions submitted on behalf of Havant Climate Change Alliance and Havant Friends of the Earth, on behalf of Havant Brough Tree Wardens and Portsmouth Water;

The Committee was addressed by the following deputees:

- a) Ms Brooks, on behalf of the Climate Alliance and Friends of the Earth, advised that the main issues had been highlighted in the previous item and in the written submission but also raised the following concerns:
 - 1 it was important that everything should be done to avoid damage or removal of mature and veteran trees in the interest of biodiversity;
 - 2 the green space along the Hermitage Stream should be restored to its former state once the pipeline had been laid;
 - 3 the commitment to future restoration work on Hermitage Stream should be adhered to as a fundamental part of the Water Environment and Mitigation Package; and
 - 4 water flowing through the pipeline could be used to generate electricity
- b) Mr Smith, who, on behalf of Havant Tree Wardens, supported the points raised by Ms Brooks;
- c) Mr Taylor, who, on behalf of the applicant, highlighted the following issues set out in the written submission:
 - (1) the proposal to **Page 24** count the environmental impact locally;

- (2) it was proposed to avoid damage to tree roots and other natural structures and plants;
- (3) Health and safety measures would be put in place;
- (4) The proposed route would minimise community impact and areas of local space and grass;
- (5) considerable consultation had been undertaken;
- (6) where possible works would be undertaken to improve watercourses; and
- (7) it was proposed to make the construction plan available to the public

In response to questions from the Committee, officers advised that:

- The Highway Authority were aware of the need to avoid conflict with the works for this proposal and the works associated with the AQUIND Interconnector scheme and that they would seek to ensure that there would be minimal disruption to traffic using the roads affected.

The Committee discussed the application in detail together with the views raised by deputees.

During the debate, some members of the Committee expressed concern about the disruption to be created by the proposed works. However, a majority of the Committee were satisfied that measures would be in place to minimise this disruption.

It was therefore:

RESOLVED that:

- i) the Head of Legal Services be authorised to enter into a S106 Agreement to secure the Heads of Terms set out in paragraph 7.129 of the submitted report,
- ii) application APP/20/00990 be granted permission subject to:
 - (A) the completion of the Section 106 Agreement as set out in paragraph 7.129 of the submitted report; and
 - (B) the conditions set out below (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision)
 1. The development must be begun not later than five 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. No part of the development hereby approved in outline shall be commenced until an application or applications for written approval of the details of the route of the pipeline and the siting, scale and external appearance of the emergency drawdown discharge structure, and landscaping (hereinafter called "the reserved matters") have been submitted to and approved by the Local Planning Authority. Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice; and Development must be begun not later than the expiration of 2 years from the final approval of reserved matters for the relevant phase, or, in the case of approval on different dates, the approval of the last such matter to be approved.

Reason: The application was submitted as part outline part full application in accordance with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and in accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Drawings

HTR-ATK-ZZ-ZZ-GS-Z-0140 Site Location Plan
HTR-ATK-PI-BR-DR-C-0009 Overall Plan and Route
HTR-ATK-PI-BR-DR-C-0021 Red Line Boundary Drawing (Ch0-1600)
HTR-ATK-PI-BR-DR-C-0022 Red Line Boundary Drawing (Ch1600-3200)
HTR-ATK-PI-BR-DR-C-0023 Red Line Boundary Drawing (Ch3200-4500)
HTR-ATK-PI-BR-DR-C-0014 Site Plan (Ch0-800)
HTR-ATK-PI-BR-DR-C-0015 Site Plan (Ch800-1600)
HTR-ATK-PI-BR-DR-C-0016 Site Plan (Ch1600-2400)
HTR-ATK-PI-BR-DR-C-0017 Site Plan (Ch2400-3200)
HTR-ATK-PI-BR-DR-C-0018 Site Plan (Ch3200-4000)
HTR-ATK-PI-BR-DR-C-0019 Site Plan (Ch4000-4564)
HTR-ATK-PI-BR-DR-C-0010 Typical Stream Crossing Detail

HTR-ATK-PI-BR-DR-C-0011 Typical Pipeline
Construction Detail
HTR-ATK-PI-BR-DR-C-0012 Typical Under Track
Crossing Detail
HTR-ATK-PI-BR-DR-C-0013 Hermitage Discharge
Structure Detail
HTR-ATK-PI-BR-DR-C-0020 Typical Culvert Detail

Documents

Engineering and Design Report
Planning Statement
Development Specification
Environmental Statement (Volumes 1 - 4) including Non-
Technical Summary. The Volume 4 Appendices include
the following standalone reports:
Outline Construction Environmental Management Plan
including Record of Environmental Actions and
Commitments or REAC
(ES_Volume_4_Appendix_A2.1_OEMP)
Transport Assessment
(ES_Volume_4_Appendix_A13.1_TA)
Flood Risk Assessment
(ES_Volume_4_Appendix_A15.2_FRA)
Water Framework Directive Compliance Assessment
(ES_Volume_4_Appendix_A15.1_WFD)
Arboricultural Impact Assessment
(ES_Volume_4_Appendix_A9.14_AIA)
HTR-ATK-RZ-RE-DR-L-113 Revised Tree Protection Plan
Sheet 37 of 40 (revP01.1)
Design and Access Statement
Statement of Community Involvement
Outline Biodiversity Mitigation and Compensation Strategy
Article 4.7 Statement

ADDITIONAL INFORMATION SUBMITTED FEBRUARY 2021

A Summary of the Benefits of Havant Thicket Reservoir
HTR TNPS02 Traffic Distribution Sensitivity revision_V2.0
dated 25/01/2021
HTR TNPS03 Report on Northern Access Layout dated
29/01/2021
HTR Water Framework Directive Article 4.7 29/01/2021

ADDITIONAL INFORMATION SUBMITTED APRIL 2021

Access for Non Motorised Users - Technical Note dated
01/04/2021
Access Strategy, Rat Running and Construction
Management Technical Note dated 01/04/2021

Framework Construction Management Plan dated 31/03/2021
Article 4.7 Shortlisting Methodology dated 01/04/2021
Transport Assessment Addendum - Framework Travel Plan dated 01/04/2021
Implementation Plan for Off Site Biodiversity Mitigation and Compensation dated 01/04/2021

Reason: For the avoidance of doubt and in the interests of proper planning.

Phasing

4. Prior to the commencement of development, a detailed phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan and no variation shall be made without the prior written approval of the Local Planning Authority. Approval will not be given if, in the reasonable opinion of the Local Planning Authority, the proposed variation creates new environmental impacts which exceed the range or scale of those measured and assessed in the Environmental Statement (including the further information) and which the Local Planning Authority considers may require further or additional mitigation measures.

Reason: The Environmental Impact and merits of the proposed development have been assessed on this basis.

Construction Environmental Management Plan

5. No phase of the development approved under Condition 4 shall commence until a phase specific Construction Environmental Management Plan for that parcel has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall be based upon, and be in broad accordance with, Volume 4 Appendix A2.1 of the application Environmental Statement (Outline Environmental Management Plan). It should demonstrate that the risk to controlled waters will be appropriately managed, and include both temporary and permanent construction features and detail information on locations of proposed techniques such as cofferdams, culverting and piping and the associated flood risks and mitigation measures. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties or within the public realm. To avoid inappropriate parking practices, and turning and manoeuvring of construction vehicles which adversely impact either the use- or safety- of the public highway. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011), and the National Planning Policy Framework 2019.

Highways and amenity

6. No phase of the development approved under Condition 4 shall commence until a Construction Method Statement (CMS) for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction process is carried out in a manner which will minimise disturbance, pollution & nuisance to neighbouring properties.

Construction Traffic Management Plan (CTMP)

7. A) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Hampshire County Council as local highways authority). B) No phase of the development approved under Condition 4 shall commence until a phase specific CTMP for that parcel has been approved in writing by the local planning authority. The CTMP(s) shall include all commitments set out in the Framework CTMP, dated 31/03/2021, submitted with the planning applications and will include a Construction Traffic Management Strategy and Construction Worker Travel Plan. The CTMP shall include the following:
 - Vehicle routing plans
 - proposed programme and duration
 - number of construction personnel including travel arrangements and mitigation where necessary
 - alterations to the highway, including temporary and / or permanent, to enable construction
 - details of the number of construction and delivery vehicles using the public highway (no abnormal loads are anticipated at this stage)
 - traffic management details
 - compounds and laydown area details
 - highway condition surveys

- methods for managing the site to prevent mud onto the highway
- details of on-site contractor parking.

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

Reason: To ensure the safe and efficient operation of the highway network.

8. No phase of the development approved under Condition 4 shall commence until a phase specific Traffic management and construction measures for that parcel has been submitted to, and approved in writing by, the Local Planning Authority. This shall include the following:
 - a) Vehicular, pedestrian and cyclist diversion plans
 - b) Details of type of traffic management
 - c) Details of highway reinstatement
 - d) Construction methodology and details
 - e) Material and spoil storage

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

Reason: To ensure the safe and efficient operation of the highway network.

9. No construction on the pipeline site shall take place outside the hours of 08:30- 18:00 Monday to Friday, 09:00-13:00 on Saturday and no Sunday working, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, with the exception of specific works that shall have been agreed in writing with the Local Planning Authority in advance and shall include details of the task, the date and duration of works. No works shall take place on Bank or Public Holidays.

Reason: In the interests of the amenities of local residents.

10. No phase of the development approved under Condition 4 shall commence until a revised and updated assessment of potential noise and vibration arising during construction shall be prepared in accordance with BS 5228-1:2009+A1:2014. The assessments shall include likely eligibility for noise insulation or temporary re housing and shall be submitted to and approved in writing by the Local Planning Authority and construction carried out in accordance with the agreed recommendations.

Reason: To minimise potential noise impacts on nearby sensitive receptors.

11. Subject to Condition 10 [ABOVE], no night time working shall take place, except works on the adopted highway, where alternative arrangements are to be agreed between the Highway Authority and Local Planning Authority, unless otherwise in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. Night-time works to be carried out strictly in accordance with the approved scheme.

Reason: To avoid potentially significant impacts of noise and vibration upon residential receptors.

Archaeological Evaluation (Written Scheme)

12. No phase of development approved under Condition 4 hereby approved shall commence until an Archaeological Management Plan (AMP) has been submitted to, and approved in writing by, the Local Planning Authority. The AMP will provide appropriately for all aspects of archaeological recording and will serve as an over-arching Written Scheme of Investigation for all archaeological works.

Reason: To record important archaeological features.

Archaeological Evaluation (Programme)

13. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved, a written scheme for the programme of archaeological mitigation within that Development Phase area. The programme for archaeological mitigation shall then be implemented in accordance with the agreed written scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.

Archaeological Evaluation (Recording)

14. No development within a Development Phase shall commence until the applicant has submitted, and the Local Planning Authority has approved in writing, a Written Scheme for recording all historic assets within that Development Phase area. The recording of all historic assets shall then be implemented in accordance with the agreed scheme.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

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. This is a pre-commencement requirement because of the need to secure satisfactory archaeological protection in advance of each individual Development Phase commencing.

Archaeological Evaluation (Publishing)

15. Following completion of archaeological fieldwork within a Development Phase, a report shall be produced in accordance with an approved programme including, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement related to that Development Phase area and submitted to the Local Planning Authority.

This condition may be discharged on an individual Development Phase basis or on a section by section basis.

Reason - To contribute to the knowledge and understanding of past uses and activities on site by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Landscape

16. Any reserved matters application for layout or landscaping submitted pursuant to Conditions 2 and 4 shall include:

- a) The submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.
- b) The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.
- c) A landscaping reinstatement scheme for all open parts of the site, where loss occurs due the development, which shall include the planting and maintenance of a number of semi-mature native broad leaf trees (UK grown and sourced in line with current biosecurity guidelines) to be planted in a sustainable location as per the British Standard guidelines. The information shall include:
 - i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
 - ii) Planting methods, tree pits & guying methods,
 - iii) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
 - iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
 - v) A timetable for implementation of the soft and hard landscaping works.

The scheme of Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed, within 10 years shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To preserve the amenity visual amenity of the locality.

Flood risk and drainage

Contamination

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. In line with paragraph 170 of the National Planning Policy Framework.

Flood risk

18. The development shall be carried out in accordance with the submitted flood risk assessment (ref HTR-ATK-XX-XX-RP-Z-0042, titled A15.2 Flood Risk Assessment Report, compiled by Atkins on behalf of Portsmouth Water Ltd dated 01/09/20) and the mitigation measures it details. These mitigation measures shall be fully implemented prior to operation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed throughout the FRA shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:

- To reduce the risk of flooding to the proposed development and future occupants
- To ensure flood risk off site is not increased as a result of the proposed development in line with paragraph 163 of the National Planning Policy Framework.

19. No phase of the pipeline development approved under Condition 4 shall commence until a detailed scheme, to ensure the development will not increase the risk of flooding, has been submitted to, and approved in writing by, the local planning authority. Specifically, further details should be provided where relevant to that phase including:
- Detailed information on the proposed emergency drawdown discharge structure.
 - Detailed information surrounding the proposed upgrading of the culverts, in order to not increase flood risk associated with the Emergency discharge and as detailed in table 4.2 and section 4.17 of the FRA
 - Detailed information including the long term maintenance scheduled for the proposed development, including but not limited to the proposed pipeline and culverts.
 - Detailed information for the crossing of watercourses where these are proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and its future users. This is in line with paragraph 163 of the National Planning Policy Framework.

20. Prior to construction of the development approved under Condition 4 above, an On-site Emergency Flood Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To ensure that residual flood risks on site are safely managed in accordance with the NPPF.

Ecology

21. No phase of the development approved under Condition 4 shall commence until full details of all ecological mitigation, compensation and enhancement measures (to be informed as necessary by up-to-date survey and assessment) and on-going monitoring of mitigation measures required for each reserved matters application (including both ecological works directly related to that Development Phase reserved matters area and any works associated with that area but lying outside of the boundary of that area) shall be submitted for approval to the Local Planning Authority. Such details shall be in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Outline Biodiversity Mitigation and Compensation Strategy (ECOSA, September 2020), the Habitats Regulations Assessment (Atkins/Portsmouth Water, September 2020) and the Implementation Plan for Off Site Biodiversity Mitigation and Compensation (Atkins, April 2021). Any such approved measures shall thereafter be implemented in strict accordance with the agreed details and with all measures maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

22. An Ecological Clerk of Works (ECoW) shall be appointed, to be full time on site during site preparation and clearance and during any works in sensitive areas, and to undertake regular monitoring visits throughout the construction programme.

Reason: To protect and enhance biodiversity in accordance with the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Reason: For the avoidance of doubt and in the interests of proper planning.

[The votes on the resolution were recorded as follows:

For Councillor Crellin, Hughes, Patel, Linger
Abstention: Councillor Patrick
Against: None]

The meeting commenced at 5.00 pm and concluded at 8.10 pm

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Chairman

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HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 24 June 2021

Present

Councillor Crellin (Chairman)

Councillors Howard, Hughes, Patel and Patrick

Other Councillors Present:

Councillor(s):

28 Apologies

Apologies for absence were received from Councillors Branson and Linger

29 Minutes

The minutes of the meetings of the Development Management Committee held on 25 February 2021 and the Planning Committee held on 10 and 18 March and 29 April 2021 were agreed as a correct record and signed by the Chairman.

30 Site Viewing Working Party Minutes

The minutes of the meeting of the Site Viewing Working Party held on 17 June 2021 were received.

31 Declarations of Interests

There were no declarations of interests.

32 APP/18/00943 - Tournerbury Woods, Tournerbury Lane, Hayling Island

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

Proposal: A material change of use of Land as a wedding and events venue and ancillary operational development to the material change of use.

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

The Committee received supplementary information, circulated prior to the meeting which included written deputations received from Doctor Austin, Mr Southgate and Mr Knapett, on behalf of the applicant.

The Committee was addressed by the following deputies who in addition to their written deputations, had requested to address the Committee in person:

- a) Doctor Austin, who on behalf of Chichester Harbour Conservancy, outlined the responsibilities with regard to Areas of Outstanding Natural Beauty and recommended that the application should be refused for the following reasons:
- (1) the application has a detrimental impact on the landscape in an Area of Natural Beauty (“ANOB”);
 - (2) the application would have a detrimental impact on nature conservation; and
 - (3) the inappropriateness of this application in terms that it represented a major development in a highly protected landscape

Doctor Austin advised that unless it was robustly refused on these grounds, a refusal could be lost in an appeal.

- b) Mr Knappett, who on behalf of Mr & Mrs Phillips, who owned Tournerbury Farm, highlighted the following issues raised in his written submission:
- (1) little had changed since the 2017 application when there was a wish to improve access to activities within the Tournerbury Estate, whilst protecting the farming activities and husbandry at Tournerbury Farm
 - (2) the 2017 planning permission for the alternative vehicular access track had been implemented by his clients and was under construction. A current planning application had been submitted to the Council seeking to divert the approved access track in the south-eastern corner and included other minor alterations to the planning permission. It was hoped that the applicant (and his customers) would use this alternative route to access the Estate once completed;
 - (3) the specific issues of concern included: noise and disturbance late at night by visitors and traffic going to/from the Estate; the lack of security, occasional antisocial behaviour, taxis waiting in the Farmyard, vehicle headlights late at night towards the Farmhouse; the narrowness of the track and lack of opportunities for vehicles to pass; the close proximity of water bodies and lack of forward visibility; and the conflict of vehicles passing through the Farmyard with livestock, farm vehicles and workers. The application had a detrimental impact on the landscape in an Area of Natural Beauty;

(Mr Knappett failed to complete his deputation in the time allowed)

- c) Mrs Snell, the applicant, who with reference to the written deputation submitted by Mr Morris on her behalf, supported the application for the following reasons:
- (1) this was long standing business which aimed to generate sustainable income to preserve and conserve the environment and habitat;
 - (2) every Natural England condition site assessment since the business started has been positive;
 - (3) the concerns of the Conservancy examined in depth and been addressed positively by Natural England;
 - (4) Tournerbury Woods was classified as favourable status with no condition threats identified unlike most of the rest of the harbour as mentioned by the Conservancy;
 - (5) the events were booked well in advance and subjected to multiple planning meetings;
 - (6) the guests were briefed by staff on the dos and don'ts when attending an event;
 - (7) the applicant did not host stag, hen or other open access events;
 - (8) the application site was a licensed wedding venue (Hampshire CC from 2016) and licensed premises (Havant BC from 2017) and there had been no significant incidents over the past 20 years;
 - (9) the applicant had invested in the only cutting edge sound system in the Borough which had been approved by the Council's Environmental Health Team;
 - (10) the statutory undertakers had recognised the
 - Statutory Successful noise mitigation.
 - Acceptable visual impact.
 - Acceptable environmental impacts.
 - Acceptable highways impacts.
 - No heritage harm.
 - (12) the applicant was happy to put in place mitigation measures to address concerns arising from the use of the right of way;
 - (13) the applicant would be willing to use the access granted consent in 2017. However, negotiations for this use had been suspended until the owner of the access route had resolved the enforcement issue.

- (14) Hampshire County Transport consultee raised no highway concerns;
- (15) Tournerbury Farm was not a tranquil area. Since 2017 the Farm has held commercial activities such as a music festival;
- (16) The grazing animals were not in close proximity to the site and there had been no reports of incidents by guests;
- (17) if this application was refused, the fall back position could be agricultural or forestry use or a holiday let site, which could have a greater impact in terms of noise and disturbance;
- (18) the benefits of the busines identified in the report outweighed the negative impact arising from the use of the current access route; and
- (20) refusing the Application would be unreasonable, and would lead to unnecessary and wasted expense in pursuing appeal proceedings.

Mrs Snell urged the Committee not to refuse the application. However, if it was minded to do so, she requested that the mater be deferred to enable appropriate conditions to be drafted to overcome the reason for refusal

- d) Councillor Scott, a ward Councillor, who on behalf of the owners of Tournerbury Farm supported her written deputation by highlighting:
 - (1) that the use of the current access endangered the health and safety of animals, workers on the farm and guests;
 - (2) that the access route was not accessible by buses;
 - (3) the number of accidents and incidents of anti-social behaviour which had occurred at Torunerbury Farm caused by guests of the events held by the applicant, who had strayed onto the farm because there was no marshalling or security at the events;
 - (4) the use of the current access interfered with the rights of occupiers of Tournerbury Farm under Article 12 of the Human Rights Act; and
 - (5) there is no guarantee that the applicant would use the new access route after it had been completed.

In response to the deputations, the officers commented as follows:

Mr Southgate

- Neither the County Archaeologist nor the Council's Conservation Officer objected to the scheme on the grounds that the scheme would have a detrimental impact on the ancient monument as no alterations were proposed to the existing track running through the ancient monument

Doctor Austin

- The traffic generation concerns did not have a direct bearing on the landscape character of the ANOB per se and any impact could be managed, therefore the officers had taken the view that this application did not constitute a major development. However, this was a matter to be determined by the Committee.

Mrs Snell

- Natural England and the Council's Ecologist was satisfied with the application and the applicant had consulted Natural England
- With reference to Mrs Snell comments regarding the fall-back position, the officers advised that:
 - a certificate of lawfulness had not be issued for the event
 - The majority of the site was already forestry and agricultural so traffic movements of this use was to be expected and there was no evidence of an intention for livestock farming or glass houses. Therefore, the Committee needed to consider the likelihood of the this use occurring.
 - The Committee would need to consider if the traffic likely to be generated by the letting of the cottage as a holiday let would be comparable with the movements associated with the events.
 - There would be a significant difference in impact if the events were held under permitted development i.e. the events were held on up to 28 days a year.

In response to questions raised by members of the Committee, the officers advised

- There were no details on the forest school referred to be the applicant. Reference to the school was probably included to demonstrate the flexibility of activities that could take place on the application site
- The officers had no information on the music events held on the farm.
- The sound proofing structure was installed on the instigation by the applicants in response to concerns raised about the noise likely to be generated by the event.

- the proximity of residential properties to the south of the site was such that it was not considered that the noise likely to be generated by the events would be sufficient to justify refusal.
- It was understood that Tournerbury Farm was a working farm but the officers did not have details of the range of activities on this farm.
- The traffic count reports referred to in the Committee papers referred to the use of the private access. The peak flows were just prior to the beginning of the event and when the event closed
- The officer were not in a position to advise if the quality of the ANOB had been affected by the events.
- The Council was required to considered the impact of the development on the ANOB and the officers had taken the view that this impact would not sufficient to justify refusal. However, this was disputed by Chichester Harbour Conservancy.
- In terms of the impact of the ANOB, there was an additional requirement that if the development was considered a “major development”, the application should be refused. In this particular case, the officers did not agree with Doctor Austin that the development should be classified as “major development” for the reasons stated above.
- The Committee was required to consider the application as submitted on its own merits
- The two applications for an alternative access were submitted by the applicant to avoid the impact on Tournerbury Farm. The owner of Tournerbury Farm had implemented the track but not in accordance with the approved plans. The stance taken by the applicants was that the alternative access was helpful but not necessary
- The Committee had an opportunity to consider if a lesser amount of traffic would be acceptable

The Committee discussed the application in detail together with the views raised by deputees.

The Committee considered that this application did not constitute a “major development” and would not have a detrimental impact on the ANOB.

Some of the members expressed concern that there were insufficient details on the projected growth of the events to make a judgement on the potential impact of the application. However, a majority of the Committee considered that the applicant had been given an opportunity to supply additional information to support the application and that sufficient information was available to make a decision.

One member did consider that:

- (i) the number and the timing of the events would not have a sufficient adverse impact to justify refusal;
- (ii) the benefits of this business to the economy of the Borough outweighed any detrimental impact; and
- (iii) a compromise on the use of the access would overcome the objections to the scheme.

However, a majority of the Committee considered that, based on the information available at the time of the meeting, the activities likely to be generated by the application would have a detrimental impact on the amenities of the occupiers of the farm and cottages. This adverse impact outweighed the benefits of the application.

A majority of the Committee were therefore minded to refuse this information and it was:

RESOLVED that application APP/18/00943 be refused for the following reasons:

1. Having regard to the nature of the activities being applied for, which include celebratory and social gatherings into the late evening; the high number of participants proposed; and the limitations of the access track which do not allow for two-way flow over all of its length through the adjoining Tournerbury Farm holding, the Local Planning Authority considers that it is not appropriate in planning terms for the wedding and events venue to rely on this route. To do so would bring an ongoing risk of noise and disturbance to occupiers of the Farm dwellings; and the risk of conflict between visitor movements and the safe and satisfactory functioning of the farmyard activities as a whole.

As such the development is considered contrary to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

[the voting on this resolution was recorded as follows:

*For: Councillors Crellin, Howard and Howard
Against: Councillors Patel and Patrick
Abstention: None]*

33 APP/21/00345 - 6 Battens Way, Havant, PO9 2DX

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

Proposal: Rear conservatory

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

In response to questions from the Committee, officers advised that the existing outbuildings in the rear gardens were not the subject of this application.

RESOLVED that application APP/21/00345 be granted permission 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:

Location Plan
Proposed Block Plan
Proposed East Elevation
Proposed West Elevation
Proposed Rear Extension
Proposed Ground Floor Plan

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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.

[The voting on this application was recorded as follows:

For: Councillors Crellin, Howard, Hughes, Patel and Patrick
Against: None
Abstentions: None]

The meeting commenced at 5.00 pm and concluded at 8.52 pm

HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 12 August 2021

Present

Councillor Crellin (Chairman)

Councillors Branson, Patel, Patrick, Linger (Standing Deputy) and Stone (Standing Deputy)

Other Councillors Present:

Councillor(s):

34 Apologies

Apologies for absence were received from Councillors Howard, Hughes and Mrs Shimbart.

35 Declarations of Interests

There were no declarations of interests.

36 Matters to be considered for Site Viewing or Deferment

There were no matters to be considered for site viewing and deferment.

37 APP/21/00405 - Langstone Technology Park, 2B Langstone Road, Havant

Proposal: Variation of Conditions 2, 3, 8, 18, 19, 22 and 25 of Planning Permission APP/19/00703 relating to the erection of the flexible use industrial units in the south-western corner of the site (Phase 1).

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

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

- (1) updates from the officers;
- (2) revisions to the recommendations set out in the report; and
- (3) a written deputation submitted on behalf of the applicant

The Committee was addressed by Ms Stephen, who on behalf of the applicant, read out the written deputation circulated to members of the Committee prior to the meeting.

The Committee discussed the application together with the views raised by deputees.

The Committee felt that as:

- (i) there were no significant changes to the proposal since it was originally approved;
 - (ii) the traffic concerns had been addressed; and
 - (iii) the development would have a beneficial impact on the local economy
- that the application should be granted.

RESOLVED application APP/21/00405 be granted permission subject to:

- (A) A Deed of Variation of the S106 Agreement associated with Planning Permission APP/19/00703 if required; and
- (B) The following conditions:
 - 1 The development must be begun not later than 22nd July 2023.

Reason: To comply with the requirements of Section 73 of the Town and Country Planning Act 1990.
 - 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Plans
Site Location Plan Drawing No.0100 Rev C
Proposed Overall Site Plan Drawing No. PL 004 Rev B
Proposed Site Plan (Part) Drawing No. PL 003 Rev A
Proposed Floor Plans Unit 1 Drawing No. PL 010
Proposed Floor Plans Unit 2 Drawing No. PL 011
Proposed Floor Plans Unit 3 Drawing No. PL 012
Proposed Floor Plans Unit 4 Drawing No. PL 013
Proposed Elevations and Sections Units 1-2 Drawing No. PL 020
Proposed Elevations and Sections Units 3-4 Drawing No. PL 021
Proposed Street Scenes and Site Sections Drawing No. PL 022
Proposed Roof Plan Units 1-2 Drawing No. 030
Proposed Roof Plan Units 3-4 Drawing No. PL 031
Proposed Ground Floor Plan Building 1000 Drawing No. PL 110
Proposed Elevations Building 1000 Drawing No. PL 111
Car Park Layouts Drawing No. PL 050
Parking Access and Management Plan Drawing No. PL 051
Proposed Drainage Strategy Drawing No. 102 Rev A
Indicative Drainage Details Sheet 1 of 2 Drawing No. 400410 Rev P1

Indicative Drainage Details Sheet 2 of 2 Drawing No. 400411
Rev P1

Summary of Existing Surface Water Drainage for Proposed
Development

Areas Drawing No. 4600 Rev P1

100 Year Modelled Flood Levels – Created 16 September 2019

Drainage Strategy General Arrangement Sheet 2 of 2 Drawing
No. 4401 Rev P1

Documents

Planning Statement Section 73 Application - Barton Willmore
LLP Project Ref: 20638 Rev 01 April 2021

Design and Access Statement Report - PRC Version 0 March
2021

Transport Statement - Motion Final 31/03/2021

Biodiversity Enhancement Report - Phlorum Ltd. Project No.
10538 Rev 0 26th March 2021

Management and Maintenance Plan for Orchid Translocation
Phlorum Ltd.

Project No. 10538 Rev 0 11/06/2021

The Ecology Co-op letter dated 17th June 2021 (Translocation
of Grassland)

Flood Risk Assessment & Outline Drainage Strategy Report
Phase 1 -

Baynham Meikle Partnership Ltd Report Ref: R100 Rev 1.0
March 2021

BREEAM Pre-Assessment Report - Watkins Payne Units 1-4
March 2021

Air Quality Review Technical Note 02 - Accon uk 01/04/2021

Arboricultural Impact Assessment (Tree Survey, Tree
Protection Plan,

Arboricultural Method Statement) Project No. 1746 11th June
2021

Framework Travel Plan SKP/20428-05e Framework TP 11th
December 2019

Phase 1 Habitat and Species Survey Project No P3133 Rev 01
28th June 2019

Bat Emergence Survey Report Project No.: P3133 28th June
2019

Heritage Impact Assessment Ref: edp5537_r002b June 2019

Preliminary Geo-Environmental Risk Assessment Project No.
19-0687.01

Issue No.2 July 2019

Clancy Consulting Letter Ref. 8/1982/LLFA dated 23rd
September 2019

Clancy Consulting Letter Ref. 9/1982/FLOOD2 dated 7th
October 2019

Clancy Consulting Letter Ref. 8/1982/FLOOD dated 29th
August 2019

Calculation Package and Design Philosophy for Drainage Ref:
8/1982 Rev B **Page 49**

25th October 2019

Manhole Schedule Area 1 Drawing No. 4415 Rev P1
 Manhole Schedule Area 2 Drawing No..4416 Rev P1
 Manhole Schedule Area 3 Drawing No. 4417 Rev P1
 Manhole Schedule Area 4 Drawing No. 4418 Rev P1
 BREEAM Pre-Assessment (Building B1000) Ref: 5548-CBC-
 RGV-RP-Z-002- P02 Rev. 2 26th June 2019
 BREEAM Rating Doc Ref. 5549 Design note – BREEAM rating
 Rev 2 23rd October 2019
 Air Quality Assessment Ref AQ107578R1 October 2019
 Acoustic Report – Preliminary Planning Compliance Review
 Report 18980.PPCR.01 Rev D
 Flood Risk Assessment and SUDS Strategy (including
 Appendices) - Clancy
 Consulting Ref. 8/1982 Rev. C 2nd July 2019
 Transport Assessment 20428-04c 3rd July 2019
 Response to Consultees on transport and highways matters
 23rd October 2019
 RJM/20428-06e Response
 Further Response to Hampshire County Council re Highways
 Matters 20428- 07b 4th March 2020
 Non Technical Summary (Highways) 20428-08a 7th April 2020

Reason: - To ensure provision of a satisfactory development.

- 3 The development hereby permitted shall take place in accordance with the phasing programme submitted in relation to the discharge of Condition No. 3 of planning permission APP/19/00703 as amended by the revised Car Park Phasing Plan (Transport Statement) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate parking is provided on site in advance of the first use of the proposed new flexible use industrial units and that adequate foul drainage capacity is available having due regard to policies CS15 and DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development shall take place on a phase of the development until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the development has an acceptable impact on the character and appearance of the area having due regard to policies CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. **Page 50**

- 5 No development shall take place on a phase of the development until all trees that are to be retained within or adjacent to the part of the site subject to that phase 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 works relative to that phase 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No development shall take place on a phase of the development until plans and particulars specifying the following matters relative to that phase have been submitted to and approved in writing by the Local Planning Authority (in consultation with Hampshire County Council Highways Authority):

- (i) A Construction Traffic Management Plan. This shall include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.
- (ii) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
- (iii) 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 relevant phase of development, the approved construction traffic management plan shall be complied with and 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 in the interests of highway safety and having due regard to policies CS16, CS20, DM10 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 With the exception of demolition works, no development hereby permitted shall commence on a phase of the development 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) for that phase have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme for each phase shall specify the measures for ensuring that potential pollutants from the site do not impact the wider water environment. Unless agreed otherwise in writing by the Local Planning Authority, the relevant phase of the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision for that phase 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 to reduce flood risk and protect the wider water environment having due regard to policies CS15, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development hereby permitted shall be carried out in accordance with the Biodiversity Enhancement Report - Phlorum Ltd. Project No. 10538 Rev 0 dated 26th March 2021, The Ecology Co-op letter dated 17th June 2021 (Translocation of Grassland) and Management and Maintenance Plan for Orchid Translocation Phlorum Ltd. Project No. 10538 Rev 0 10/06/2021. Prior to the commencement of developing the new industrial units the translocation of the species-rich grassland containing orchid species shall take place in accordance with the approved timing. The translocation process itself and subsequent management and maintenance of the translocation site shall thereafter take place in accordance with the approved management and maintenance details. The details of the translocation area and its management and maintenance shall also be shown on the detailed landscaping plan required in accordance with condition No.13.

Reason: In the interests of biodiversity and the protection of habitat having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 9 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the relevant part of the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 1) An intrusive site investigation based on the proposals outlined within the Preliminary Geo-Environmental Risk Assessment Re'-19-0687.01 (section 6.0); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
- 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, and;
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: Having due regard to policies CS11 and DM10 of the Havant Borough Adopted Core Strategy (2011) and DM17 of the Havant Borough Local Plan (Allocations) (2014) and the National Planning Framework, Contamination may be present at the site as a result of previous land uses (& / or activities) on site and in the vicinity, that could pose a risk groundwater & local surface waters (ecology), to the proposed buildings, and future occupiers of the site.

- 10 Prior to the commencement on a phase of the development (excluding demolition and temporary works), a Draft Design Stage Assessment demonstrating that the relevant part of the development will achieve at minimum 'Very Good' against the BREEAM Standard, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

- 11 Prior to the commencement of the new industrial units full details of the Electrical Vehicle (EV) Charging points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that EV charging points are provided for the new car parking areas and that the development will accommodate at least 24 EV charging points. The details shall include the location of the EV charging points and a full specification of the materials to be used externally on the Charging points. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure that the development provides appropriate facilities for Electric Vehicles in the interests of the environment, air quality and that the appearance of the development is satisfactory having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy IN3 of the Pre-Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

- 12 Prior to the commencement of any phase of the development measures relative to that phase for the protection of public sewers within 5 metres of any work being carried out shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved measures.

Reason: To ensure the protection of drainage apparatus having due regard to policies CS15 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 With the exception of demolition and temporary works, no development hereby permitted shall be commenced on any phase until a more detailed soft landscaping scheme for all open parts of the relevant phase 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, bulbs and any areas of turfing and seeding and timing provisions for completion of the implementation of all such landscaping works.

The details shall also specify the transplantation area of the species-rich grassland containing orchid species and the long term management and maintenance proposed.

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, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 14 With the exception of demolition and temporary works, no development hereby permitted shall commence on any phase until a specification of the materials to be used for the surfacing of all open parts of the site within that phase proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured surfacing treatments, which identify:

- hard surfacing material type / product reference and colour
- laying bond

- edging or kerb detail / type
- Further details on building material specification for the development requiring submission including material type, product reference and colour

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 CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 15 Notwithstanding any description of materials in the application, with the exception of demolition and temporary works, no development shall take place until samples or a full specification of the materials to be used externally on the building(s) within that phase 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: 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.

- 16 Prior to the occupation of any relevant phase of the permitted development, any verification report for that phase required in accordance with condition 9 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies CS11 and DM10 of the Havant Borough Adopted Core Strategy (2011) and DM17 of the Havant Borough Local Plan (Allocations) (2014), Contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk groundwater & local surface waters (ecology), to the proposed buildings, and future occupiers of the site.

17 The new industrial units shall not be occupied and the new parking spaces in front of Bay 3 of Building 1000 shall not be used until:

- Details of the design of the proposed barriers; and
- A Management Plan for the proposed traffic barriers within the site;

have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before any of the new industrial units are occupied, or the new parking spaces in front of Bay 3 of Building 1000 are used, whichever is the earlier, and retained in perpetuity.

The traffic barriers shall prevent the new industrial units and parking accessed to the west of the barriers being utilised by vehicles from Langstone Road between 07.30am and 09.00am.

Reason: In the interests of highway safety and operation and having due regard to policies CS20 and DM12 and the National Planning Policy Framework.

18 The new industrial units shall not be brought into use unless and until signage to direct HGV movements as depicted on Motion drawing 2010053-01 HGV Routing restrictions has been erected in accordance with the details shown. The signage shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that HGV movements are directed to limit access from Langstone Road in the interests of traffic flow and highway safety having due regard to policies CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) and the National Planning Policy Framework.

19 Each phase of the development hereby permitted shall not be brought into use unless and until details of cycle storage, in the quantum and position illustrated on drawings PL 003 Rev A and PL 004 Rev B are submitted to and approved in writing by the Local Planning Authority.

The approved cycle parking provision shall thereafter be provided prior to the relevant phase of the development being brought into use and thereafter maintained in accordance with the approved details.

Reason: To ensure the provision of sustainable transport options and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 Havant Borough Parking Standards SPD 2016 (as amended) and the National Planning Policy Framework.

- 20 The Norway Maple trees shown to be felled on the Tree Protection Plan Drawing No. 1746-01.1 as T51 and T52 and listed in the Arboricultural Impact Assessment dated 11th June 2021 shall not be removed until full details and specifications of replacement tree planting for the Norway Maple trees to be felled has been submitted to and approved in writing by the Local Planning Authority. The approved replacement planting shall be carried out in the first planting season following approval of the details. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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

- 21 Within 6 months of any phase of the development first becoming occupied, written documentary evidence proving that the relevant phase has achieved at minimum Very Good against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011.

- 22 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 new industrial units being first brought into use and shall be retained thereafter for their intended purpose. The car parking provision for the new industrial units shall be provided in accordance with the car park phasing plan and retained thereafter.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 23 The external sound level emitted from plant, machinery or equipment at the development shall be equal or lower than the representative background sound level, with noise levels assessed (if necessary) in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises.

Reason: To protect the amenity of the nearest residential receptors having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 24 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic and odour prevention performance of the same have been submitted to and approved in writing by the Local Planning Authority.

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

- 25 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the new industrial buildings hereby permitted shall only be used as flexible Class E(g) (ii)-(iii), B2 and B8 uses; and for no other purposes within the Use Classes Order 1987 (as amended).

Reason: To accord with the terms of the application in the interests of amenity and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 26 Notwithstanding the provisions of the General Permitted Development Order (As Amended) no additional first floor mezzanine floorspace shall be created within the development hereby permitted.

Reason: To ensure that adequate car and cycle parking provision is provided on site having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD 2016 (partly updated 2019) and the National Planning Policy Framework

[Voting on the resolution was recorded as follows:

For: Councillors; Branson, Crellin, Linger, Patel and Patrick

Against: None

Abstentions: None]

The meeting commenced at 5.00 pm and concluded at 5.38 pm

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Chairman

HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 9 September 2021

Present

Councillor Crellin (Chairman)

Councillors Branson, Howard, Hughes, Patel, Patrick and Linger (Standing Deputy)

Other Councillors Present:

Councillor(s):

38 Apologies

Apologies for absence were received from Councillor Mrs Shimbart.

39 Declarations of Interests

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

40 Site Viewing Working Party Minutes

The minutes of the Site Viewing Working Party held on 6 September 2021 were received.

41 Matters for Deferment

There were no matters to be considered deferment.

42 APP/21/00200 - 32 New Lane, Havant

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

Proposal: Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure.

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

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

- (1) included written deputations received from Mr Comlay, Mr Golding, Ms Saunders, Mr and Mrs Barlow and on behalf of the applicants;
- (2) Detailed an update to the representations received and updates including to the recommended conditions;

- (3) Provided information requested by the Site Viewing Working Party;
- (4) Provided the highway response to Mr Comlay's deputation; and
- (5) Summarised a Highway Response Note received since the agenda was published.

In view of the public interest shown in this application, the Chairman, in accordance with the Committee's adopted deputation procedure, agreed to an extension of the time allowed for deputations as follows:

- 3 minutes for each objector
- 9 minutes for those speaking in support

The Committee was addressed by the following deputees who in addition to their written deputations, had requested to address the Committee in person:

- a) Ms Saunders, who read out the written deputation circulated to members of the Committee prior to the meeting.

In response to a question from a member of the Committee, Ms Saunders advised that although she had no evidence to support her concerns relating to traffic movements, it was reasonable to suggest that the type of operation proposed would generate more traffic than that generated by the previous occupier

- b) Ms Brooks, who read out the written deputation attached as an appendix to these minutes.

In response to a question from a member of the Committee, Ms Brooks advised that the houses in Nutwick Road were on the same level as the application site; the railway line between the application site and Nutwick Road was on a higher elevation.

- c) Mr Comlay, who highlighted the following issues raised in his written deputation:

- i) there had never been, to his knowledge, any 7 day, 3 hour shift round the clock business on the application site;
- ii) the failure to advise on who the intended occupier would be was arguably is an error in the information submitted to the Committee;
- iii) omissions and errors in the traffic data submitted to support the application;
- iv) the number of proposed secure jobs was insufficient for such a prime site;

- v) employment details that had not been supplied; and
- vi) the impact of the traffic likely to be generated by the proposal

In response to a question from a member of the Committee, Mr Comlay advised that traffic in New Lane had never been an issue. His concern was with the impact of introducing a traffic generating business in the middle of a town already heavily constrained by traffic.

In summing up his deputation, Mr Comlay advised that, in accordance with the Council's Constitution, this application should be deferred because there were several clarifications being sought from the applicants. He recommended that, for the town's sake, the Committee should refuse the application.

- d) Mr Fry, one of the applicants, who reiterated the issues raised in the applicants' written submission.

In response to questions from members of the Committee, Mr Fry advised that:

- i) the bespoke vans would not be fully liveried from the first day of operation but the applicants were discussing a condition to ensure that the vehicle were identifiable.
 - ii) the occupier would have total control of its vehicles' movements
 - iii) outlined the part time and driver opportunities associated with this proposal
 - iv) outlined the parking facilities on site
 - v) advised that operation management plan would control the operations on the site
 - vi) the bespoke vans would be returned to the application site at the end of each day
 - vii) sufficient parking would be provided to reduce the risk of parking overspilling onto local roads; and
 - viii) although he could not speak for the occupiers, he was sure that, in view of the applicants record in other areas, the potential occupier would build a close relationship with the Council and other community groups
- e) Mr Dix, the applicants' traffic consultant, who highlighted the following issues raised in the applicants' written submission.

- i) the application site was an existing employment site in an identified employment area
- ii) the road network had which would be used to access the application site had been developed as part of the wider area
- iii) the site was in accessible site with access to public transport and this accessibility would be further enhanced by highway improvements
- iv) a Travel Plan would be adopted which would encourage staff and visitors not to use their vehicles to access the site
- v) explained the robustness of the traffic data
- vi) advised that the delivery vans would be stored overnight, leave the site in the morning, and not return until the evening
- vii) outlined the operational arrangements to control traffic movements to and from the site to reduce the impact on occupiers of nearby residential properties and other traffic users
- viii) advised that the proposed highway improvements to improve accessibility to the site and add additional safety features were designed using robust data and agreed by the Highway Authority
- ix) the traffic likely to be generated by the proposal would not exceed maximum traffic generated by the previous use of the site. However, the traffic generated throughout the day would be more than in recent times as the use of the site had been reduced
- x) the traffic likely to be generated by the proposed use would not lead to delays in nearby junctions other than those normally expected at urban junctions

the highway authority did not object to the scheme

In response to questions from members of the Committee, Mr Dix advised that:

- i) the HGVs would belong to the occupier of the site and their routes would be controlled by the occupier through the traffic management plan;
- ii) there would be 78 HGV traffic movements across a whole day;
- iv) the site would cater for small parcels and not larger items that would require **Page 64** to move; and

- v) the comparison of the traffic likely to be generated by the proposal and the previous use was based on bespoke data provided by the potential occupier and traffic generation appropriate for the previous use

In response to the comments made by the deputees, the officers advised as follows:

Mrs Brooks

- The measures outlined in the Noise Constraints Assessment and Operational Noise Management Plan were designed to reduce the noise impact on properties in Nutwick Road
- The loading bays and buildings had been moved away from Nutwick Road to reduce the impact of the proposed use on properties in Nutwick Road
- Although the site would be well lit, this lighting would be directed away from properties in Nutwick Road. The impact of this lighting would also be reduced by the tall tree screen between the application site and Nutwick Road
- The Environmental Health Team had raised no objections subject to conditions designed to reduce noise disturbance to nearby properties
- Congestion and the impact on the highway network had been thoroughly assessed by the Council and the Highway Authority

Ms Saunders

- Although the pandemic had stimulated a growth in last mile operations, this type of operation had been well established before recent times
- Conditions were recommended to enable the Council to monitor the transport and routes taken to and from the site
- The Committee had to consider the application as submitted and could not explore alternative sites
- The appropriateness of the site had been assessed

In response to questions from the Committee, officers advised that:

- the total percentage of total traffic to be generated by this use across Havant was not known
- The Environmental Health Officer did not raise any objections to the scheme on air quality grounds

The Committee discussed the application in detail together with the views raised by deputees.

During the debate, a member of the Committee expressed concerns that the Committee was not aware of the proposed occupier and that the traffic information was not complete.

However, the majority of the Committee considered that:

- The proposal would introduce highway improvements that would improve the safety and free flow of traffic on New Lane and adjoining roads
- Although the traffic data appeared confusing, it would be difficult to refuse on highway grounds as the Highway Authority had no objections to the scheme
- It would be difficult to refuse the application on air quality pollution grounds as the Environmental Health Team had raised no objections in terms of air quality
- The scheme would have a beneficial impact on the wider community
- The existing tree screen would help reduce the impact of the scheme on the properties in Nutwick Road
- Adequate measures were proposed to address the impact of the scheme on residential properties in Nutwick Road
- Adequate measures were proposed to ensure that the applicant would be able to control the routes taken by vans
- the name of the proposed occupier was not a material consideration

Members expressed a desire that the new occupier would establish a working relationship with local residents and businesses to address any problems that might arise from the operation of this site.

A majority of the Committee were therefore minded to grant permission and it was:

RESOLVED that application APP/21/00200 be granted permission subject to:

- (A) The completion of a Section 106 Agreement to the satisfaction of the Solicitor of the Council to secure the following:
- Prior to commencement of development, to enter into a Highways agreement for the following:
 - Northern site access works as shown in principle on drawing number 205452/PD01 Rev D;

- Southern pedestrian island as shown in principle on drawing number 20452/PD13 Rev A; and
 - The New Lane/Crossland Drive civils works as shown in principle on drawing number 205452/PD07 Rev D.
 - To deliver all of the above works to the satisfaction of the Highway Authority prior to occupation.
 - Prior to commencement of development, to pay the planting contribution of £27,212 towards the visibility reduction measures on Crossland Drive.
 - Prior to commencement of development, to pay the safety engineering contribution of £42,528.50 towards the cycle lane amendment works on New Lane.
 - Prior to occupation of development, to pay the £5,500 bus stop contribution towards improving the southbound bus facilities on St. Albans Road.
 - Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan prior to occupation; and
 - Payment of the Travel Plan bond (110% of the cost of the travel plan measures) prior to occupation.
- (B) The expiry of publicity subject to no significant additional issues being raised.
- (C) Subject to the following conditions as may be amended by the HPS
- 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:

Plans:

Proposed Warehouse Elevations Drawing Number 2101-S4-P6
Proposed Warehouse Floor Plan Drawing Number 2102-S4-P6
Proposed Van Parking Deck Plan - Levels 0 & 1 Drawing Number 2103-S4-P4

Proposed Van Parking Deck Plan - Levels 2 & 3 Drawing
Number 2104-S4-P4
Proposed Warehouse Roof Plan Drawing Number 2109-S4-P3
Site Location Plan Drawing Number 2001-S4-P3
Site Plan Drawing Number 2003-S4-P7
Proposed Site Plan Grade Level Drawing Number 2003A-S4-
P3
Proposed Building Overlay Drawing Number 2004-S4-P3
Proposed Parking and Vehicular Movements Drawing Number
2005-S4-P5
Existing and Proposed Site Section Drawing Number 2006-S4-
P7
Boundary Treatments Plan Drawing Number 2008-S4-P3
Guard Hut & Guard Cabin Details Drawing Number 2009-S4-
P3
Proposed Cycle and Smoking Shelter Details Drawing Number
2010-S4-P3
Proposed Height Restrictor & Vehicle Barrier Details Drawing
Number 2011-S4-P3
Landscape Masterplan Strategy Drawing Number LLD2077-
LAN-DWG-010 Rev 03
Tree Constraints Plan Drawing Number LLD2177-ARB-DRG-
001 Rev 03
Tree Retention and Protection Plan Drawing Number LLD2177-
ARB-DWG-002 Rev 04
Bulk Earthworks Analysis 15.5m FFL Drawing Number
C200810-PIN-XX-XX-DR-C-220 Rev P02
Levels Strategy 15.5m FFL Drawing Number C200810-PIN-XX-
XX-DR-C-206 Rev P05
External Lighting Lux Level Plot Drawing Number 10290-PL-
100 Rev B
External Lighting Intrusive Lighting Renders & Calculation
Points Drawing Number 10290-PL-101 Rev B
Access Road General Arrangement Drawing - Drawing Number
LLD2177-LAN-DWG-150 Rev 03
Proposed Junction Layout with Landscaping Overlay Drawing
Number 205452/PD14

Documents:

Planning Statement Luken Beck February 2021
Design and Access Statement SMR Architects 7379/DAS/V3
February 2021
Transport Statement - Vectos February 2021
Supplementary Transport Assessment - Vectos July 2021
Transport Assessment Addendum - Vectos - Bus Services
205452/N09
Daily Trip Generation Note - Vectos - 205452/N10
Highways Response Note - Vectos 205452/N13
Travel Plan - Vectos January 2021

Non-Motorised User Context Assessment -Vectos February 2021
Air Quality Assessment Delta-Simons Project No. 20-1275.01 Issue 2 January 2021
Air Quality - Response to Havant Borough Council Environmental Health Comments Delta-Simons Project Number 20-1275.03 24th May 2021
Air Quality - Response to Havant Borough Council Environmental Health Additional Comments - Delta-Simons 20-1275.03 18th August 2021
Noise Constraints Assessment Tetra Tech A118298 February 2021
External Artificial Lighting Assessment Report KTA Report Number IDS/JG/10290/PL1/R1 February 2021
Pfizer Biotech Incumbent Lighting Survey KTA 10290-ELR-100 8 December 2020
Existing Tree Schedule Lizard Landscape Design and Ecology Project Reference LLD2177 Rev 02 February 2021
Arboricultural Impact Assessment and Method Statement Lizard Landscape Design and Ecology Project Reference LLD2177 Rev 02 8 February 2021
Flood Risk Assessment Pinnacle Consulting Engineers Flood Risk Assessment C200810-PIN-XX-XX-RP-C-01 Version 4.0 9 February 2021
Drainage Strategy Report Pinnacle Consulting Engineers C200810-PIN-XX-XX-RP--02 Version 8.0 9 February 2021
BREEAM Pre-assessment Yonder Job Nr. 2225 Rev A 29 January 2021
Phase 1 Environmental Assessment EPS UK20.5052 Issue 4 25 January 2021
Construction Management Plan TSL Issue No.3 12th January 2021
Landscape and Visual Impact Assessment Lizard Landscape Design and Ecology Project Reference LLD2177-LPL-REP-001 Rev 01 9 February 2021
Landscape and Visual Impact Assessment Lizard Landscape Design and Ecology Project Reference LLD2177-LPL-REP-001 Rev 01 Appendix E
Landscape Design Strategy Lizard Landscape Design and Ecology Project Reference LLD2177-LAN-REP-001 Rev 2 30th June 2021
Ecological Impact Assessment Lizard Landscape Design and Ecology Project Reference LLD2177 Rev 03 26th May 2021
Statement of Community Involvement Luken Beck January 2021
Construction Employment and Skills Framework Plan Fellows Planning uploaded 26th August 2021
Employment and Skills Note uploaded 26th August 2021
Outline Remedial Strategy & Implementation Plan EPS Project Reference UK20.5052D Issue 2.1 24th May 2021

Dialux External Lighting Assessment Report Thorux Lighting
Report Number JW/LW/540939/DLX
Framework Operational Management Plan -Vectos July 2021
Framework Delivery and Servicing Management Plan - Vectos
July 2021
Framework Car Park Management Plan - Vectos July 2021

Reason: - To ensure provision of a satisfactory development.

- 3 The construction phase of the development shall be carried out in accordance with the approved Construction Management Plan (produced by TSL) Issue No.3, unless otherwise agreed in writing by the Local Planning Authority. This includes construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

Reason: In the interest of highway safety having due regard to policies CS20 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Prior to the occupation of any relevant part of the permitted development, a Full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall be based upon the principles outlined within the Vectos Ltd. Framework Management Plan document dated July 2021, be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the assumptions within the Transport Assessments agreed at planning having due regard to policies DM11 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy Framework.

- 5 Prior to occupation of the development hereby permitted a Full Car Parking Management Plan (building on the Vectos Framework Car Parking Management Plan July 2021) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the measures agreed at planning having due regard to policies CS20, DM11, DM12 and DM14 of Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Parking SPD and the Planning Policy Framework.

- 6 Prior to occupation of the development hereby permitted, a Full Delivery Servicing Management Plan (building on the Vectos Framework Delivery Servicing Management Plan July 2021) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved plan shall be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, without the express written consent of the Local Planning Authority.

Reason: To ensure any future occupier abides by the measures agreed at planning having due regard to policies CS20, DM11 and DM12 of Havant Borough Local Plan (Core Strategy) 2011 and the Planning Policy Framework.

- 7 The development hereby permitted shall not be brought into use unless and until the Cycle Parking shown on drawing No. 2010-S4-P3 have been provided. The cycle storage facilities shall thereafter be maintained and retained in accordance with these details.

Reason: To ensure that adequate provision is made for sustainable transport options having due regard to policy DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 Prior to the occupation of the development the following provisions shall be observed on site:

Photovoltaic panels as shown on drawing reference 2109-S4-P3

Electric Vehicle charging provision for 20% of all car and van parking spaces provided on site. In addition the remaining 80% of van parking spaces shall be provided with passive infrastructure to allow for further charging points to be easily installed.

Reason: To accord with the details of the submitted Transport Assessment, to reduce pollution and to help to ensure sustainable development having due regard to policies CS14 and DM10 of the Havant Borough Local Plan, emerging policy IN3 of the Havant Borough Local Plan Submission Version and the National Planning Policy Framework

- 9 All delivery vans operating from the site shall be liveried and branded in a manner to allow for easy identification to ensure that the operation is in line with the operational management plan.

Reason: To allow for monitoring of the site operation in order to ensure that routes to and from the site utilise main routes in the interests of residential amenity and to avoid congestion having due regard to policies CS16, CS20 and DM10 together with the National Planning Policy Framework.

- 10 Prior to the occupation of the development hereby permitted to install and maintain permanent traffic counters and monitor traffic levels across the 3 site accesses in accordance with the figures agreed at planning, as reflected in Appendix A of the Operational Management Plan. The monitored details shall be fed into Hampshire County Council's permanent traffic count database and available to view as required by the Local Planning Authority and County Highway Authority.

Reason: To confirm that the traffic levels presented in the Operational Management Plan at planning are reflective of the on-site operation in the interests of amenity and the efficient operation of the Highway Network having due regard to policies CS20 and DM12 together with the National Planning Policy Framework.

Environmental Controls

- 11 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority.

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

- 1) Further intrusive site investigation & monitoring based on the proposals given within the EPS Ltd. Phase II Environmental Assessment Report Ref: UK20.5052D iss.2.1 (24/05/2021); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
- 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 in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Prior assessment has indicated the likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, these receptors could potentially be impacted by contamination present on this site. To ensure that the development does not contribute to-, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014 and paragraphs 178-180 of the National Planning Policy Framework.

- 12 Prior to occupation of any part of the site, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and confirmed in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and paragraphs 178-180 of the National Planning Policy Framework.

- 14 Construction of the development (except for demolition and preparation works) shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that drainage of the site is acceptable to prevent flood and pollution risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 15 Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior the development being brought into use. The submitted details shall include;

2. Maintenance schedules for each drainage feature type and ownership.
3. Details of protection measures.

Reason: To ensure suitable drainage and to avoid flood risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 16 The drainage system shall be constructed in accordance with the Drainage Strategy Report; ref: C200810-PIN-XX-XX-RP-C-02. Surface water discharge to the public sewer network shall be limited to 174l/s (1 in 1 year), 395l/s (1 in 30 year) and 395l/s (1 in 100 year). Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure suitable drainage and to avoid flood risk having due regard to policies CS15 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 17 No piling or other deep foundation using penetrative methods shall take place unless and until details of the piling proposals are submitted to and approved in writing by the Local Planning Authority. If the piles/foundations are proposed to penetrate the full depth of the Clay cover at the site a piling risk assessment and method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including pollution prevention measures shall be submitted. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can pose a risk to potable supplies from, for example, turbidity, mobilisation of historical contaminants, drilling through different aquifers and creation of preferential pathways for contaminants and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 18 Prior to use of the site commencing, an assessment of noise of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, to be installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the local planning authority before installation. The noise emitted from the use of this plant, machinery or equipment shall not exceed the noise criteria provided in Tetra Tech's Noise Constraints Assessment A118298 rev 3 dated 09/02/21. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.

Reason: In order to safeguard the amenities of adjoining residential occupiers having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. The details are needed prior to the use of the site commencing so that any additional mitigation measures can be incorporated.

Arboriculture/Landscaping/Ecology/BREEAM

- 19 The development including any demolition shall not commence unless and until a pre-commencement site meeting with the site agent, the applicants Arboricultural Consultant and a Havant Borough Council Arboricultural representative has taken place to ensure that all tree protection is correctly in place. The tree protection shall thereafter be retained and maintained as approved for the duration of the demolition works.

Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 The development including demolition shall take place in full accordance with the Arboricultural Impact Assessment and Method Statement Rev 02 Lizard Landscape Design and Ecology and Tree Retention and Protection Plan Drawing No. LLD2177-ARB-DWG-002 Rev 04. In addition all works within the Root Protection Areas of retained trees shall be supervised by the Applicants Arboricultural Consultants.

Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 21 The landscaping works shown on the approved plans Drawing No. LLD2177-LAN-REP-001 and detailed in Landscape Design Strategy Lizard Design and Ecology LLD2177-LAN-REP-001 Rev 02 shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory 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.

- 22 Prior to the commencement on a phase of the development (excluding demolition and temporary works), a Draft Design Stage Assessment demonstrating that the development will achieve at 'Excellent' against the BREEAM Standard, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.

- 23 Within 6 months of any phase of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 'Excellent' against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure the development contributes to sustainable construction in accordance with policy CS4 of the Havant Borough Local Plan (Core Strategy) 2011 and policy E12 of the Havant Borough Local Plan Submission Version.

- 24 The development hereby permitted shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Impact Assessment (Lizard, May 2021 Rev 03) and as shown in the Landscape Masterplan Strategy (Drawing No. LD2177-LAN-DWG-010 Rev 02, Lizard, February 2021) unless otherwise agreed in writing by the Local Planning Authority. All ecological measures shall be implemented and installed in accordance with ecologists instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the NERC Act 2006, the National Planning Policy Framework and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 25 No part of the development shall be first brought into use until 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 and acoustic fences 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.

Materials

- 26 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.

- 27 Notwithstanding any description of materials in the application no above ground construction 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 details shall include:

Fully annotated plans at sufficient scale that comprise a range of coloured and textured surfacing treatments, which identify:

- finished levels
- hard surfacing material type / product reference and colour
- laying bond
- edging or kerb detail / type
- retaining structures or steps

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

Employment and Skills

- 28 The construction and occupation stage of the development hereby permitted shall be carried out in accordance with the Employment and Skills Framework Plan and in particular meet the following requirements

Construction phase

- Deliver on all KPI's as per the submitted Employment and Skills Framework ensuring these opportunities are provided to Havant residents with particular focus on 16-24yr olds in Leigh Park
- Provide named person who has responsibility for recruitment and training of onsite personnel in the construction phase.
- Six weeks from agreement of Planning Permission Contractor/Council initial E & S Plan meeting.
- Monitoring meetings to be scheduled with Contractor and the council on a quarterly basis to review progress.
- Contractor to submit evidence to the council proving Havant residents have benefited from the construction phase of the development.
- Provide press/photo opportunities/case studies involving Havant residents before the end of the construction phase.
- Contractor to provide report to the council at the end of construction phase with details of the job, apprenticeship, training, and site visits provided and who benefited.

Occupation phase

- Provide end user HR contact for recruitment.
- Continue quarterly monitoring meetings into recruitment phase to ensure opportunities are provided for Havant residents.
- Ensure active marketing campaigns target the recruitment of permanent jobs for Havant residents with particular focus on 16 - 24yr olds in Leigh Park and the immediate area.
- This includes working with agencies / contractors which provide flexible work and driver opportunities, with best endeavours given to prioritise or attract residents of Havant Borough.
- Provide two press/photo opportunity/case study involving Havant residents.

Reason: In the interests of providing employment opportunities at the site in accordance with policy CS3 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

43 APP/20/01127 - Mill Rythe Holiday Village, 16 Havant Road, Hayling Island

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

Proposal: Application for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown 'circular wildlife walkway'.

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

The Committee received the supplementary information, circulated prior to the meeting which included a deputation submitted by the applicant.

In response to questions from members of the Committee, the officers advised that.

- Although the occupation of the site would be for all year round, conditions would ensure that it would be for holiday use only.
- The colour palette for the static caravans would comply with the palette recommended by the Chichester Harbour Conservancy
- There would be measure to reduce light emanating from the site

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

The Committee considered that it would be improvement for the area, enhance the site and would benefit the local economy.

RESOLVED that application APP/20/01127 be granted permission subject to:

- (A) the completion of a Section 106 Agreement as set out in paragraph 7.60 of the submitted report; and
- (B) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

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

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

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

Arboricultural Impact Assessment and plan MJC-20-0157-02
Rev: A Sheet 1, 2, 3 and 4

Bat surveys Report No: RT-MME-153320 Date: November
2020

Ecological Mitigation Strategy Report No: RT-MME-153231-03
Date: November 2020

Flood Risk Assessment & Drainage Strategy ref: 01C00816.
Landscape and Visual Impact Assessment 7th October 2020

Planning Statement

PRELIMINARY ECOLOGICAL APPRAISAL Report No: RT-
MME-153231-01 Date: November 2020

Reptile survey Report No: RT-MME-153231-02 Date:
November 2020

Transport statement - November 2020 V2.0

Site Location Plan - 3877-300 Rev:A

Proposed site plan 3877-410 REV R

Proposed bird hide 3877-411

Proposed bund and Ecology ditch cross section 3877-412A

Reason: - To ensure provision of a satisfactory development.

Submission of materials and samples

- 3 Notwithstanding the details shown on the approved plans no development shall commence unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, windows, and roofs of the refurbished buildings and for all caravans, including external walls, roofing, window/door frames and ancillary access or decking elements surfacing and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area, the adjacent AONB and the quality of the development, in accordance with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

Landscaping

- 4 No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
 - ii) Planting methods, tree pits & guying methods,

- iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) Manner and treatment of watercourses, ditches and banks,
- vi) A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
- vii) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
- viii) Means of enclosure, in particular boundary walls and planting around properties and holiday caravans including their frontages, including any retaining structures,
- ix) A timetable for implementation of the soft and hard landscaping works.

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

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the NPPF.

Lighting

- 5 Details of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future residents, create an appropriate public realm, and conserve dark night skies of the AONB in accordance with policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and the NPPF.

Landscape and Ecological

- 6 No development shall commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. All LEMP measures shall be in accordance with those detailed within the Habitats Regulations Assessment (Middlemarch, March 2021) and the Ecological Mitigation Strategy (Middlemarch, November 2020) unless otherwise agreed in writing by the Local Planning Authority. The LEMP shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; costed management plan for the Solent Wader & Brent Goose site H43/Mill Rythe Holiday Park Site of Importance to Nature Conservation (SINC); details of the location, composition and ongoing management of all compensatory or enhancement habitat; location, type and number of all bat/bird boxes and other ecological enhancements; details of lighting. All ecological compensation/enhancement measures shall be installed/implemented in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 7 No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP. The details shall also include:
- a) waste disposal measures to be implemented linked to any demolition, excavation, clearance and construction works on the site; and
 - b) Measures to minimise creation and impact of dust.
 - c) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). Details of noise monitoring of the construction and demolition work at sensitive locations,
 - d) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) should not be undertaken during the bird overwintering period (i.e. October to March inclusive).

- e) Measures to visually screen the construction works from the sensitive areas;
- f) Details of the ornithological watching brief necessary for any demolition and construction works during October to March.

The CEMP shall be in accordance with the measures detailed within the submitted Habitats Regulations Assessment (Middlemarch, March 2021) and the Ecological Mitigation Strategy (Middlemarch, November 2020).

Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Highways

- 8 No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highway Authority), the details shall include:
- (a) A programme of and phasing of demolition (if any) and construction work;
 - (b) The provision of long term facilities for contractor parking;
 - (c) The arrangements for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;
 - (e) Access and egress for plant and machinery;
 - (f) Protection of pedestrian routes during construction;
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

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

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 Prior to the occupation of the development hereby permitted details of signage to warn vehicle drivers of the need to give way to users of the Right of Way, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the agreed signage shall thereafter be retained at all times.

Reason: In the interests of highway safety and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Control over use

- 10 The holiday caravans and chalets shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the holiday village shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that control over the development and that the caravans do not become separate residential dwellings in accordance with policy DM4 of the Havant Borough Local Plan (Core Strategy) 2011 and NPPF.

- 11 No more than 309 static caravans used for holiday accommodation shall be stationed on the site.

Reason: To ensure that control over the development and that level of development on the site, given its sensitive location in accordance with policies DM4, DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and policies AL1 and AL2 of the Havant Borough Local Plan (Allocations) 2014.

Contamination

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

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

- 1) An intrusive site investigation based on the proposals outlined within the ASI Ltd. Preliminary Ground Contamination Risk Assessment Report Ref: R17-12377/ds Aug 2017 Rev.1.0; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - appropriately considered remedial objectives,
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
 - clearly defined proposals for mitigation of the identified risks.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future employees & guests at the site, and/or to adjacent sensitive environmental receptors.

- 13 Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition 12 shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future employees & guests at the site, and/or to adjacent sensitive environmental receptors."

Drainage and flooding

- 14 No development shall commence on site until details of a scheme for foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such details should include provision for all surface water drainage from parking areas and areas of hardstanding. Where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- i) Specify the responsibilities of each party for the implementation of the SUDS scheme
 - ii) Specify a timetable for implementation
 - iii) Provide a management and maintenance plan for the lifetime of the development. This will include the condition of the existing ditch, which will take surface water from the development site, should be investigated before any connection is made. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken. Evidence of this, including photographs should be submitted. In addition details of the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details before any part of the development is occupied and shall be retained thereafter.

Reason: To ensure adequate provision for drainage in accordance with the NPPF and in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 15 The development hereby permitted shall be carried out in accordance with the approved 'Flood Risk Assessment and Drainage Strategy' compiled by Avison Young dated December 2020) and the following mitigation measures detailed in the FRA:

- i) Finished floor levels shall be set no lower than 650mm metres above ground level.
- ii) All holiday lodge caravans shall be anchored to the ground in at least two places to prevent lateral displacement should a flood event occur.
- iii) A Flood Warning and Evacuation Plan shall be written for the site and all staff shall sign up to receive Environment Agency Flood Warnings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, unless otherwise agreed in writing, by the Local Planning Authority.

Reason: The site is within flood zones 2 and 3 where development is sensitive to flood risk, as such without the protection measures outlined within the Flood Risk Assessment in accordance with policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

Water efficiency

- 16 The development hereby permitted shall not be occupied until:

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

Trees

- 18 No development, including demolition shall commence until the submission of a Tree Survey and updated Arboricultural Impact Assessment (including a Tree Constraints Plan), Arboricultural Method Statement and Tree Protection Plan showing the tree or group of trees, the Root Protection Area(s) and the crown spread(s) in relation to the proposed development has been submitted to and agreed in writing by the Local Planning Authority. All tree root protection areas identified, shall be protected by protection fencing in accordance with BS 5837:2012.

The approved tree protection measures shall be implemented before any equipment, machinery, or materials are brought on to the site in connection with the works. They shall be retained intact for the duration of the construction works and shall only be removed or altered following completion of that phase.

Reason: To preserve the amenity visual amenity of the locality in accordance with policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011

44 Havant Thicket Update Report

The Committee received a progress report on the applications for the Havant Thicket Reservoir and associated pipeline.

The meeting commenced at 5.00 pm and concluded at 6.52 pm

.....
Chairman

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Deputation to HBC Planning Committee on 9th September 2021
re. Planning Application 21/00200
Demolition of former Pfizer buildings at 32 New Lane, Havant
and building a Warehouse Distribution Centre

As resident who lives close to the site, across the railway line in Nutwick Road, I object strongly to this application.

Disturbance at night

Application documents state that 39 HGVs will be entering the site daily and the majority will be at night. There will be 4 per hour between 10 pm and 6 am, 7 days per week. So overnight we will hear all the noise of them reversing with loud alarms and manoeuvring to unload (and probably shouting to go with it). The loading bays are on the east side of the warehouse, **closest to us**. An acoustic fence is planned, but is not expected to be very effective at cutting noise. Bright lighting will also cause disturbance. There are about 17 houses in Nutwick Road which back onto the site (on the other side of the railway line) who will be most affected by this. Other houses which are near but further back will also experience some of the effects.

Having lived here for over 4 years, I can say that it is rare to hear any noise from the Pfizer site, even when it was in full operation. We are used to trains going by but the time in between is quiet and the trains stop completely for several hours during the night. Night-time HGV noise will have a big impact on us. In addition they will also increase the night-time disturbance of people who live along the approach routes to New Lane from the A27 and A3M, who at present enjoy a lull in traffic during the night.

Traffic Congestion and Air Pollution

Although the Havant Traffic Team and Hampshire County Council think that the effect of 2,415 extra vehicle trips per day will have an insignificant effect on congestion in and around Havant Town, I concur with the view of Havant Civic Society that this is an underestimate. Also, what is calculated to be technically insignificant may well prove very significant to those experiencing the increased congestion in the town.

A warehouse distribution centre would be much better sited on the outskirts of town, further away from residential areas, with shorter access routes to the A27 and the A3M, e.g. Dunsbury Park or Southmoor Lane. This is supported by Havant's Local Plan and Regeneration Strategy.

It is surprising that the prospective operator does not themselves see the advantage this, which would allow them shorter journey times, rather than have their vehicles stuck in congestion travelling to and from New Lane.

Employment

More employment is needed in Havant which has relatively high levels of social deprivation. But this is not the answer.

Proposals for an Employment and Skills Framework Plan sound positive, but what will be the reality?

The operator of the distribution centre will be relocating to Havant from elsewhere. There will be 70 full-time staff and one would expect many of these to relocate from their previous base, leaving few of these jobs for local people.

At peak times they also want to employ up to 200 agency staff. This kind of employment is associated with low wages and job insecurity. It generates in-work poverty and will not reduce social deprivation.

32 New Lane should be used for an industry which can offer quality employment for local people, and not one that causes so much harm to Havant Town and to those who live nearby.

Patricia Brooks 05.09.2021.

HAVANT BOROUGH COUNCIL

Planning Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE DIRECTOR FOR REGENERATION & PLACE

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 207/6/92 and have been referred to the Planning Committee in accordance with the Delegation Procedure for Determining Planning Applications.

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 Head of Planning will be reported **verbally** at the meeting of the Planning Committee.

Members are reminded that all letters received are placed upon the application file and are available for Planning 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 Planning 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 Planning 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 Head of Planning, and where applicable the views of the Site Viewing Working Party.

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

HPS	Head of Planning Services
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 Head of Planning, 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

Simon Jenkins
Director for Regeneration & Place

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along the southern and part of the eastern boundaries of the woodland to the south.

In terms of the principle of development, the site is not allocated in the development plan for residential development. In the emerging Local Plan, the application site is located outside of the settlement boundary as proposed to be defined by Policy E3. The site is however promoted as an 'omission site' as part of the Local Plan examination. Therefore, the status of the site has the potential to change as the examination progresses. Nonetheless, refusal of the scheme due to prematurity would not meet the tests of paragraph 9 of the National Planning Policy Framework.

At the time of publication, an Interim Findings Report, following the stage 1 hearings, is yet to be published. This is likely to change prior to the committee date and an Update Report will be provided in this instance.

The site is safeguarded under Policy IN1 of the emerging Local Plan for a combined emergency services hub. The site has been purposefully identified as safeguarded land as opposed to being allocated, reflecting the fact the land cannot be considered to be available now for this purpose. However, following a discussion with the Hampshire & Isle of Wight Fire and Rescue Service (HIWFRS) it has been confirmed that if planning permission is granted for this development, communities would continue to be adequately served by the HIWFRS through its current estates provision.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development is contrary to adopted and emerging Local Plan policy. However, the NPPF and the Borough's shortage of a five year supply of deliverable land for housing is also a material consideration.

The Council published its latest 'Five Year Housing Land Supply Update in September 2021. This indicates that the Council cannot demonstrate a five year supply of deliverable sites. The assessment found that the Council could only demonstrate a 4.3 year housing land supply, with a 20% buffer.

The National Planning Policy Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan are to be considered out of date. In such cases the 'tilted balance' is engaged under paragraph 11(d), and the local planning authority as the decision maker must carry out a 'balancing exercise' in which planning permission should only be withheld where the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme. Therefore, national policy considerations should be afforded substantial weight in the planning balance against the conflict with the development plan.

The site has been assessed against the three overarching objectives for sustainable development in the National Planning Policy Framework; which are economic, social and environmental and it is concluded that overall these objectives can be met by the development, subject to appropriate conditions and legal agreement requirements.

The indicative layout has been assessed in terms of its impact on the character and appearance of the area and it is concluded that, subject to the final design and layout (reserved matters) there would be an acceptable impact on the surrounding landscape and from public vantage points.

The housing mix in the indicative layout would be of apartments and dwellinghouses. Details as to the range of types and sizes would be provided at the reserved matters

stage. 30% affordable housing provision would be secured from the development to meet the Council's adopted and emerging policies. The density of development proposed for the site (i.e. up to 100 dwellings) is considered to be appropriate having regard to the site's location close to, but outside of the urban area.

The indicative layout, noise attenuation measures and air quality have been assessed and are considered to provide acceptable residential amenity for future residents subject to appropriate details being provided at the reserved matters stage.

Highway impacts have been considered in detail and improvements to sustainable travel are proposed through the provision of a shared cycleway and footway to the south and a footway to the north. It is considered that the site is sustainable in transport terms, subject to the mitigation measures proposed and the works secured by the associated S106 agreement and condition requirements.

In relation to the public open space provision, the indicative layout is considered acceptable in principle subject to appropriate details at the reserved matters stage.

Flood risk and drainage proposals have been considered and subject to suitable foul and surface water drainage conditions, an appropriate drainage regime can be provided which mitigates flood risk.

Ecological impacts have been subject to detailed consideration and where necessary appropriately mitigated for example in relation to bats and dormice. Conditions and the associated S106 requirements are recommended to secure mitigation.

Impacts on trees and proposed landscaping has been assessed and subject to appropriate conditions and the reserved matters application acceptable development can be secured.

A package of infrastructure requirements would be secured in relation to the development via the S106 legal agreement in order to ensure that the proposal constitutes sustainable development.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment (AA) under Regulations 63. The screening under Regulations 63(1) (a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area (SPA) requiring mitigation. The subsequent AA included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy and reflective of the Position Statement on Nutrient Neutral Development. The AA concluded that this is sufficient to remove the significant effect on the SPA which would otherwise have been likely to occur, and this conclusion has been accepted by Natural England.

To conclude, it is considered that the scheme would contribute to the need to significantly boost the supply of homes within the Borough which must be afforded weight in the overall planning balance. In assessing the proposal (including associated evidence) against the adopted development plan, the National Planning Policy Framework and given the need to maintain a five year supply of deliverable housing sites, the scheme is considered to represent sustainable development and is therefore recommended for permission, notwithstanding that it is contrary to adopted and emerging Local Plan policy.

1 Site Description

- 1.1 The site is located on the west side of Hulbert Road between Waterlooville and Havant. To the south of the site at the southern end of Hulbert Road are the B&Q and Asda stores and to the northern end of Hulbert Road is the Dunsbury Park employment area. Directly to the west is the A3(M) motorway and to the east is Hulbert Road which links the settlements of Havant and Waterlooville.
- 1.2 The plot is oblong in shape and comprises a grassed open area, together with a strip of roadside verge extending both north and south to accommodate a footpath to the north and a footpath/cycleway to the south. The total site area, including the area for the future footpath and footpath/cycleway is 7.25 hectares. The main development site excluding these areas measures approximately 4.71 hectares. The land rises from east to west with a hard standing to the south west of the site, accessed by a track. There is an existing vehicular access from Hulbert Road at the northern part of the site.
- 1.3 Directly to the north and south of the site are areas of woodland, which are in the applicant's control. These areas are designated as a Site of Interest for Nature Conservation (SINC), as is the woodland on the opposite side of Hulbert Road. There are also trees and vegetation along the east (with metal fencing) and west boundaries.
- 1.4 The woodland to the north is the subject of a Woodland TPO, with protected trees along the southern and part of the eastern boundaries of the woodland to the south.
- 1.5 The site is located within Flood Zone 1. Overhead power lines cross the woodland to the south.
- 1.6 The site is classified as Grade 4, which is poor quality agricultural land.

2. Planning History

- 2.1 08/53384/002 - Temporary permission to construct a hydrocarbon exploration site; mobilization of a drilling rig; setting-up and the drilling of an exploratory well including flow testing; permission to include new highway access, access track and passing places. Planning permission granted 2 December 2008

APP/12/01061 Hampshire County Council Consultation for Variation to Condition No. 2 of Planning Permission 08/53384/002 to alter from 36 months to 60 months from the start of the development. Application withdrawn 11 July 2013.

- 2.2 A Screening Opinion was issued by Havant Borough Council in relation to the proposed residential development of the site in June 2020 where it was concluded that the development did not constitute EIA development.
- 2.3 There is no other formal planning history relating to the land of relevance to the current application. A housing proposal for the site was however presented to the Council's Development Consultation Forum in April 2019.

3 Proposal

- 3.1 The proposal constitutes an Outline Application with all matters reserved except access, for the development of up to 100 dwellings and associated improved site

access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant.

- 3.2 The Outline Application seeks consent for the principle of residential development with all matters reserved except the access. If planning permission is granted, there will therefore need to be a further planning application submitted to consider the 'Reserved Matters', namely the development's Appearance, Landscaping, Layout and Scale. It is however critical at this stage to consider whether the quantum of development proposed is acceptable and can be appropriately provided on this site together with securing the necessary infrastructure to support that level of development. The application is accompanied by a masterplan which seeks to demonstrate how the level of development could be accommodated together with a suite of supporting information including the following:

Planning, Design & Access Statement, including Affordable Housing Statement.
Flood Risk and Drainage Assessment
Lighting Assessment
Ecological Reports
Transport Assessment
Framework Travel Plan
Technical Note
Air Quality Assessment
Noise Assessment
Tree Surveys & Reports

- 3.3 The site would provide an improved vehicular access to Hulbert Road, compared to the current access on the site. The proposal would also provide a lit footpath/cycleway 3m wide from the pedestrian access to the Asda roundabout to the south and a lit footpath 2m wide to the Dunsbury Park roundabout to the north along the western boundary of Hulbert Road. A crossing point and connecting infrastructure would also be provided at the roundabout for pedestrians to access the facilities due to be provided as part of the Dunsbury Park scheme.
- 3.4 The indicative Masterplan shows development grouped in six parcels; the western area features three apartment blocks facing into the central open space, which would help provide an acoustic buffer to the site; with the eastern side providing three housing parcels. Open space is proposed in the centre of the site and around the plot, with tree planting shown to create a landscape link with the woodland to the north and south. Native planting is shown along the western and parts of the north and south boundaries. The residential development would be set back from Hulbert Road and the impact of the built form would be reduced by this set back and existing vegetation.
- 3.5 The height of the development, following discussions, would be two storey across the site, which should help reduce the visual impact of the development when viewed from Hulbert Road and mitigate noise from the A3(M) to the west.
- 3.6 The indicative layout shows a central spine road running north to south, with spurs off to the east. A circular footpath is shown around the periphery of the site with a new indicative pedestrian access shown through the trees in the north east corner. Footpaths are also shown coming off the circular footpath to provide access to the spine road and the indicative development.
- 3.7. A green corridor is shown on the indicative layout along the western boundary, incorporating a wide tree band to help provide acoustic and visual benefits. A 3m high bund, with a 1.8m acoustic fence on top, together with native planting and a building

line set back 37m from the kerbside of the A3(M), is also proposed along the western boundary. This is to mitigate noise to the development from the A3(M).

- 3.8 The proposal for up to 100 units of accommodation would produce a density of development of 21 dph. No indicative housing mix has been provided with this Outline Application, but it is recognised in the application that mixed communities would be created through an even spread and integration of affordable housing within the development at the Reserved Matters Application stage.
- 3.9 In relation to Affordable Housing the development would meet the Havant Borough Local Plan and the Submission Local Plan requirement for a minimum of 30% affordable housing.
- 3.10 Sustainable Drainage Systems (SuD) are shown on the indicative Masterplan, in the central open space and in the south east corner.
- 3.11 Since the submission of the application, a number of amendments to the scheme have been made which include:

Reduction in the number of units proposed from 120 to 100.

Reduction in the height of the units proposed along the western boundary from 3 to 2 storey.

Revised access proposal of a 10m wide access radii, supported by visibility splays of 2.4m x 160m, negating the need for a right hand turn into the site.

To improve the accessibility of the site, in addition to a new 3m wide shared use facility to the south of the site, a 2m wide footway to the north along Hulbert Road is proposed.

Street lighting along these infrastructure facilities is proposed.

New signage is also proposed along Hulbert Road to aid speed reduction.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) 2011

CS1	(Health and Wellbeing)
CS8	(Community Safety)
CS9	(Housing)
CS14	(Efficient Use of Resources)
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)
DM1	(Recreation and Open Space)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM15	(Safeguarding Transport Infrastructure)
DM6	(Coordination of Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) 2014

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

Havant Borough Submission Local Plan

DR1	(Delivery of Sustainable Development)
DR2	(Regeneration)
IN1	(Effective provision of infrastructure)
IN2	(Improving transport infrastructure)
IN3	(Transport and parking in new development)
H1*	(High quality new homes)
H2*	(Affordable housing)
H3*	(Housing density)
H4*	(Housing mix)
E1*	(High quality design)
E2	(Health and wellbeing)
E3	(Landscape and settlement boundaries)
E6	(Best and most versatile agricultural land)
E9	(Provision of public open space in new development)
E12	(Low carbon design)
E14	(The Local Ecological Network)
E15	(Protected species)
E16	(Solent Special Protection Areas)
E19	(Managing flood risk in new development)
E18	(Trees, hedgerows and woodland)
E20	(Drainage infrastructure in new development)
E22	(Amenity and pollution)
E23	(Air Quality)
E24	(Contamination)

Adopted Supplementary Planning Guidance

Borough Design Guide SPD
Parking SPD
Housing SPD

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

5 Statutory and Non Statutory Consultations

Arboricultural Officer

Final Comments

I would not be able to support any further tree removal other than those shown for removal within the tree survey and tree protection plan. More detail would need to be provided on this if that was the case. There are a number of Ash trees in poor health along the northern section of the Hulbert Road but not all of these trees have been highlighted for removal. I agree that lighting should be suitably located to avoid further tree loss. The woodland to the north is also protected by a woodland TPO.

My comments remain. I note the comments regarding the wider context in relation to

the loss of the Category A TPO'd Oak tree. However my opinion is unchanged and I cannot support its removal. This will be your decision to decide if the overall benefit of the site development outweighs this tree loss and not in conflict with Policy DM8.

Can we check that the proposed development will have no implications to the woodland opposite please?

I understand that this is an outline application however I still felt the need to make reference to the fact that without detailed information I cannot comment on the rest of the development in relation to trees.

Whilst the arb report states that in their opinion would be feasible to install custom designed no-dig footpath that aligns to the formally adopted specification of Hampshire County Council Highway Authority (reference **HCC10/C/160** – dated July 2015) I still wish to see this detail upfront (with level details and drainage provisioning) please, unless you choose for it to be dealt with by condition.

Officer comment: *Level details have been provided as part of the application. Should planning permission be agreed, drainage conditions are recommended.*

No more trees are proposed to be removed, other than those set out in the tree survey, which includes those that need to be removed for the good management of the woodland/trees.

As to the loss of the Cat A Oak tree this is covered in in paragraph 7.148 below.

The proposal would not impact on the woodland opposite the site, as a right hand turn into the development is no longer proposed.

Initial comments (Note: these are provided for reference only)

I have looked over the submitted Arboricultural Assessment and Method Statement and have the following comments:

At present the only detail I have is for the proposed access and footpaths along Hulbert Road therefore I am still unable to comment fully on the proposals for the dwellings and whether these proposals will impact the boundary trees. No arb detail has been provided with regards to the SUDS or the bund. This should be outside of root protection areas.

There are trees subject to TPO along the southern boundary of the site and also along the southern section of the Hulbert Road. There is a category A Oak tree shown for removal and I cannot support the removal of this tree (I believe this tree is also subject to TPO). The rest of the trees shown for removal are of poor quality and not suitable for TPO protection.

I would like to know where the services are going prior to any decision being made on this application to ensure there will not be conflict with retained trees.

A 'no dig' surface for the pedestrian footpaths would be acceptable but please request that details of the HCC adopted no dig footway to be supplied please.

Building Control

No comments received.

Community Infrastructure Team

CIL

This application is not CIL liable, but any subsequent full or reserved matters application would be. The CIL rate is set out in our Charging Schedule.

The amounts in the Charging Schedule are indexed according to the year in which the CIL liable permission is issued.

The subsequent application would need to be accompanied by:

- CIL Form 1: CIL Additional Information
- CIL Form 2: Assumption of Liability
- Form 10: Charitable and/or Social Housing Relief Claim Form

Further information on CIL including relief in respect of affordable housing can be found on the Planning Portal

S106

Subject to 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. Solent Recreation Mitigation Strategy (see further information)**
6. Nutrient Neutrality
7. Employment and Skills Plan
8. Education (HCC)
9. SUDS/SUDS Bond
10. Highway Works (HCC)
11. Site Specific Transport Improvements (HCC)
12. Footpath and access (HCC)
13. Others arising out of consultee responses

County Archaeologist

I was disappointed that no Heritage Statement has been submitted with this application, nor any full discussion of the archaeological implications offered in the Planning Statement – the brief statement in para 10.22 offers no insight into the applicant's consideration of the archaeological potential of the site. This despite the pre application advice offered (dated 20/11/2018) – set out below;

“The site is in an area of relatively low archaeological potential, although this may be a reflection of a lack of past archaeological investigations rather than genuine absence of material. A small archaeological evaluation has taken place in the south west corner of the site that recorded no archaeological features and/or deposits and no further work would be required here. Due to the scale of the proposal there is a chance that as yet unrecorded or unsuspected archaeological features may be exposed by ground working in those areas of the site that remain as green field. What is required at this stage is for further in depth work to be conducted that explores the archaeological potential of the site in detail so that a fully informed decision can be made on a possible archaeological response when a planning application is submitted.”

I would therefore recommend that any future planning application should be accompanied by a Heritage Statement that should address any below ground archaeological issues. It should set out the nature of the archaeological potential of the site, the impact previous development may have had upon that potential and the impact on that potential of any future development proposals. The statement should also set out a detailed mitigation strategy to satisfy the planning authority that any archaeological issues that have been identified will be sustainably dealt with during development under the terms of NPPF.”

Wherever possible I would seek to overcome this shortfall within my consultation response. However it is the nature of the archaeological considerations needed in this case (a site visit, map regression to assess past impacts, and assessment of the topographical and geological context) that it is beyond the remit as your archaeological advisor to create the case that is needed and should have been submitted within any Heritage Statement (it would take many hours and so invoke considerable cost to the planning authority to do this). In the absence of a heritage statement the archaeological potential of the site cannot be dismissed. Burnt flint has been found on site (undated but often an indicator of prehistoric or Roman occupation activity) and an archaeological survey to the north at Dunsbury has encountered archaeological material within this landscape.

I am happy that archaeological issues are very unlikely to emerge as overriding and that these matters can be dealt with by use of a condition. I recommend that an archaeological condition (or conditions) be attached to any planning permission which might be issued to secure an appropriate level of archaeological consideration, survey and mitigation.

Officer comment: *Should planning permission be agreed conditions to cover archaeological considerations are recommended.*

Council Ecologist

Final Comments - No Objection

The application is accompanied by an amended Dormouse Survey (WYG, March 2021) and an amended Bat Activity Survey report (WYG, March 2021). Dormouse surveys carried out in 2020 recorded six dormouse nests and several live dormice within nest tubes placed at the site's boundaries. It is therefore confirmed that hazel dormice are present at the site and is breeding.

This development will affect hazel dormice, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where developments affect EPS, permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

Will the development result in a breach of the EU Directive?

Yes, unmitigated, the development has potential to result in harm to individual hazel dormice and result in impacts to the favourable conservation status of dormice locally.

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three

tests:

- 1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))*
- 2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and*
- 3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).*

It is for you as the case officer to assess the proposals against the first two tests and you may wish to ask for further information from the applicant. In order to assess the development against the third test, there must be sufficient confidence that the investigations to date have enabled a robust assessment of dormouse presence upon which to base informed mitigation proposals. I am content that sufficient survey effort has been expended and that the status of dormouse at the site is understood.

The dormouse report now quantifies the extent of habitat to be affected, 200m². The outline nature of the proposal means that firm landscaping details (which are critical to assessing the efficacy of dormouse mitigation measures) are not included. Given the size of the site, and the outline concept layout, it should be possible to provide continued habitat connectivity for this species. It is essential that existing habitat linkages to the surrounding woodland/scrub are not severed or fragmented.

There is still a requirement for further details on any off-site measures: I concur that habitat enhancements in the surrounding SINC are worthy of exploration. The installation of dormouse nesting boxes is a welcome measure, as is the adoption of a sensitive lighting strategy. Despite the lack of firm details, provided these principles are implemented I conclude that impacts to dormice can be mitigated. I would recommend that a fully-detailed dormouse mitigation strategy is secured by condition.

The Bat Activity Survey report details the results of manual transects, automated monitoring and a series of trapping sessions (note: the dates of these surveys are given as both 2018 and 2019).

These surveys covered the period August-October 2019 and April-May 2020. No bat surveys were conducted in June or July in either year: no definitive explanation is provided for this gap within the peak summer survey season. A total of eight bat species were recorded on site: Brown long-eared, Common pipistrelle, Soprano pipistrelle, Western barbastelle, Noctule, serotine and a Mouse-eared species considered to be either whiskered or Brandt's. This is a reasonable bat assemblage and places the site at regional value.

As with the dormouse report, the outline nature of the application means that firm details on proposed landscaping are not provided. However, the mitigation principles as detailed in section 6 of the bat report are sensible. Again, I would recommend that further details are provided within a mitigation strategy, secured by condition.

If you are minded to grant outline permission, can I suggest that a site-wide ecological mitigation, compensation and enhancement strategy is secured by condition. This strategy should include full, deliverable details of all ecological mitigation, compensation and enhancement measures and should be fully consistent with other submitted documents such as landscaping and lighting strategies.

Prior to the commencement of development activities, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be in accordance with those detailed within the Ecological Appraisal (WYG, December 2019, the Dormouse Survey report (WYG, March 2021) and the Bat Survey report (WYG, March 2021) unless otherwise agreed in writing by the local planning authority. The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the location, composition and ongoing management of all compensatory or enhancement habitat; location, type and number of all bat/bird boxes; details of lighting. All ecological compensation/enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function. Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

In addition, I would recommend that a Construction Environment Management Plan (CEMP) is secured. This should include full details of all measures to avoid/mitigate construction impacts on the natural environment.

Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.

Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Officer comment: *If planning permission is agreed the above two Ecological conditions are recommended. The matter of licencing is considered in Section 7(ix) of this report.*

County Minerals - No objection

Having reviewed the available data I can conclude that HCC as the Mineral and Waste Planning Authority (MWPA) have no objection to the outline planning application for the land west of Hulbert Road, Havant.

Crime Prevention -Major Apps

Following comments to make with reference to the prevention of crime and disorder (Anti-Social Behaviour (ASB)).

The National Planning Policy Framework makes clear the Government's continuing commitment to "create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience".

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically "to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder."

The guidance advises: "Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides." It continues, "Good design that considers security as an intrinsic part of a masterplan or individual development can help achieve places that are safe as well as attractive, which function well and which do not need subsequent work to achieve or improve resilience." "Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult."

As this is an outline application the supporting documentation does not provide full details of the design and layout. The design and layout of a development influences the opportunities for crime and disorder (Anti-Social Behaviour (ASB)). The presence of good natural surveillance of the public realm, defensible space (especially about dwellings), good lighting and appropriate connectivity and permeability will reduce the opportunities for crime and disorder. Collectively these attributes are generally referred to as the Crime Prevention Through Environmental Design (CPTED) principles.

The Secured by Design Award Scheme¹ brings the CPTED principles into a single award. Research has shown that developments achieving the Secured by Design award suffer less crime and disorder.

To reduce the opportunities for crime and disorder we ask that the following planning conditions relating to the prevention of crime and disorder are made, worded, as below (or with words conveying the same meaning):

CONDITION 1: Prior to any above-ground works, details of full 'Secured by Design' Accreditation shall be submitted and approved in writing by the Local Planning Authority. The details shall demonstrate consultation with the Hampshire Constabulary Designing Out Crime Officer and that each building or such part of a building can achieve accreditation. The development shall only be carried out in accordance with the approved details and maintained thereafter.

REASON: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the Local Plan, Policy CS8 and the NPPF (As Amended).

CONDITION 2: Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

REASON: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the Local Plan Policy CS8 and the NPPF (As Amended).

CONDITION 3: Prior to the commencement of works details of the lighting scheme shall be submitted and approved in writing by the Local Planning Authority. The design of lighting scheme must comply with BS 5489-1:2020 and discharge any liabilities attached to that standard. The development shall only be carried out in accordance with the approved details and maintained thereafter.

REASON: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the Local Plan Policy CS8 and the NPPF (As Amended).

Officer comment: *Should planning permission be agreed appropriate conditions are recommended.*

Highways England

Final Comments – No Objection

Highways England has no objection to the proposal for the Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant, planning application number subject to the below proposed planning conditions to mitigate the impact on the A3(M) by the development proposal:

1. Prior to the commencement of construction of the proposed bund, geotechnical submissions (in accordance with DMRB Standard CD622) relevant to the construction of the earth bund (as set out in principle in the drawing number SK02 included in the Noise Assessment document dated December 2020) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with and requiring certification by Highways England).

Reason: To mitigate any adverse impact from the development on the A3(M). To ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

2. Prior to the installation of any drainage systems, full details of drainage and its location shall be submitted to and approved in writing by the local planning authority (in consultation with Highways England). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or in to any drainage system connected to the Strategic Road Network. No drainage connections from any part of the development hereby permitted may be made to any Strategic Road Network drainage systems.

Reason: To ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Informative:

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

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement or agreements, under Section 278 and Section 38 of the Highways Act, with Highways England and the Local Highway Authority.

Officer comment: *If permission is agreed, the two highway conditions and informative are recommended.*

Initial Comments (Note: these are provided for reference only)

Having examined the above application we have identified from the few drawings submitted that the applicant is proposing the construction of what appears to be a 3 metre high bund with a 1.8m high acoustic fence on top of the bund adjacent to the A3(M), a significant bund at this location would require further investigations. In general we would look to have a distance from the toe of the bund to the highway boundary, equidistant to the height of the bund (in this case 3m), at all times, this includes during construction. We would direct conditions to this effect in any formal planning application, alongside the maintenance of a slope no steeper than 1 in 3. There would need to be significant evidence to enable us to consider a lesser distance than this.

The carriageway of the A3(M) is drained via a system of road gulleys set into the kerb line at the back of the hard shoulder. There could be significant run-off at times of heavy rain, particularly if the bund may contain a high clay content. The highway land must be safeguarded against any impacts of this run off, and the highway and verge drainage systems must not be used to drain any run-off from the bund. Therefore, a suitable drainage system with sufficient capacity demonstrated within the site boundary, must be provided to satisfactorily deal with surface water run-off from face of the bund.

Given that the proposal is for the construction of a significant bund adjacent to the A3(M), we would expect supporting information to include documentation in accordance with CD622 – Managing Geotechnical Risk. Supporting information should also include ground investigation works and slope stability analysis. It is suggested that the applicant produces a Preliminary Sources Study Report which collates all the background information.

We would also be concerned to ensure that any construction activities likely to create dust be controlled to prevent dust blowing across the motorway where it may reduce visibility for drivers and increase safety risk. Access and egress to the site shall be from the local road network only not from the A3(M). We would wish to see a transport assessment detailing the routing to and from the site, and the daily trips throughout the construction period so that we can identify any potential impacts on the operation of the SRN and agree mitigations as necessary.

Developer Services, Southern Water

Final Comment - No Objection

Please see the attached extract from Southern Water records showing the approximate position of our existing rising main, foul sewer and surface water sewer within the access of the development site. The exact position of the public foul rising main and public foul and surface water sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- The 80 mm public foul rising main and 375 mm public foul sewer and 225 public surface water sewer requires a clearance of 3 meters on either side of the rising main and sewer to protect it from construction works and to allow for future access for maintenance. No development or tree planting should be carried out within 3 meters of the external edge of the public foul rising main and sewer without consent from Southern Water.
- The 1125 mm public surface water sewer requires a clearance of 5 meters on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.

No development or tree planting should be carried out within 5 meters of the external

edge of the public sewer without consent from Southern Water.

- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 meters of a public rising main and sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: [southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf](https://www.southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf)

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to Developer.Services@southernwater.co.uk

No habitable rooms shall be located within a minimum 15 metres of the boundary of an existing wastewater pumping station, due to the vibration and noise generated by all types of pumping stations and the potential odour. Southern Water requires existing access arrangements to the wastewater pumping station to be maintained with regards to unhindered 24 hour / 7 days a week access.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Our investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

[southernwater.co.uk/developing-building/connection-charging-arrangements](https://www.southernwater.co.uk/developing-building/connection-charging-arrangements)

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

[water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx](https://www.water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx)

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme

throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaway to dispose of surface water from the proposed development.

The Council's technical staff and the relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this application receive planning approval, the following condition is attached to the consent

“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

***Officer comment:** If permission is agreed foul and surface water conditions are recommended.*

Early Years

No comment received.

Economic Development

No comment received.

Education Department

The development sits in the catchment area of Barncroft Primary School and Park Community School. A development of the size being proposed (which looks to be up to 120 dwellings) would generate approximately 36 primary age pupils and 25 secondary age pupils, about 5 per year group. Forecasts for the Havant area show that there will be a sufficient number of places to accommodate this number of pupils and I will not be seeking a contribution towards educational facilities from this development.

Environment Agency - No Objection

We request that the following **conditions** be attached to any planning permission granted, and that the details in relation to these conditions be submitted and approved by the Local Planning Authority.

Condition 1 – Remediation strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses

- potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons for Condition 1

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Localised contamination may be present at this site. Whilst site wide gross contamination would not be expected, there may still be hotspot, of contamination. The site is located in a Source Protection zone 1c (confined). This applies to the chalk principal aquifer that occurs at depth beneath the site. Piling or existing/potential deep borehole could create pathways to this deep aquifer

The submitted GeoEnvironmental Assessment Report is largely satisfactory. We would agree that provided no pathways are present/created to the deep underlying chalk aquifer than the risk to sensitive groundwater receptors would be limited. If however any pathways are presence or created (i.e. from existing boreholes or piling), then then risks may be significant.

Condition 2 – Unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

Reasons for Condition 2

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 3 – Verification report

Prior to any phase of development first being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and verified in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons for condition 3

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4 – Piling

Piling or other deep foundation using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reasons for Condition 4

To ensure that the proposed Piling or other deep foundation does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework. Contamination may be present on site.

Piling or deep foundation, has the potential to mobilise contamination from the shallow soils into the chalk bedrock, and increase the potential of mobilisation/migration to the underlying chalk aquifer and associated Source Protection Zone 1.

Run off from areas such roads or car parking areas could contain elevated levels of contamination. Areas of contamination may also be present at this site.

Deep infiltration drainage may create pathways to the deep chalk aquifer and associated confined inner source protection zone (SPZ1c).

Officer Comment: *If permission is granted the changes to the conditions suggested by the EH below are recommended, as some of the information required by the EA has already been provided and agreed and the reasons for the conditions only refer to water protection; not all receptors, which for residential development is required.*

Environmental Health - Air Quality etc

Final Comments

Air Quality (Sustainable Travel)

I have reviewed the Additional / Revised framework travel plan, and note the minor amendments, which represent a small enhancement over previous provisions, alongside commitment to HCC oversight & the provision of a travel plan bond. The changes are supported, and I have no adverse comments to make in respect of this document.

Ground Contamination

Where not covered by these comments, previous comments remain valid. I note that

the Environment Agency has reiterated its advice in respect of contamination. I would similarly reiterate my advice in respect of condition wording & the scope of the 'reason' for conditions given by the Environment Agency; reproduced below for convenience (blue text).

I have re-reviewed my prior recommendation alongside the condition wording proposed by the Environment Agency, and consider that the recommendation leaves room for condition discharge problems to arise, and potentially for the effect of the proposed conditions to be undermined. The recommendation for revised wording of condition [1] remains appropriate, but varied wording is required for the condition 'reason'.

Contamination (Standard – omitting EDS, based upon submitted EDS proposals)
[1]

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

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

1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

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

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

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: *Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 170, 178-180 of the National Planning Policy Framework."*

Environment Agency proposed conditions 2-4 are generally appropriate and should function as intended with the proposed wording for condition 1 (above), however, it would be appropriate to amend the condition reasons stated on the decision notice to ensure that the conditions apply for all purposes, in line with the full range of applicable policy. Recommended amendments are outlined below.

Reasons for EA-Proposed Condition [2]:

*“Contamination may be present at the site that has not been or will not be identified by the site investigations required by **Condition [1]**, which may be encountered during construction. If allowed to remain at the site, contamination could pose an unacceptable risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 170, 178-180 of the National Planning Policy Framework.*

Reasons for EA-Proposed Condition [3]: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 170, 178-180 of the National Planning Policy Framework.*

Reasons for EA-Proposed Condition [4]: *To ensure that the proposed Piling or other deep foundation in soils affected by contamination does not harm groundwater resources. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 170, 178-180 of the National Planning Policy Framework.*

Interim comments

Observations / Comments:

I have reviewed the revised documents submitted which post-date my prior comments (CONS/20/02411 September 2020). I will update comments provided previously in respect of contaminated land, but will principally focus on documents relevant to air quality.

Documents Reviewed:

- • WYG Air Quality Comments Response
- • WYG Technical Note 01 (Transport) A096474 (Oct 2020)
- • WYG Air Quality Assessment A096474 Iss. 4 (Oct 2020)
- • WYG Framework Travel Plan I2 (Oct 2020)
- • Representations from key consultees.

Ground Contamination

No change in general advice. I have re-reviewed my prior recommendation alongside the condition wording proposed by the Environment Agency, and consider that the recommendation leaves room for condition discharge problems to arise, and potentially for the effect of the proposed conditions to be undermined. The recommendation for revised wording of condition [1] remains appropriate, but varied wording is required for the condition ‘reason’.

Contamination (Standard – omitting EDS, based upon submitted EDS proposals) [1]

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

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

1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

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

- appropriately considered remedial objectives,

- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;

- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 174, 183-185 of the National Planning Policy Framework."

Environment Agency proposed conditions 2-4 are generally appropriate and should function as intended with the proposed wording for condition 1 (above), however, it would be appropriate to amend the condition reasons stated on the decision notice to ensure that the conditions apply for all purposes, in line with the full range of applicable policy. Recommended amendments are outlined below.

Reasons for EA-Proposed Condition [2]:

"Contamination may be present at the site that has not been or will not be identified by the site investigations required by **Condition [1]**, which may be encountered during construction. If allowed to remain at the site, contamination could pose an unacceptable risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 174, 183-185 of the National Planning Policy Framework.

Reasons for EA-Proposed Condition [3]: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 174, 183-185 of the National Planning Policy Framework.

Reasons for EA-Proposed Condition [4]: To ensure that the proposed Piling or other

deep foundation in soils affected by contamination does not harm groundwater resources. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 174, 183-186 of the National Planning Policy Framework.

Transport Technical Note

Development trip generation estimates have been updated, but resulting in a small change in PM peak travel demand. No AADT values are provided, but it is implicit that the revised estimates are likely to have resulted in a change to the total daily trip generation values.

The development traffic trip distribution has also been updated, to bring it in to line with Census travel to work data (to overcome local routing biases driven by access to the strategic road network. Northbound / Southbound distribution was previously estimated to be 58/42%, with the technical note revising these estimates to 15/85%. Baseline network traffic & development trip generation estimates underpin the air quality assessment, and significant revisions could necessitate reconsideration of Air Quality modelling.

Response to Air Quality Comments

A Key point is that the applicant has made a case that the quantum sought is deliverable with an intended building line of 37m. Given that the applicant believes this to be technically feasible in consideration of other related matters (notably, Highways England's requirements in respect of the noise bund positioning & drainage, and Environmental Health's requirements in respect of the acoustic fencing to be constructed on the bund-); I can withdraw the holding objection to the principle of development insofar as matters are material to the outline consent.

Revised Air Quality Assessment

It is noted that neither the baseline traffic data, nor the development traffic figures have been updated in line with the transport technical note - values are as previously. This would normally be considered to be a strict requirement, but it I would acknowledge the general absence of nearby receptors likely to be directly & significantly impacted by the amended estimates.

Substantial revisions have been made to the modelling output(s). The report indicates that this is due to an update of 'modelling... using the latest DEFRA calculating tools and ADMS Roads 5.0'. This implies that the earlier draft used the v.8.0 Emissions Factor Toolkit (EFT) & ADMS Roads 4.1. ADMS Roads v5.0 release date was around February 2020. It is not clear which version of the EFT was utilised previously, but the technical documentation for ADMS Roads 5.0 implies that incorporation of the EFT v9.0 is new to the latest version, so this explanation would appear to be reasonable, and the resultant differences in estimates justified.

The result of this change is that the predicted environmental concentrations for Nitrogen Dioxide are reduced by between -15% to -25% for both 'do minimum' and 'do something' scenarios. The estimated development contribution is not materially altered as an absolute. Given the low results, its impact as a proportion of the Air Quality objective (while greater as a result-) is similarly not materially altered. Estimated concentrations for particulates are marginally increased in the revised modelling, but in all cases results are elevated by < +0.5%. This change is not material to the conclusions of the report.

On-site monitoring results are similarly updated, following a typographical error in the seasonal adjustment (annualisation) of the results. This is accepted, but it is also noted

that the magnitude of the adjustment is significant, and only one AURN site was used to calculate the adjustment factor. The DEFRA recommended adjustment procedure requires multiple sites be used in order to guard against local effects. This increases the range of uncertainty around the monitoring best-estimate. WYG3 is considered to be the most relevant result given its position relative to the proposed building line. This position returns a maximum recorded raw value at around -10% of the applicable objective value. The revised report confirms that this result is from January, which typically represents the period of poorest air quality. Annualised results are typically substantially lower than concentrations recorded during January. The objective is only comparable to an annual average concentration.

For these reasons, I would agree that ambient air quality should be acceptable for future residents against the current standards. Health & wellbeing & air quality policy may still require examination at the reserved matters stage, depending on the date that the detailed scheme is brought forward. A revision of some air quality objectives is expected to bring regulation & policy in line with developing knowledge about the health impacts of particulates (in particular).

The revised report also provides a response to policy E23 in that an estimate of the environmental damage cost from (a reasonable estimate of the transport demand of-) the development has been made. The estimated value is in the region of £100,000, excluding domestic emissions.

The report suggests that this value should be allocated to measures that are required by other policy – in particular the promotion of sustainable travel and framework travel plan measures. I would highlight that policy E23 seeks additional measures to offset the impact of development, and that contributory measures should be considered to be those that are both ‘air quality relevant’ (positive) that go ‘above-and-beyond the minimum requirements of other applicable policy’. Measures should complement sustainable travel, climate & energy, health & wellbeing, parking, and landscaping policies, and could address local emissions (e.g. domestic), non-local emissions (transport, and energy), or pollutant interception / absorption services provided by landscaping features or elements of the building fabric.

These are matters that can be deferred to the reserved matters stage, but I would reiterate that Environmental Health would encourage the applicant to consider the full suite of health, transport, sustainability & air quality policy as a material & related elements at all stages of the evolution of the scheme design.

Framework Travel Plan

The revised travel plan document presents improved mode shift targets at Table 3.1, doubling the single occupancy vehicle trip reduction target (to -10%), increasing the ‘journeys on foot or by cycle’ target from +3% to +5%, and ‘journeys by public transport’ from +2% to +5%.

The plan is not substantially amended, but enhancements are provided in respect of Focus Groups & Events, Walking Route Maps, and coordination with local schools to promote walk-to-school events. It is also proposed to set up a bicycle user group (BUG), and to seek to engage local public transport providers on service improvements, negotiated discounts and other opportunities to trial initiatives or incentivise uptake.

Monitoring of Car Parking is also proposed, though I would anticipate vehicle parking to be addressed by consideration of the parking SPD and any requirements of the traffic

team, which should ensure that parking problems do not arise.

The Monitoring & Review section has also been strengthened, introducing minimum survey response rates & provision to incentive respondents to improve confidence in the evidence base for consideration of performance against the revised targets. Where survey response rates are not achieved, third-party surveys will be procured to establish travel patterns. All these provisions are welcome enhancements / clarifications.

The travel plan details have been moved to an appendix of the report, which now includes indicative costs. The travel plan costs account for around 1/3rd of the value determined in the air quality assessment. As outlined above, policy E23 seeks offsetting that is 'additional' to the minimum requirements of other policy requirements. Considering these factors, it is expected the detailed scheme brought forward at the reserved matters stage will include a response to the air quality policy E23 broadly in line with the environmental damage estimate included within the Air Quality assessment.

Concluding remarks

I expect comments to be made by Environmental Health under separate cover in respect of noise & amenity, and the lighting strategy (etc.). These comments should be read without prejudice to any comments offered by my 'noise and amenity' focussed colleagues.

That notwithstanding, I have no objections to the granting of outline consent, subject to the inclusion of the suggested amendments to the suite of contamination conditions required by the Environment Agency.

Officer Comment: *If permission is granted the changes to the conditions suggested by the EH are recommended, as some of the information required by the EA has already been provided and agreed and the reasons for the conditions only refer to water protection; not all receptors, which for residential development is required.*

Initial comments (Note: these are provided for reference only)

I have reviewed the supporting information to this application, and would like to make some comments in respect of potential contamination (and risk management), air quality (development as source, emerging policy, and development as receptor), and land drainage arrangements (pollution). There are material synergies between these subjects and other planning matters – in particular, ecology, landscapes, noise mitigation & design quality.

Principle of development

I note that the applicant has sought to make a case for determination under the presumption in favour of sustainable development and has made reference to a recent development of similar form (APP/13/00266, Havant Retail Park Portsdown Hill Rd). Determination under the presumption in favour places a focus on the matter of 'sustainable development', and it is considered that strong environmental sustainability should be required to justify a consent for development outside that tabled by the Council to demonstrate its 5 year housing supply.

The APP/13/00266 development is relevant in its approach to development adjacent to the A3(M) and the management of noise, amenity & air quality issues.

It is understood that the applicant is seeking outline consent for 120 units with 'all matters reserved' save for site access – it is regarded (however) that the application seeks to define the maximum quantum (i.e. the upper limit on unit numbers is not a

reserved matter) and must therefore demonstrate that 120 units can be delivered in an environmentally sustainable way.

The site masterplan is drawn to 'development parcels' level only; the curtilage of individual units is not defined. The site set-back from the A3(M) is similarly not clearly defined. Fitting the site indicative masterplan to GIS would appear to indicate a set-back of approximately 38m from the kerbside of the A3(M), however, text in the supporting documents would suggest an intended set-back of less than 25m. given the masterplan resolution, it is unclear whether the quantum sought might be accommodated at the site without relying upon the lower set-back distance. With reference to APP/13/00266, the development set-back (as built) exceeds 30m, and in addition, the apartment buildings were required to benefit from a mechanical ventilation system drawing air from the Eastern façade (or other non-road facing walls in the 'emissions lee' of the building). This served internal amenity purposes, ensuring internal noise mitigation standards and securing reliable indoor air quality.

It is worth noting that the development referenced as design precedent represents the closest building line relative to the Eastern kerbside of the A3(M) within the borough, and that concentrations of NO₂ have been modelled to be within 95% of the statutory air quality objective – which if permitted would represent one of the poorest 'at receptor' concentrations within the borough. Given modelling uncertainty, and the substantial difference distance from source can make to concentrations over very short distances – the distance between the kerbside of the A3(M) and the façade of the closest proposed units is considered to represent a significant material factor in demonstrating sustainability of the site.

It is unclear whether the quantum of development can be sustainably delivered at the site if the site does not propose units 'more at risk' (from this road-emissions source-) than any existing property in the borough (i.e. if a minimum 30m buffer is applied from the kerbside of the A3(M) carriageway, and if the applicant does not propose to protect the internal amenity & air quality of affected units).

I would highlight the comments of the Traffic Team, Highways England, and in particular, the Landscapes consultee, who requires "(a) significant landscape buffer...to the West for noise, views & ecological connectivity". These latter comments are supported, and as described above, and as highlighted by the Traffic Team – these matters may be material to quantum and as a result it may not be appropriate to defer these issues to the reserved-matters stage.

Flood Risk Assessment & Drainage Design

Surface drainage is to be achieved via a filter drain & permeable surfaces. Sustainability enhancements such as rainwater harvesting & landscaping bioretention are acknowledged to be viable options, but these features are not proposed. Attenuation capacity is to be provided by means of two no. substantial below ground tanks (900 cu.m) and within a detention basin at the topographic low point. Sequential hydrobrakes are proposed to limit discharge rates to greenfield rates, and final discharge is to the ordinary watercourse to the SE of the development land. Given that the receiving watercourse lies within a SINC, it is considered that the draft scheme misses an opportunity for ecologically valuable conveyance of surface water (e.g. via a swale), however strictly from a pollution-attenuation perspective;

- the draft scheme provides sufficient attenuation for a residential development
- the draft maintenance schedule is appropriate

No objections to the FRA or drainage design. I expect the LLFA to comment on aspects of the scheme concerning the contribution of the site to downstream flood risk.

Contamination Assessment

The assessment & conclusions of the WYG Phase 1 Geoenvironmental Assessment (Desk Top Study) Ref: A096474 are generally agreed to be appropriate.

I note that the Environment Agency has also accepted the report, and has recommended a comprehensive suite of conditions to address contamination risk at the site as a material matter to the residential development of this land (i.e. relevant to the OA application). The wording of the proposed conditions does not acknowledge the A096474 report, and risks duplication at the conditions-discharge stage.

The works recommended at 10.2.1-10.2.3 of the A096474 report are appropriate, and I would recommend that a more refined condition be imposed in place of that proposed by the Environment Agency, omitting the need for an environmental desk study, and requiring additional assessments to be based upon the proposals of the A096474 report.

Contamination (Standard – omitting EDS, based upon submitted EDS proposals) **[1]**

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

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

1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

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

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

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: *Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants or ecological receptors. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180*

of the National Planning Policy Framework."

Environment Agency proposed conditions 2-4 are generally appropriate and should function as intended with the proposed wording for condition 1 (above).

Air Quality – Development as Receptor

The WYG Air Quality Assessment concludes that the projected air quality at the nearest-to-source proposed (new) air-quality-sensitive receptors is predicted to be compliant with the air quality objective, and that no exposure mitigation is therefore required.

As indicated in the 'principle of development' section above, the modelled result (if accurate) would represent some of the highest 'at receptor' concentrations in the borough.

The modelling result is regarded as a 'modelling best estimate', with a reasonably wide margin of +/- error. The modelling result was with prescribed standards of error, and so was not (did not need to be-) adjusted, but it is notable that the result is within the margins of expected modelling error.

The WYG monitoring within the curtilage of the site has returned a monthly result in excess of the air quality objective (AQO) value. The monitoring period is unclear as the report Appendix A contains the construction phase (dust) risk assessment, and not the details of monitoring indicated at section 4.1. It is worth highlighting that;

- Results from period 1 & period 2 significantly differ, indicating that they may not be consecutive 4-5 week period monitoring.
- The location map presented is of insufficient scale to determine the distance of monitoring points from the kerbside of the nearest roads
- No photographs of monitoring points are shown for local context, and no specific description of the mounting is given.

As a result of the above, it is difficult to draw a conclusion based on the monitoring presented, however in the absence of any additional details it would be appropriate to consider that it demonstrates that within-curtilage exceedance of the AQO is possible and that that exceedance probably relates to a location between 15 & 20m from the kerbside of the A3(M).

Modelling is poor at accounting for the built environment, trees and topography, essentially assuming free-field. Significant differences can occur where barriers (such as new buildings) are introduced.

I am uncomfortable with accepting that "no air-pollution exposure mitigation is required" at the western side of the development where

- modelled results are so high, being within modelling error of the AQO
- local monitoring indicates that monitoring period exceedances are possible despite the (mitigating) vegetation buffer to the site
- monitoring data is difficult to interpret in relation to distance from source, period & duration of measurement (relative to seasonality) and
- the development would exceed current precedent for proximity of sensitive receptors to this (down-prevailing-wind) side of the A3(M)

I would consider that either;

- i) the modelling & local monitoring data need to be refined to show that concentrations at the proposed 'building line' (facades relative to the A3(M) kerbside – being the hard shoulder, not the running-lane) are acceptable to within a reasonable margin of safety (e.g. at least modelling error),
- ii) the development layout should adopt a building line of at least 30m from the kerbside of the A3(M) (in line with local precedent) or,
- iii) the proposed apartment buildings in the West of the site should be protected in a similar way to the equivalent blocks on the APP/13/00266 development referenced (as precedent) in the design & access statement.

It would represent a significant failure of planning for an AQO exceedance to arise at a building constructed post-publication of the NPPF 2019. It is unclear whether the applicant has done enough to demonstrate that the quantum sought can be sustainably delivered at this site. The planning service may take this response to be a holding objection pending clarification.

Air Quality – Development as Source

I note that the applicant has sought to make a case for determination under the presumption in favour of sustainable development, and that an argument is given for the LP2036 carrying substantially limited weight. I would highlight that the text of Policy E23 (LP2036) represents the Council's view of how NPPF Para.181 ('...identify opportunities to improve air quality or mitigate impacts...') should be met. It should be noted that the interpretation making E23 more material than might be suggested by the current status of the LP2036 is likely to apply to a number of other key emerging policy areas. Where relevant to Environmental Health's remit, a case will be made for the emerging policies to be regarded as carrying non-negligible weight by virtue of the 2019 wording amendments to the NPPF (extending the effect of clauses from being a directive for formulation of local policy to apply in addition directly to 'decisions').

It is clear that the applicant regards air quality as a 'threshold' issue only – i.e. the applicant has sought to assess the material change in concentrations of pollutants arising from the operational phase of the development, and to mitigate any unacceptable impact. While the assessment acknowledges that traffic emissions represent less than 50% of total Nitrogen Dioxide concentrations, it has only considered the impact of traffic demand, and has not considered domestic sources. E23 seeks an 'offsetting emissions' approach to all major development which applies irrespective of any 'material change' in any specific pollutant at any specific receptor location, and aims to reduce regional 'upward pressure' on local air quality as a cumulative effect of development. It is appropriate to consider this as a matter deferrable to the reserved matters stage, but it may be material to the question of whether the proposed development is 'sustainable development'. I would encourage the applicant to consider reasonable emissions offsetting as an integral part of the detailed design and to do this at an early stage so that features identified to be economically implementable may be used to improve the environmental sustainability credentials of the outline scheme.

I would also encourage the applicant to consider a design response to policy IN3 j) (provision of electric vehicle charging infrastructure), and E12 (low carbon design) – both of which have synergies with an objective of offsetting development emissions on an 'all sources' basis.

Transport Assessment & Framework Travel Plan

The priority given to the shared pedestrian / cycle link South to link the development to

existing routes at Purbrook Way is agreed to be appropriate – this is considered to be a very important element to support sustainable modes of travel for short/frequent journeys (to local services, and commuter access to bus & rail)

I welcome the inclusion of a route north to link the development with the Dunsbury Hill Farm roundabout, but note that it is only proposed to bring this forward on condition of around 620m of additional footpath/cycleway being constructed by others to complete the link into the employment area. Traffic monitoring data for Hulbert Road indicates 85%ile vehicle speeds & levels of HGV traffic that are likely to be prohibitive to all but the most confident cyclist, so off-road routes are preferred if they can be secured. I note that the parking provision is proposed to be in line with adopted SPD. Given the characteristics of the site, I would be reluctant to support a >SPD provision (as this would disincentivise car dependence). No reference is made to policy IN3, and as above, I would encourage the applicant to consider a design response at the reserved matters stage – this is considered material to all limbs of the definition of sustainable development, and is in line with NPPF policies 102 d) & 110 e), and on this basis may be material to the credentials of the scheme for an outline determination.

In respect of the accessibility assessment – assuming that good quality infrastructure is in place, sustainable journey's to the South to a range of local amenities will be feasible. Journeys to the North by sustainable modes be hampered by the need to traverse J3 of the A3(M) and the lack of infrastructure on the Hulbert Road to the West of J3, towards Waterlooville. It is considered that linking the development to the major employment area at Dunsbury Hill Farm is an appropriate and important measure for encouraging sustainable travel to work – where replacing short distance journeys has the greatest emissions-offsetting benefit.

I note that the travel plan objectives omit aiming to increase car-share or encourage sustainable private motor car use (e.g. supporting uptake of electric vehicles), or supporting use of delivery services (e.g. providing secure unattended parcel drops). Travel plan targets are deferred, and are proposed to be set in consultation with HCC. Indicative targets presented are considered to be unambitious, and basic – with the mode-shift target sought being so low as to likely fall within the standard deviation of the survey results (i.e. difficult to demonstrate success). A doubled mode shift target would be appropriate, alongside an expansion of the proposed measures – which in the draft plan comprise essentially the provision of route information only (no forums, lift-share matchmaking services to be signposted, no organised social groups, cycling equipment discounts, cycle proficiency training, or public transport 'try' incentives such as travel vouchers or negotiated ticketing discounts etc.).

Few active measures are proposed, and in addition, there are no 'back on track' measures if the unambitious targets missed.

Conclusion

Most issues raised above could be deferred to the reserved matters stage. This is particularly the case where the quantum sought 'could' be delivered sustainably, and the applicant will need to demonstrate that the detailed scheme brought forward at the reserved matters stage is sustainable. The detail of this response is intended to steer the evolution of the detailed scheme.

Where issues might affect the 'carrying capacity' of the site (i.e. the quantum sought-) these are regarded as being material to this application. This would apply in particular to noise mitigation, air quality (development as receptor-), ecology, landscapes, and parking – as all measures might be affected by the need to incorporate a minimum landscape buffer in the west of the site (which for air quality purposes, should not be

less than 30m from the kerbside of the A3(M)). These issues may require resolution prior to determination at outline.

Environmental Health raises a holding objection on this basis, pending the details referred to above (clarification of modelling and monitoring details, or a precautionary design response to limit exposures & mitigate the risk of a need for future regulatory intervention as a result of this development).

An alternative, more specific-, contamination condition is proposed in the event that the planning service is minded to make a positive determination.

Environmental Health – Noise

Final Comment – No Objection

I have studied the additional information now provided, in terms of the noise heat maps etc and can comment as below.

It is noted that the above maps have been set up with the apartment blocks at a two storey level as opposed to three storey, and as discussed in the meeting of 26 May this year. This will potentially be more acceptable to this office at this level, when the height of the proposed bund/fence are considered in conjunction with the apartments.

Furthermore, in relation to external amenity areas, as previously indicated the following excerpt is taken from the WYG noise assessment for this site:

*With regard to noise in private external amenity areas, Section 7.7.3.2 within BS 8233 specifies that it “is desirable that the external noise level does not exceed 50 dB LAeq,T with an upper guideline value of 55 dB LAeq,16hours which would be acceptable in noisier environments”. However, BS8233 recognises that these guidelines values “are not achievable in all circumstances where development may be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited”.

This approach has been applied within this assessment with the SOAEL for private external amenity spaces set at 60 dB LAeq,16hours.

In this regard it is not deemed necessary nor essential for the SOAEL for external amenity areas to be set at the proposed level, and we will be requesting this remains at 55 dB LAeq.

If the Local Planning Authority is minded to approve this application, I would ask that the following conditions be included in any consent granted, in order that the applicant / developer can address these at full application stage:-

Condition 1:

The applicant will need to confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, for all residential units, will meet BS8223:2014 standards as 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 properties is not impacted upon by any external noise levels, especially traffic noise.

Condition 2:

Where future residents will need to keep windows closed to mitigate noise from road traffic sources (especially overnight) the applicant will need to provide an Overheating assessment in accordance with CIBSE TM59 (2017), to demonstrate that indoor temperatures will be acceptable in the absence of open windows. Any scheme/s or measures to mitigate overheating should be included with the Acoustic Design Statement or in the approved plans for the development.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external traffic noise levels in particular.

Condition 3:

Post validation testing of noise levels in and around specified dwellings, will be a requirement prior to occupation, if approval were to be granted for the construction of residential accommodation on this site at full application stage . Post validation testing will need to be undertaken by a competent person to determine compliance with the noise impact assessment as provided by WYG Noise assessment, dated December 2020, 4th issue. Such testing should be achieved using at least 3 sample dwellings, nearest to the measurement positions LT1 & LT2. This must include a top storey apartment adjacent the A3M and a dwelling adjacent the Hulbert Road. A report shall be produced which details the post validation testing that has taken place 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, especially at bedroom and living room first floor level, 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. In addition to a windows closed scenario, levels should also be provided with windows in an open position. Similarly, external areas that are used for personal amenity space, such as gardens and patios, are also required to be tested upon completion of the development. Noise levels in these areas must not exceed 55 dB LAeq, 16 hour.

Reason: To ensure the residential amenity of the property will not be impacted upon by any external noise levels.

Should this outline application receive approval, any additional conditions or informatives that may be required at the reserved matters or full application stage, will be provided at that time. In relation to the above, please be aware that if the Acoustic design statement at that stage does not comprehensively show that residential accommodation on this site will be sustainable & suitable, there remains the possibility of us recommending refusal at that time.

Officer Comment: *If permission is granted the above three conditions are recommended.*

Forestry Commission

General Forestry information.

Hampshire Fire & Rescue - Objection to residential development proposed

Hampshire Fire and Rescue Service (HFRS) do not support the proposals submitted within this application for the development of up to 120 dwellings on the land west of Hulbert Road.

Following a review of our estate, HFRS have been actively seeking options to relocate resources within the Havant area. The land west of Hulbert Road was identified as a key strategic location which benefits from excellent access to the A3M, Havant and Waterlooville. As a result of this, the whole site was subsequently "ringfenced" for this purpose by Havant Borough Council in a jointly-signed Statement of Common Ground in October 2019 and included in the local plan.

Fire and rescue service response and the location of resources is determined by local and national risk profiling. This profiling is based on the physical location and assessment of risk (such as less mobile communities, high risk industries, road networks and density of urbanisation). As these factors change within a geographical area (such as Havant Borough) the location of suitable resources may also need to be adapted to ensure efficient response is maintained.

This land provided the only opportunity for a combined emergency services hub within the area. The site is close to the strategic road network, ideally located within the borough of Havant in the A3(M) corridor which optimises response times to incidents. A key action arising from the Council's Infrastructure Delivery Plan was that the HBLP 2036 should identify and allocate a site for a new fire station, including potential for combined facilities with the police and ambulance services of two acres (equivalent to 0.8 hectares), within the A3(M) corridor.

A number of exciting opportunities could have been unlocked had this site been developed by HFRS working with the Landowner, including possible co-location with other blue-light or public sector partners and therefore improving efficiencies of public-owned land in the area.

HFRS have worked collaboratively with other partner agencies who would have relocated to this site alongside the fire service and have proactively engaged with the Landowner with proposals to combine a joint emergency service hub at this site, alongside housing units. This would have achieved the critical infrastructure needed within the area and provided housing within the Borough. This combined proposal would also have seen the option for a commercial/retail unit on the land occupied by the fire service, supporting a community in this area.

Therefore, HFRS are unable to support this application which does not provide a location for critical emergency service facilities and is solely for housing provision. We feel a combined housing and emergency service proposal would present a preferred option for the site and for the communities within the vicinity

Officer comment: *Following the above objection a meeting was held with representatives from the Hampshire and Isle of Wight Fire and Rescue Service (HIWFRS) during which officers were advised that the emergency services are looking at numerous sites and it is questionable, for the foreseeable future, as to whether the use of this site as an emergency service hub would be taken forward.*

The applicant has also advised that previous attempts to move the site forward with the Emergency Services have not been productive. It was also clarified that communities in the Borough and beyond would continue to be adequately served by the emergency services without the use of this land for an emergency services hub.

Hampshire Fire & Rescue – other general comments

Building Regulations: Access for Firefighting

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

Hampshire Act 1983 Section 12 – Access for Fire Service

Access **to** the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads **to** the site should be in accordance with Approved Document B5 of the current Building Regulations.

Fire and Rescue Services Act 2004

The following recommendations are advisory only and do not form part of any current legal requirement of this Authority.

Access for High-reach Appliances

High reach appliances currently operated by the HFRS exceed the maximum requirements given in Section 17 of the Approved Document B. When considering high rise buildings these variations should be considered as additions and incorporated as follows. Structures such as bridges, which a high-reach appliance may need to cross should have a maximum carrying capacity of 26 tonnes. Where the operation of a high reach vehicle is envisaged, a road or hard standing is required 6m wide. In addition, the road or hard standing needs to be positioned so that its nearer edge is not less than 3m from the face of the building.

Water Supplies

Additional water supplies for firefighting may be necessary. You should contact the Community Response Support, Hampshire Fire and Rescue Headquarters, Leigh Road, Eastleigh, SO50 9SJ (risk.information@hantsfire.gov.uk) to discuss your proposals.

Fire Protection

HFRS would strongly recommend that consideration is given to installation of an Automatic Water Fire Suppression Systems (AWFSS) to promote life safety and property protection within the premises.

HFRS is fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Testing of Fire Safety Systems

HFRS strongly recommends that, upon commissioning, all fire safety systems are fully justified, fully tested and shown to be working as designed. Thereafter, their effectiveness should be reconfirmed periodically throughout their working lifecycles.

Fire-fighting and the Environment

Should a serious unsuppressed fire occur on the premises, the water environment may become polluted with 'fire water run-off' that may include foam. The Service will liaise with the Environment Agency at any incident where they are in attendance and under certain circumstances, where there is a serious risk to the environment, a 'controlled burn' may take place. This of course could lead to the total loss of the building and its contents.

Premises' occupiers have a duty to prevent and mitigate damage to the water

environment from 'fire water run off' and other spillages.

Timber-framed Buildings

These types of buildings are particularly vulnerable to severe fire damage and fire spread during the construction phase.

The UK Timber Frame Association publication '16 Steps to Fire Safety on Timber Frame Construction Sites' provides guidance on this issue and is available from: <https://tff.co.uk/download/16-steps-fire-safety-timber-frame-construction-sites/>

Hampshire Highways

Final Comments – No Objection

Following the Highway Authority's second response, the applicant has provided a new technical note, dated May 2021, to address the comments raised. Following a review of the latest technical note, the Highway Authority wish to make the following comments.

Purbrook Way/Hulbert Road Roundabout Safety Improvements

Within the Highway Authority's previous response, a contribution was sought to improve the safety of vulnerable road users at the Purbrook Way/Hulbert Road junction.

HCC's safety engineering team are currently reviewing safety improvement schemes at the roundabout; however, it has been noted that any safety changes are likely to be low cost improvements at this stage and are fully funded through our Safety Engineering Programme. For this reason, the Highway Authority will not require a contribution from this development towards safety improvements at the roundabout.

Pedestrian and Cycle Infrastructure

It is noted that the drawings indicate that the proposed northern footway works are to be constructed to a point south of the Dunsbury Roundabout, although the infrastructure would not connect into any existing/proposed facilities. Whilst there will be a new shared use path delivered from Dunsbury Park, this will not extend to the point at which the footway proposed through this development terminates. The applicant has therefore agreed to provide a crossing point and connecting infrastructure at the roundabout for pedestrians to access the facilities due to be provided as part of the Dunsbury Park scheme. The details of this arrangement can be agreed at the detailed design stage and will be secured through provision of an appropriate drawing to append to the S106 agreement.

The latest technical note states that an arboricultural assessment is being undertaken to establish the level of tree loss necessary to implement the proposed footway/cycleway works. The Highway Authority notes that an arboricultural assessment and tree protection plan have subsequently been uploaded to the planning portal which demonstrates the trees that will need to be removed to facilitate the proposed improvements.

To implement both the northern footway and southern footway/cycleway will require a number of trees to be removed on the western side of Hulbert Road. The Highway Authority has cross-referenced these plans against the adopted highway boundary and

it appears that some of the trees sit within the adopted highway, meaning they will be subject to a CAVAT assessment and the Highway Authority will seek payment to this value to mitigate the loss of the asset and facilitate replacement tree planting as per TG15. The remaining trees to be removed are located within private land and therefore the applicant is required to confirm that they control all of the land necessary to undertake the tree removal.

A lighting specification document has also been supplied which provides further details on the ecological impacts of providing street lighting along Hulbert Road and also features suggested locations for the lighting columns. The lighting should be located suitably to avoid additional tree loss along Hulbert Road. It is considered that the exact location of the lighting can be agreed at the detailed design stage via discussions with HCC and the applicant's lighting engineer and ecologist which will help to manage unnecessary vegetation removal when implementing the lighting.

The work undertaken to date by the applicant demonstrates that a number of trees would need to be removed along Hulbert Road to facilitate the new footway and shared use path connections. The Local Planning Authority should therefore balance the proposed tree loss against the benefits provided by the proposed development to confirm whether the new footways should be provided. Should the LPA decide that the tree loss is not acceptable, the Highway Authority should be formally reconsulted for their updated recommendation on the application.

Site Access

Drawing number A096474 Rev P02 has now been provided which demonstrates the visibility available for right turning vehicles into the site. The plan indicates that 145m forward visibility is available which is considered acceptable against the measured speeds.

Therefore, the principal of the site access arrangement is considered acceptable will be secured through the S106 agreement.

Speed Reduction Measures

The applicant is proposing to condition the requirement to provide the details of the speed reduction measures along Hulbert Road. The technical note suggests that measures which could be provided includes additional signage, street lighting and gateway features.

Because the vehicle access is not contingent on the speed reduction measures to achieve the required visibility splays, nor is there an identified safety issue linked to speeding on Hulbert Road, the Highway Authority agrees that the details can be conditioned and agreed post planning.

Junction Modelling

A revised summary of the junction modelling outputs for the Purbrook Way/Hulbert Road roundabout has been provided. The modelling now includes a 2021 baseline scenario and a 2026 (future year) scenario which factors development traffic associated with the proposed development and the traffic flows associated with the Land East of College Road (planning reference APP/19/01101) application. The modelling demonstrates that the proposed development would not result in a severe impact on the roundabout. The highest observed Degree of Saturation (DoS) is 77.8% on the Purbrook Way (W) Entry under the 2026 PM peak + development +

committed development scenario. Across the AM and PM peak 2026 scenarios, the development traffic flows impact on the DoS cannot be considered severe when considered against NPPF.

Recommendation

The applicant has satisfactorily overcome the Highway Authority's outstanding concerns with the proposed development. The Highway Authority therefore recommend no objection to the application, subject to the following S106 obligations and conditions:

S106 Obligations

- Prior to commencement of development, to enter into a highways agreement for the site access works and footway/cycleway works (including the connection works into the Dunsbury Park facilities) shown in principle in drawing numbers A096474-SK01 Rev B, A096474-SK02 Rev C and A096474-SK03 Rev A.
- Prior to occupation of development, to construct the site access works and footway/cycleway works to the satisfaction of the Highway Authority.
- Payment (by developer) of HCC fees in respect of approval (£1,500) and monitoring (£15,000) of the Framework Travel Plan.
- Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan prior to occupation.

Conditions

- A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This should include construction access, construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.

Reason: In the interest of highway safety.

- Prior to commencement of development, to submit detailed designs for speed reduction measures on Hulbert Road to be agreed in consultation with the Highway Authority and to implement the agreed speed reduction measures on Hulbert Road prior to occupation to certificate of completion standard.

Reason: In the interest of highway safety.

Officer Comment: *If planning permission is agreed the highway provision would be secured via a Section 106 Agreement and the highway conditions imposed on the decision notice*

Housing Manager (Development)

Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

The Submission Havant Borough Local Plan 2036 (HBLP 2036), which was approved by the Council on 30/01/2019, further reinforces this policy (see emerging Policy H2 / Affordable Housing) by setting out a requirement for a minimum of 30% affordable housing on sites resulting in a net gain of 10 or more dwellings.

This proposal is for a residential development of up to 100 units, however as this is an outline application there are no details yet for the dwelling mix other than it will consist of apartments and houses as shown in the Concept Master Plan.

I would expect up to 30 of the new homes to be provided as affordable with a tenure mix of approximately 66% rented /33% Shared Ownership; the rented element should consist of Social Rent or Affordable Rent, or a mixture of both.

The site should deliver a mix of dwelling sizes. The affordable provision would need to replicate this and comprise of both apartments and houses to help meet the social housing needs of the borough.

Demand for affordable housing remains consistently high in the Havant borough; currently there are 1673 households registered on Hampshire Home Choice seeking accommodation in our area and of these 777 are waiting for a one bedroom home, 527 for two bedrooms, 303 for 3 bedrooms, and 66 for 4 bedrooms plus.

Average waiting times as calculated for the period 1st April 2020 to the 31st March 2021, for a household in a reasonable priority group, remain a significant number of years for all dwelling sizes.

1 bed – 2 years
2 bed flat – 4 years 2 months
2 bed house - 3 years
3 bed - 5 years 2 months
4+ bed - 7 years 6 months
55+ properties – 1 year 6 months

Principle of Development: Housing would support the principle of this development pending future confirmation of the dwelling mix affordable provision.

Officer Comment: *If planning permission is agreed affordable housing provision would be secured via a Section 106 Agreement.*

Landscape Team

Final comments

From a landscape perspective we have the following comments:

- Our initial comments in relation to the impact the construction of the footway will have on the existing TPO trees along Hulbert Road have not been sufficiently addressed. The proposed footway drawing no. A096474-SK02 clearly shows the footway extending into the RPA of existing trees without providing an appropriate mitigation strategy to ensure the construction will not have adverse effects on the trees and the character of Hulbert Road. All construction must adhere to BS 5837:2012 and at present the applicant has failed to provide an arboricultural implications assessment (AIA) and subsequent tree protection plan.

- With regards to sustainable transportation, the provision of shared footpath and cycle links should be considered in relation to the following; HBC CIL funded Bushy Lease cycle route, which looks to connect Park House Farm Way to Fitzwygram Way this project is being undertaken by HBC Civil engineering and landscape team (CELT). Additionally, a feasibility study has been undertaken by HBC CELT on the behalf of PCC in relation to the provision of sustainable transportation from Hulbert Road in Waterlooville to Dunsbury Park. Given the applicants proposals to provide a 3m wide shared footway south of the site and a 2m wide footway north of the site to the Dunsbury roundabout it would be beneficial to ensure all future cycle routes are designed in coordination. By providing a 3m wide shared cycle route north of the application site this would provide better connections to the current and future cycle network.

Officer Comments: *The impact on the trees is considered in detail in Section 7 below, which is balanced against the lack of a 5 year land supply for housing.*

As to a shared cycle/footpath to the north of the access, the Highway Authority did pursue this with the applicant. However, this was not found to be feasible due to constraints to the west of the carriageway.

Initial Comments (Note: these are provided for reference only)

We would want to see off road cycle provision on Hulbert Road to connect into the existing infrastructure. This would help to promote sustainable transportation inline with Policy CS1

Contributes effectively to the opportunities for increasing cycling for all types of trips, creating and improving linkages within the borough

- We do not support the principle of the central square, particularly with the road dissecting through this space. We are conscious that this will be overly hard landscape and the viability of a market for the scale of the site seems unlikely. The concept of a community events space however could be incorporated into the central open space.

- The SUDs provision in the south east corner cannot impact on the RPA of the TPO trees south of the site.

- We require a significant landscape buffer to the west of the site to; soften view of the development from the A3(M), reduce the impact of the noise from the A3(M), act as a green corridor for wildlife.

- A tree report is required to understand the extents of the RPAs and to ensure appropriate mitigation is taken to alleviate any impact on the trees.

- We are mindful of the site abutting the A3(M) and the potential tensions this could cause with residents and road users. The landscape scheme will need to assimilate the need for safety e.g. suitable boundary treatments to make the site secure and appropriate siting for areas of play etc.

- Can early building heights be demonstrated to understand the impact on the existing landscape character as this information will inform the landscape proposals?

Local Lead Flood Authority HCC

Final Comment - No Objection

The County Council has reviewed the following documents relating to the above application:

- WYG Engineering Ltd Flood Risk & Drainage Assessment A096474
- WYG Engineering Ltd dated 26th October 2020 Ref A096474/LLFA

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

1. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: WYG Flood Risk & Drainage Assessment (FRDA) (ref. A096474, dated April 2020), has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.*
- b) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.*
- c) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.*
- d) Evidence that urban creep has been included within the calculations.*
- e) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.*
- f) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.*
- g) Evidence that the existing highway ditch connects to the watercourse and confirmation of ownership and approval to discharge to the ditch or watercourse through third party land.*

2. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings.

The submitted details shall include;

- a) Maintenance schedules for each drainage feature type and ownership*
- b) Details of protection measure*

For guidance on providing the correct information, we recommend you use our Surface Water Management Pre-application service which provides clear guidance on what is required for us to recommend that planning permission is granted and consider the works as best practise. For full details, please visit: <https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/p>

lanning and click on [pre-application advice request form](#).

Officer Comment: *If permission is granted, the drainage conditions are recommended.*

Natural England Government Team – No Objection

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant. Provided that your authority is assured and satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, then Natural England raise no concerns with regard to the nutrient budget. We recommend a condition that secures the water use of 110 litres per person per day.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on Habitats Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the Habitats Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation. However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances.

Nutrient Team

Policy EX1 (Water Quality impact on Solent European Sites) indicates that new dwellings and/or development resulting in a net gain in overnight accommodation which would likely cause a likely significant effect on designated sites will need to provide a

nutrient budget. This is reaffirmed by the Council's Position Statement which indicates that applicants will need to set out how any likely significant effects on Solent European Sites will be mitigated through the application, to include the submission of the updated European Sites Mitigation Checklist and a nutrient budget.

As the proposals are in a location where development is restricted, paragraph 3.8 of the Position Statement is of relevance:

“The Council actively encourages applicants to use Warblington Farm as mitigation where the principle of the development is accepted by the Council as Local Planning Authority. In any instances where the Council does not accept the principle of development, it will not be possible for applicants to use the Council's mitigation scheme. This is because Warblington Farm is needed to mitigate the development planned for through the Havant Borough Local Plan and Regeneration Strategy. The Local Plan HRA confirms that Warblington Farm is an acceptable mitigation option. This has been confirmed by the Review of the Warblington Farm Mitigation Option for Nutrient Neutral Development in the Havant Borough report.”

In summary, it should be noted that the applicant will need to find an alternative (to the Council's mitigation scheme) in order to avoid and mitigate the impact on water quality arising out of the development proposed. Other schemes are likely to be published soon on the Partnership for South Hampshire's website. Nonetheless, these will need to be subject to a Habitats Regulations Assessment for this application.

Officer comment: *In order to avoid and mitigate the impact on water quality arising out of the proposed development an alternative site has been secured at Whitewool Farm, East Meon. This is basis on which the Habitat Regulations/Appropriate Assessment has been undertaken in respect of the application, which has been accepted by Natural England.*

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. The [Havant Borough Local Plan](#) (HBLP) was submitted for Examination on the 12th February 2021 and must be afforded limited weight.

The following Adopted Local Plan policies are of particular relevance:

- CS17 – Concentration and Distribution of Development within the Urban Areas
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements
- CS9 – Housing
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development

In the Submission Plan the following policies are of particular relevance:

- E3 | Landscape and settlement boundaries

- IN1 | Effective provision of infrastructure
- DR1 | Delivery of Sustainable Development
- DR2 | Regeneration
- IN3 | Transport and parking in new development
- IN4 | Future management and Management Plans
- H1 | High quality new homes
- H2 | Affordable housing
- H3 | Housing density
- H4 | Housing mix
- E1 | High quality design
- E2 | Health and wellbeing
- E9 | Provision of public open space in new development
- E12 | Low carbon design
- E16 | Recreational Impact on Solent European Sites
- EX1 | Water Quality impact on Solent European Sites
- E22 | Amenity and pollution

As set out above, the changes include a new Policy EX1 (Water Quality impact on the Solent European sites, which together with the [Position Statement and Mitigation Plan for Nutrient Neutral Development](#) sets out how developments should approach nutrient neutrality. This is considered in further detail below.

Principle of development

As you will be aware the site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. It would remain outside of the settlement boundary as defined by policy E3 in the emerging Local Plan. The policies in the adopted and emerging local plan seek to restrict development in these locations, except in exceptional circumstances. It is not considered that any of the exceptions for housing would apply here.

It should be noted that the applicant is promoting the site as an ‘omission site’ as part of the Local Plan examination. The inspectors have indicated that they will consider the merits of omission sites as part of the stage 2 hearings in the Autumn of 2021. As such, the status of the site has the potential to change as the examination progresses.

Nevertheless, the site is identified in the Council’s [Strategic Housing Land Availability Assessment](#) under site reference LP127. It is discounted in Appendix 2 for the following reason:

“Site is not suitable for residential development due to its isolated nature. It is better suited for other uses.”

In terms of the matter of isolation, the site is located away from the existing built up area and would not relate to the existing community to the south or west of the site. Furthermore, the site could not accommodate development of a sufficient scale to constitute a community in its own right. Indeed, the application description does not include any community facilities or economic development reflecting the scale of housing development proposed.

It is noted that paragraph 7.22 of the Planning, Design and Access Statement contests the Council’s assessment of the site. However, it is not for a planning application to

highlight concerns or an objection to this assessment. Similarly, the submitted PDAS highlight inconsistencies with regard to the assessment of sites through the Sustainability Appraisal process. Such objections will be considered by the Local Plan Inspector through the Examination process in due course.

Without prejudice to the omission of the site in the Local Plan, paragraph 103 of the NPPF indicates that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It also indicates that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in plan-making and decision-making.

Whilst the Council does not consider any part of the Borough to be 'rural' (in the context of justifying rural exceptions for commercial or housing development – see paragraph 5.35 of the Submission Local Plan), it should be noted that the Council's [Residential Density Evidence Paper](#) does assess the relative varying accessibility within the Borough, which is informed by the public transport options in Appendix 1.

Five year housing land supply

The Council's [Five Year Housing Land Supply Update \(September 2021\)](#) indicates the Council has 4.3 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF).

Significantly, it does not follow that planning permission should automatically be permitted for development which would boost housing supply. However permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Council adopted a [Housing Delivery Action Plan](#) in January 2021 which outlines the Council's response to the lack of a five year housing land supply.

It is noted that the proposed scheme is not in the five year supply in whole or part. As such, there would be a gain of 100 units to address the five year housing supply requirement.

Five year requirement with 20% buffer = 3,376 dwellings / 5 years = 675.2 dwellings a year

Up to 100 dwellings / 675.2 dwellings = 0.148 years

In this case, the scheme would contribute up to 0.15 years' supply of housing (rounded) and would therefore have the potential to increase the Borough's housing land supply to at least 4.4 years. This must be afforded weight in the overall planning balance.

Nonetheless, it is noted that the current application is in outline form. With the significant headwinds noted in the Housing Delivery Action Plan now largely in the past and the Local Plan at examination, it is expected that the five year supply picture will improve. As such, whilst the principle of development is not supported in policy terms, if planning permission is granted, a condition should be attached requiring a shorter than standard timeframe for the submission of a valid reserved matters application.

Combined emergency services hub

The Council's [Infrastructure Delivery Plan](#) identifies a need for "Local Plan Allocation or

Safeguarding for site for a new fire station, including combined facilities for the police and ambulance services of 0.4 hectares, within the A3(M) corridor". In order to serve the Havant area, with improved access to Petersfield and across to Portsmouth, a location close to the trunk road network is needed, with a site within the A3(M) corridor is favoured for a combined emergency services facility.

Policy IN1 of the Local Plan safeguards the application site for a Combined Emergency Services Hub at Hulbert Road (shown on the Policies Map as IN1D) accordingly. Paragraph 4.7 of the supporting text confirms the land is needed to deliver key infrastructure schemes and should be protected from loss to other uses, pending further study and investigation. It has been purposefully identified as safeguarded land as opposed to being allocated, reflecting the fact the land is cannot be considered to be 'available now' for these purposes.

Summary

As you are aware, there is an 'in principle' policy objection to the application proposals in the context of both the adopted and emerging local plans. The site is located outside of the urban area/settlement boundary, and there would be no exceptional circumstances here which would apply to housing. In addition, the land is safeguarded in the emerging local plan for a combined emergency services hub. These should both be afforded weight in decision-making.

However, importantly, the Council is not currently able to demonstrate an up-to-date five year housing land supply position. In the context of the tilted balance, permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this case, the scheme would contribute up to 0.15 years' supply of housing (rounded) and would therefore have the potential to increase the Borough's housing land supply to at least 4.4 years. This must be afforded weight in the overall planning balance.

Notwithstanding the site's location outside of the urban area in the context of the Adopted and emerging Local Plans, there is clearly a need to significantly boost the supply of homes in Havant borough.

Officer Comment: *The site is not allocated for residential development in the adopted and Submission Local Plan and is safeguarded as an emergency service hub.*

The Council's publication of the 'Five Year Housing Land Supply Update' in December 2020', shows that the Council is unable to demonstrate a 5 year land. Therefore, in considering the proposal, it is necessary to balance the development against the lack of a 5 year land supply of housing which is set out in detail in Section 7 below.

Property Management - Hampshire County Council

No comment.

Public Health Team

We welcome the ambition to create 120 new homes to meet the needs of the growing population in Havant and Hampshire more widely.

Theme	Policy / Page	Comments
Public Realm	2. The Site and the Surroundings (pp.4)	We welcome the development being situated in an accessible, lively area near local amenities, schools and

		places of work. We are encouraged that due to this placement, the proposed site is well-connected by public transport and walking and cycling infrastructure. Active travel is important as it has co-benefits for health as well as air quality.
Sustainable modes of transport, promoting walking and cycling and reduced vehicle usage	4.1 The Proposal (pp. 6)	We welcome the proposal to include a new pedestrian footpath along the western site of Hulbert Road linking to existing walking, cycling and public transport networks which provides opportunity for physical activity through active travel.
Green, blue and open spaces	4.2	We welcome the design which incorporates communal areas of the central green and paved square. Green space is important for wellbeing, attractiveness as well as positively impacting the environment and air quality. The incorporation of a central square provides opportunities for social interaction.
Green, blue and open spaces		We welcome the provision of a green corridor in the western boundary, and would encourage the incorporation of the potential trail with natural play or exercise facilities. These will provide opportunities for residents to engage in easy to access physical activity. We would also welcome opportunities for formal and informal food growing such as a community orchard
Housing design	8. Design Approach (8.21) (pp. 32)	We welcome the proposal to provide mixed of dwelling types including at least 30% affordable housing.
Healthy housing	8.23	We encourage the developer to ensure housing units meet certain standards. Firstly, to ensure that these dwellings provide adequate internal storage and space with separate kitchen and living areas. We welcome plans to ensure noise between units is limited, and are adequately ventilated. We also welcome plans to ensure the units are accessible to older people, as well as disabled people, and that the housing is tenure blind.

Sustainable modes of transport, promoting walking and cycling and reduced vehicle usage		Whilst we welcome the appropriate vehicular access, we would encourage this access to include provision for cyclists and a safe environment for pedestrians to access to site. This will encourage active travel. At the appropriate planning stage, we would like to see plans for how behaviour change – from private vehicle to active travel/public transport - will be encouraged.
Air & noise pollution / Sustainability & Climate change	Air Quality & Noise (pp. 38)	<p>We welcome any measures to mitigate the air and noise pollution during the pre, during and post-construction phase. When considering the impacts of noise pollution, as flagged as a concern by the Environmental Health consultees, the developer and planning authority should take into account the long- and short-term impacts on mental health, physical health, the environment and ecosystems.</p> <p>In terms of human health, there are no safe levels of air pollution and so any increase should be actively prevented.</p> <p>We welcome measures to ensure that the site constitutes sustainable development, and that any associated traffic, congestion, air and noise pollution, and biodiversity loss, is minimised and mitigated. We encourage a hierarchy of action which prioritises the <i>prevention</i> of such issues, with minimisation and mitigation where prevention is not possible.</p>
Biodiversity	Ecology (pp. 41)	We are encouraged by the site being close to the peripheral areas of woodland. These contribute to the local natural scenery, are beneficial for mental health and help to mitigate against the effects of climate change and local air pollution.

Officer Comment: The above comments are noted.

Public Spaces

No comment received.

SE Hants Clinical Commissioning Group

The increased demand would be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development; however additional workforce and building capacity within the premises will be required.

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

Please see below the NHS investment projection that the CCG will consider should the application be granted by the Council;

The proposed contributions formula for developments under 2000 dwellings is: 120 No. of dwellings x 2.4 divided by average list size (1800) x 16 (size of a consultation room (m²) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)

This means that South Eastern Hampshire CCG will be looking for a **contribution of £19,200 of planning gain for health.**

South Eastern Hampshire CCG identifies multiple practices (Vine Medical Group, Park Lane Medical Centre and Crookhorn Lane Surgery) could be impacted by this development in both our CCG area and neighbouring Portsmouth CCG areas as all the following practice boundaries cover this area. However, it is likely that Vine Medical Group will be the preferred practice for new patient registrations due to their close proximity to the development. Therefore we request that funding be made available from developer contributions to enable those practices impacted, to make suitable building adaptations to facilitate this growth.

Officer Comment: *Should permission be agreed the Health Contribution would be a requirement of the associated S106 Agreement.*

Southern Electric

No comment received.

Southern Gas Network

No comment received.

Traffic Management, East Hampshire District Council

Without detailed plans of the proposed development, ie: the amount of bedrooms each development has, the number of parking spaces available including visitor / disabled spaces and secure cycle storage availability, the traffic team cannot comment other than to advise that guidance is taken from the HBC Parking Supplementary Planning Document July 2016 (Partially updated Sept 2019).

Officer Comment: *With regard to on-site parking, this is not fixed at the outline stage as this is a reserved matter.*

Waste Services Manager

Would request that consideration be given to the fact that these properties will be serviced by a Refuse Collection Vehicle which has a maximum weight of 26t. Roadways should be constructed to withstand the weight of the vehicle and allow appropriate safe vehicular access to each property/waste collection point.

Officer Comment: With regard the layout of the development, this is not fixed at the outline stage as this is a reserved matter.

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: 1

Number of site notices: 1

Statutory advertisement: 14/08/2020

Number of representations received: 6

Comment	Officer Comment
Policy	
<p>Contrary to current Local Plan/ Submission Plan – not appropriate to permit prior to public consultation.</p> <p>Site deliberately excluded from emerging plan as considered too remote.</p> <p>Surprised residential development is being considered on an oil well.</p> <p>Inappropriate sites for any type of residential or non-residential development.</p> <p>Climate change & environmental strategy adopted by Council - should adhere to this strategy.</p> <p>Green sites for housing should have Green credentials - government commitment to sustainable development – no such credentials shown.</p>	See Section 7 below.
Highways	
<p>Site remote and unconnected for anyone without a vehicle.</p> <p>Right turn into site a highway hazard.</p> <p>Footpaths would be dangerous – B2150 narrow unlit road</p>	See Section 7 below
Ecology	
<p>The proposed development site includes SINC Ref HV0035 known as Hulbert Road Meadow (2.83 hectares). Building on SINC's conflict with NPPF.</p>	See Section 7 below

<p>Building on site will impact on surrounding wildlife-green spaces need to be connected – lead to disconnection with woodland either side.</p> <p>Trend in recent years of development on SINC's - conflict the NPPF</p> <p>SINC's play an importance part in providing coherent ecological networks – disrupt wildlife – adverse impact</p> <p>Unlikely net bio-diversity will be achieved</p> <p>Bat corridor joining local and ancient woodland - number of species of bat, some uncommon/quite rare – national importance.</p> <p>Needs to be a wide undeveloped strip adjacent to the A3 (M).</p> <p>Environmental Impact Assessment (EIA) required.</p>	<p>The proposal has been assessed and an EIA is not considered necessary for the development.</p>
<p>Residential Amenity</p>	
<p>Light pollution and health issues resultant from the heavily used A3(M) - development will be affected by fumes</p>	<p>See Section 7 below.</p>
<p>Trees</p>	
<p>Advised at DCF in April 2019 that no trees would be felled – clear some trees and hedging along Hulbert Road would be removed to widen the road for a third lane for right turns into the site by southbound traffic.</p> <p>Sparse tree belt along the B2150 insufficient to shield the development.</p> <p>Unclear how many trees to be removed/retained to the other 3 sides.</p> <p>SUDs provision should not impact on RPA of the TPO trees south of the site.'</p> <p>British Standard guidance should be followed for impact on trees.</p> <p>Three trees should be replanted for each mature tree lost – controlled by condition.</p>	<p>See Section 7 below.</p>
<p>Flooding</p>	
<p>Flooding in area</p>	<p>The site lies in Flood Zone 1, which is the lowest flood risk.</p>

Other matters	
Problems with downloading files from web-site.	Reported and not a problem at the Council's end.
Buildings should be recycled, before new builds	No buildings exist on the site.
Should be allocated for a Solar/Wind Farm	Not before the Committee to considered.
Portsmouth residents do not want the 400kv DC cable from France – problems with the French supply.	
Is there sufficient electricity for the development?	Southern Electric has been consulted on this application and has not responded.

7 **Planning Considerations**

Impacts on European Sites/Nutrient Neutrality

A Habitats Regulations Assessment including Appropriate Assessment has been undertaken in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England have been consulted in relation to the assessment and have concurred with the assessment conclusions, providing that all mitigation measures are appropriately secured. The Habitats Regulations Assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Recreational Pressure

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

Water Quality

- 7.2 The Partnership for Urban South Hampshire (PUSH) (the partnership has since changed its name to the Partnership for South Hampshire) Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on

the designated sites within the Solent. Natural England have highlighted that there are high levels of nitrogen and phosphorous input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a Nutrient Budget and a report to inform the Local Planning Authority's Habitats Regulations Assessment Stage 1 and Stage 2.

- 7.3 Natural England has produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site.
- 7.4 Achieving a position where there are no net nutrient emissions into European Sites from this development involves the use of specific off-site mitigation measures. Appropriate planning and legal measures will be necessary to ensure the land will not change to alternative uses that affect nutrient inputs on the long term.
- 7.5 In this regard, the applicant has proposed a mitigation package. As the site is not allocated for housing in the adopted or submission plan, it is not possible for the applicant to secure off-site mitigation at the Warblington Farm Mitigation Scheme. Instead, the Whitewool Wetland Scheme in the Upper Meon Valley in Hampshire is proposed as mitigation for the development site. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy EX1.

Appropriate Assessment conclusion

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

Planning Considerations

- 7.7 In other respects, having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Housing mix and affordable housing
 - (iii) Impact upon the character and appearance of the area
 - (iv) Impact upon residential amenity (for existing and future residents)
 - (v) Public open space
 - (vi) Archaeology
 - (vii) Highways, parking and accessibility issues
 - (viii) Flood Risk/Drainage
 - (ix) Ecology Impacts
 - (x) Impact on Trees
 - (xi) Education

- (xii) Minerals
- (xiii) Contamination
- (xiv) Developer Contributions/CIL and S106 requirements
- (xv) Overall Conclusions and Planning Balance

7.8 The application is for Outline Planning Permission and the submitted application form confirms that all matters are reserved with the exception of the proposed access. This means that the following matters are for consideration at the Reserved Matters Stage:

Appearance; Landscaping; Layout, and Scale.

7.9 Notwithstanding this, in considering an outline planning application it is necessary to critically assess whether the quantum of development and its planning requirements can be successfully provided on the proposed application site. As such the applicants have undertaken pre-application discussions and obtained a Screening Opinion from the Local Planning Authority which confirmed that the proposal submitted was not considered EIA development. The application itself has been submitted with a detailed suite of supporting information seeking to demonstrate that the development could be appropriately provided. The supporting information includes the following:

Indicative Concept Masterplan Layout
 Design and Access Statement
 Flood Risk & Drainage Assessment
 Lighting Assessment
 Ecological Appraisal & Bat, Dormice & Reptile Surveys
 Nutrient Budget
 Noise Impact Assessment
 Phase 1 Geoenvironmental Desk Top Study
 Air Quality Assessment
 Tree Surveys
 Transport Assessment
 Framework Travel Plan
 Technical Notes

(i) Principle of development

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

The Development Plan

7.11 The Development Plan consists of:

Havant Borough Local Plan (Core Strategy) (2011), the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013) and the Emsworth Neighbourhood Plan 2019-2036. These plans continue to form the basis for determining planning applications in the Borough. The application site is located close to, but outside of, the urban area. Policies in the adopted plans support appropriate residential development within the urban areas. "Exception schemes" are only supported in the countryside. This is not an exception scheme and the site is located in a non-urban area. Therefore, this application does not accord with the development plan (it has been advertised as a departure from it). Planning permission should therefore be refused unless other material considerations indicate otherwise.

Submission Havant Borough Local Plan

- 7.12 The Submission Havant Borough Local Plan was submitted for examination by the Secretary of State for Housing Communities and Local Government (now called Department for Levelling Up, Housing and Communities) on 12 February 2021. Through initial questions, the matters and issues and during the Stage 1 Hearings in July 2021, the inspectors sought clarification about whether the Council had done all it could to try and boost supply of housing in the short term, given that it would be unable to demonstrate a five year supply housing on adoption of the Plan. On this basis, officers indicated that the Council would be willing to consider further allocations in addition to those included in the submitted Local Plan to increase its five year supply. At the time of publication, an Interim Findings Report, following the stage 1 hearings, is yet to be published. This is likely to change prior to the Committee date and an Update Report will be provided in this instance.
- 7.13 In the Submission Local Plan the application site is located outside of the settlement boundary as proposed to be defined by Policy E3. The application site is not one of those sites identified in the emerging plan as a proposed new housing allocation. The site is discounted in the Council's Strategic Housing Land Availability Assessment for the following reason:
- “Site is not suitable for residential development due to its isolated nature. It is better suited for other uses.”*
- 7.14 This reflects the Council's Housing Constraints and Supply Analysis which highlights whilst there are a few areas within the A3(M) corridor which are not covered by high level constraints, most have limited access or are relatively remote from the services of existing areas.
- 7.15 The application site is promoted as an 'omission site' as part of the Local Plan examination. The Inspectors have indicated that they will consider the merits of omission sites as part of any stage 2 hearings. As such, the status of the site has the potential to change as the examination progresses. The site has however been safeguarded under Policy IN1 of the Submission Local Plan for a combined emergency services hub.
- 7.16 The site has been specifically identified as safeguarded land as opposed to being allocated, reflecting the fact the land cannot be considered to be 'available now' for this purpose. Through discussions with officers, Hampshire & Isle of Wight Fire and Rescue Service (HIWFRS) have advised that they are considering a number of options with regard to their existing estate, and that: *“For a fair (non-housing) valuation HIWFRS would pursue this option with more interest, subject to a full business case and Authority approval. Whilst this opportunity has benefits to HIWFRS and potential partners such as Police, if planning permission is granted for this development, communities would continue to be adequately served by the HIWFRS through its current estates provision.*

Should this development go ahead without a ringfenced parcel of land for the emergency services hub, HIWFRS would appreciate ongoing support from Havant Borough Council to find an alternative site close to the A3 corridor. “

The Council would continue to work with HIWFRS to find an alternative, appropriate site.

Consistency with the National Planning Policy Framework.

- 7.17 The Secretary of State's National Planning Policy Framework (July 2021) is a material consideration which should be placed in the s.38(6) planning balance. The NPPF's primary objective is to promote sustainable growth and development through a "planned" planning system. Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development which, for decision making, means:
"approving development proposals that accord with the development plan without delay, and; where the development plan is, absent, silent, or out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
- 7.18 The Council published its latest 'Five Year Housing Land Supply Update in September 2021. This indicates that the Council cannot demonstrate a five -year supply of deliverable sites. The assessment found that the Council could only demonstrate a 4.3 year housing land supply, with a 20% buffer. In addition, the Housing Delivery Test (HDT) for Havant indicates that delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years.
- 7.19 In response to the December HDT results, the Council published the Housing Delivery Action Plan in January 2021, which sets out measures the Council is taking to prevent further under-delivery and improve delivery going forward. This document acknowledges that:
"The small, constrained and heavily urbanised local authority means site availability to meet housing need is extremely limited within Havant Borough."
It also highlights that substantively the lack of five year housing land supply is due to events outside of the Council's control. However, steps have been put in place to help rectify the situation and improve housing delivery.
- 7.20 The Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan which are most important for determining the application are to be considered out of date. In such cases the tilted balance is engaged, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the NPPF as a whole.

Five year housing land supply and delivery of housing need

- 7.21 The Government has an objective of significantly boosting the supply of housing. Under paragraph 74 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place, proposals for development should only be refused if:
- The site is within particular designated areas set out footnote 7 of the NPPF.
(Officer comment: The application site in question is not within any of these areas.)
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.22 As stated above, the Council's Five Year Land Supply Update September 2021 indicates the Council has 4.3 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such the tilted balance is engaged (para 11d of the NPPF). However, significantly it does not follow that there is an automatic assumption that planning permission should be granted. There is still a need to carry out a balancing exercise – in assessing whether there would be adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

Nonetheless, if it is considered that this is not the case, then planning permission should be granted.

- 7.23 As previously mentioned, the proposed scheme is not included in the Council's five-year supply in whole or part. That said, the proposal, if granted, would add up to 100 units towards the five-year housing supply requirement. This would have the potential to increase the Borough's housing land supply by 0.15 years supply (rounded), and therefore would have the potential to increase the housing supply from 4.3 to 4.4 years. This must be afforded substantial weight in the overall planning balance, which is set out below. In coming to this view, it is recognised that the proposal is in outline only, with all matters reserved apart from access. Therefore, if permission is granted, it would be recommended that there is a shorter period for the submission of a valid reserved matters application (i.e. 2 years, instead of normally 3 years). As to the provision of housing on the site, the agent has confirmed this should be provided within 5 years of the grant of an outline permission.
- 7.24 Notwithstanding that the site is located outside of the urban area and is not allocated in the development plan or emerging local plan, it is accessible to facilities and services. The site is not within a habitat site identified in footnote 7 of the NPPF and there are no overriding environmental objections to its development. It would also deliver significant economic and social benefits. The site would make a contribution in remedying the Council's housing land supply shortfall and this must be afforded substantial weight in the overall planning balance.

Deliverability

- 7.25 The NPPF, in annex 2, clarifies that:
"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."
- 7.26 The application has been assessed and consultations carried out with infrastructure providers and others (as set out in this report). As such there would not appear to be significant off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the next 5-year period, which weighs in support of the scheme.

Environmental Sustainability

- 7.27 Introducing a housing estate to an undeveloped field would alter its character but it is concluded that this would have a limited impact, as any harmful visual impact of the development would be localised. The woodland to the north and south and the additional landscaping that is proposed would reduce, and mitigate, the landscape impact of the development. Overall, the development would not unduly affect the character and appearance of the wider area, which is considered in more detail in this report. Furthermore, the provision of open space, and a cycleway/footpath to the south linking into the footpath to Purbrook Way and a footpath to the north linking to Dunsbury Park would be of a benefit to this application and the local community.
- 7.28 In terms of the location of the site relative to services and facilities the closest such services offered are B & Q and Asda situated approximately 0.3km from the site's cycle and pedestrian entrance. There are employment opportunities at Dunsbury Park approximately 0.6km from the vehicular access. The nearest bus stops to the site are located in Purbrook Way approximately 0.3m from the site's cycle and pedestrian

entrance, serving bus routes 20 and 39. Route 20 runs every 30 minutes Monday to Friday, operating between Portsmouth and Havant via Leigh Park. Route 39 operates on average every 15 minutes Monday to Friday between Havant to Wecock Farm via Leigh Park.

- 7.29 In addition, Bedhampton railway station is approximately 1.6 km from the site, with the site approximately 3.2 km from Havant Station offering routes to London, Brighton, Southampton and Portsmouth. As such, the site is considered to lie in an accessible location.

Economic Sustainability

- 7.30 One of the core planning principles of the NPPF is proactively to drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs.
- 7.31 The development would bring economic benefits at the construction phase and following occupation. As with any new housing the proposed development would bring people into the area which would be a continuing economic benefit that would support growth in the local economy. In addition, the development would also create construction jobs, which would contribute towards the local economy. Furthermore, the proposed development would result in financial contributions being secured to offset certain impacts of the development, such as contributions towards the provision of enhanced community infrastructure.
- 7.32 Provided they are appropriately secured to address the impacts of the scheme; these elements are all considered to be benefits in the planning balance. Overall it is considered that the development would be economically sustainable.

Social Sustainability

- 7.33 In accordance with the Local Plan development is only to be permitted where adequate services and infrastructure are available or suitable arrangements can be made for their provision. Where facilities exist but will need to be enhanced to meet the needs of the development, contributions are sought towards provision and improvement of infrastructure. A development should also offer a mix of house types and tenures to ensure a balanced and thriving community. The applicant has been working with the LPA on a draft S106 and has agreed to the principle of the obligations sought.
- 7.32 The application proposes that a range of house types, sizes and tenures would be provided, including 30% affordable housing (shared ownership and affordable rented) in accordance with Policy CS9 of the Core Strategy. The Council's adopted Affordable Housing SPD is also a material consideration, as is the NPPF which aspires to "create places that are safe, inclusive and accessible..." The Housing Officer supports this proposal subject to the final details being agreed, at the Reserved Matters stage.
- 7.33 The proposal also proposes areas of open space which could be used by new residents and is considered to be a benefit in the overall planning balance. In addition, the proposal includes provision of new pedestrian/cycle links along Hulbert Road leading to wider sustainable routes which will be of benefit to local residents, by enabling safe and sustainable access to facilities in Havant and Waterlooville. A Community Officer contribution will be secured to help new residents in the development integrate into existing communities. Contributions would also be secured through the Community Infrastructure Levy to improve off-site community infrastructure

in accordance with relevant adopted policies and the adopted SPD on Planning Obligations.

Education and Health

- 7.34 The capacity of local schools has been considered in assessing the proposed development and infrastructure requirements. Hampshire County Council, as the Local Education Authority (LEA), has advised the development site is served by Barncroft Primary School and Park Community School. A development of the size being proposed (which looks to be up to 100 dwellings) would generate approximately 36 primary age pupils and 25 secondary age pupils, about 5 per year group. Forecasts for the Havant area show that there will be a sufficient number of places to accommodate this number of pupils and a contribution towards educational facilities from this development is not sought.
- 7.35 The NHS Clinical Commissioning Group (CCG) has assessed the impact on local GP surgery and place additional pressure on existing NHS services in primary, community and secondary care settings and a financial contribution is to be secured in relation to this matter.
- 7.36 The contributions would be secured via the associated S106 agreement.

Prematurity

- 7.37 In relation to prematurity, paragraphs 49-50 of the 2019 NPPF states:

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

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'

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

- 7.38 Officers are satisfied that whilst the emerging plan has been submitted for examination, the development is not considered so substantial or its cumulative effect so significant, as to undermine the plan-making process. Therefore, prematurity may not be raised legitimately as a reason for not granting planning permission.

Undeveloped Gaps between Settlements

- 7.39 While the adopted Local Plan contains policies that seek to maintain the undeveloped gaps between settlements in policy AL2 – these are predicated on out-dated levels of housing need. The NPPF, in paragraph 11, is clear that Local Plans should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless there are strong reasons for restricting development. Those reasons are defined in footnote 7 of the NPPF, and do not include gaps between settlements as a particular consideration. The

Council's Housing Constraints and Supply Analysis mapped constraints to development and found that it was not possible to meet housing need on land unconstrained by nationally recognised constraints, while also protecting gaps between settlements.

7.40 In conclusion on this issue,

- (1) The scheme is contrary to the development plan;
- (2) National planning policy is a material consideration;
- (3) The tilted balance is engaged in this case because: (a) the Council cannot demonstrate a 5 year supply of deliverable land for housing towards which this site would contribute; and (b) the most important policies for the determination for the application set out in the development plan are out of date in that respect;
- (4) The proposals would constitute sustainable development in policy terms;
- (5) It is deliverable now and is required to improve the 5 year supply and this must be afforded substantial weight in the overall planning balance ;
- (6) The scheme is not premature;
- (7) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan.

(ii) Housing mix and affordable housing

7.41 The proposal for up to 100 dwellings would produce a density of development of approximately 21 dph (dwellings per hectare), based on the developable area. Submission Local Plan policy H3 states that planning permission will be granted for dwellings (outside town centres and defined opportunity area) where it provides for a minimum of 40dph. However, due to site constraints 40 dph is not considered appropriate on this site. These constraints include the need to set any future housing development on the site 37m from the kerbside of the A3(M) (conditioned) and be set back from Hulbert Road, to manage noise exposure; to avoid canopy overhang and to provide root protection areas for trees sited on SINC land; provision of ecological areas within the boundary of the site; and a two storey limit on housing due to noise concerns from the A3(M) (conditioned). Overall ,given the sensitivities of the site in terms of its constraints, and its location close to but outside of the urban area, the lower density of development proposed in this application is considered to be appropriate. It is not considered that the density of development proposed could be considered artificially low whereby an application should be refused.

7.42 Information of the housing mix is not provided in any detail, other than housing would be on the eastern side of the site, with apartments on the western side. Adopted Local Plan 2011 Policy CS9 requires provision of a mix of dwelling types, sizes and tenures. Submission Local Plan Policy H4 relates to housing mix and requires the provision of a range of dwelling types. The proposal does not include details of the housing types and sizes, which would be the subject of a reserved matters application. However, the site has been shown to be capable of accommodating a range of types and sizes of dwellings, having regard to the acknowledged constraints. Submission Local Plan policy H4 expects that 35% of the overall housing mix (both market and affordable) should be two-bedroom homes. If permission is granted a condition to this effect is recommended.

7.43 In relation to Affordable Housing, the proposal would provide a minimum of 30% of the total units as affordable housing, and would comply with the quantum of affordable housing required under the adopted and emerging policies CS9 (30-40% required) and H2 (30% required). The tenure split is anticipated to be 70/30 Affordable Rent / Shared Ownership. The affordable units would be required at the reserved matter application stage to be spread throughout the site.

7.44 Subject to necessary requirements being secured within the associated S106 Agreement it is considered that the required on site affordable housing can be suitably secured.

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

7.45 The site and its location have been described in detail in section 1 of this report. The current proposal is in outline form and therefore the detailed appearance of the proposed development cannot be considered at this time. An indicative layout has however been provided which seeks to demonstrate how the quantum of development could be successfully provided on the site. The proposed development consists of up to 100 units of accommodation, which could be accommodated on the site, with a density of development of 21 units per hectare. Having regard to the location of the site, which is outside of the urban area and rural in nature, this density of development is considered to be appropriate.

7.46 The proposed indicative layout has a single point of vehicular access, a central spine road with spurs to the east and a pedestrian access in the south east corner, which would feed into the proposed cycle way/footpath to Asda roundabout. To the north a footpath would come off the bellmouth access finishing at the Dunsbury Park roundabout. A circular footpath is shown around the perimeter of the site.

7.47 The development would be set back from the Hulbert Road frontage by a minimum distance of 12m, with an existing tree belt to the front of the site retained along the eastern boundary. The building line to the west would be set back a minimum distance of 37m from the edge of the kerbside of the A3(M). The proposed lit 3m cycleway/footpath to the south would result in the loss of a protected Oak along the frontage onto Hulbert Road. As to the proposed 2m lit footpath to the north this would necessitate the loss of some trees on the highway, which are not protected, and protected trees on the edge of the woodland. Otherwise, the built development would not impinge into the woodland which forms the boundaries to the north and south with protected trees along the southern and eastern boundaries. The loss of the trees is discussed further below.

7.48 Alongside the road in the centre of the site, the indicative scheme shows a central open space, with tree planting to create a landscape link with the woodland to the north and south of the site. An area for SuDs is shown in this central area, with another such area shown on the indicative plan in the south east corner.

7.49 On the western boundary would be a 3m high bund with a 1.8m acoustic fence on top, which would be one of the mitigation measures for noise from the A3(M). There are existing trees on the motorway side along the western boundary, with native planting proposed in front of the bund/fencing looking into the site. The indicative plan shows three blocks of apartments along the western boundary set back 37m from the edge of the kerbside of the A3(M).

7.50 The proposal is low density, as set out Paragraph 7.41 above. That said, it is accepted that the development of the site would change the character and appearance of the site and the immediate locality. However, due to the woodland to the south and north, wider landscape views are limited. Also, along the west and eastern boundaries there are existing trees which would provide screening from both the A3(M) and Hulbert Road. Landscaping would also form part of the reserved matters application. Given the height of the proposal, which is proposed to be limited to 2 storey, the impact would not be significant and would be acceptable.

7.51 The loss of trees along Hulbert Road to provide the cycling/pedestrian access to the site would have an impact on the tree character of the area. However, this loss would be set against the backdrop of woodland, thereby alleviating this loss and would be mitigated by new landscaping within the development, which would be a reserved matter. This impact is also balanced against the recognised need for housing in the Borough, which would include a minimum of 30% affordable units.

7.52 Overall, it is considered that a development of up to 100 units of accommodation could be designed to have an attractive layout with an acceptable impact on the surrounding landscape and from public vantage points. This would be subject to the final design and layout which would need to form part of the reserved matters application should outline permission be granted.

(iv) Impact upon residential amenity (for existing and future residents)

Existing Residents

7.53 The site is not surrounding by any residential properties. Therefore, the proposal would not impact on the residential amenity of existing occupiers.

Future Residents

Noise

7.54 Policy CS16 states that proposals for noise-sensitive development, including residential uses, which would result in the occupiers of such development being exposed to unacceptably high levels of noise will not be permitted. Submission Local Plan policy E22 seeks to resist development that would have a likely significant negative effect on the amenity of existing and future users of the site. These policies are consistent with those of Paragraphs 174 and 184 of the NPPF which respectively require that planning should always seek a good standard of amenity for existing and future occupiers of land and buildings, and that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, amongst other things, unacceptable levels of noise pollution.

7.55 An amended noise assessment has been provided taking into account noise generated from traffic from the A3(M) and Hulbert Road. Noise monitoring locations included a site adjacent to the A3(M) and adjacent to the Hulbert Road.

7.56 The report concludes that "*Through the use of appropriate mitigation, it is considered that the proposed development will avoid noise giving rise to significant adverse impacts on health and the quality of life.*" Whilst the proposal is in outline only such mitigation measures are anticipated to include:

1. A 3m bund, with a 1.8m fence on top to provide substantial screening to the A3(M), as an acoustic design measure;
2. Higher glazing specifications for some of the units;
3. A scheme of ventilation to enable acceptable rates of ventilation when windows are closed e.g. acoustic trickle vents; and
4. Close boarded fencing for garden areas.

- 7.57 Such measures in their totality would be determined at the reserved matters application stage.
- 7.58 The Environmental Health Officer (EHO) has raised no objection based on the latest noise assessment and additional information and maps received. It is noted that whilst the site is highly sensitive to noise, the use of engineered solutions would provide an appropriate internal noise and ventilation environment, creating a satisfactory environment for future residents. The EHO has recommended three conditions at this stage, relating to acoustic mitigation measures for the building envelopes, an overheating assessment, and post validation testing of noise levels in and around specified dwellings prior to occupation. Further conditions to mitigation noise at the reserved matters application stage may be required by the EHO. The three conditions are recommended.

Air Quality

- 7.59 Emerging Policy E23 seeks to secure high quality developments which integrate measures to offset the emissions generated by the development, which are proportionate to the scale and nature of the proposal.
- 7.69 A revised Air Quality Assessment (AQA) has been submitted where modelling has been undertaken where the building plan shows the building line would be 37m from the A3(M) kerbside. This revised document has been assessed by an Environmental Health Officer (EHO) who has agreed that the ambient air quality monitored on the site should be acceptable for further residents when assessed against current standards. That said, it is recognised that health and wellbeing and air quality policy may still require examination at the reserved matters stage, depending on the date that the detailed scheme is brought forward, as revision of some air quality objectives is expected to bring regulation and policy in line with developing knowledge about health impacts of particulates (in particular).
- 7.70 The AQA also provides a response to policy E23 in that an estimate of the environmental damage costs from the development has been made, which is in the region of £100,000, excluding domestic emissions. The AQA suggests that this value should be allocated to measures such as sustainable travel and framework travel plan measures. Policy E23 however seeks additional measures to offset the impact of development, which as highlighted by EH's comments should complement sustainable travel, climate & energy, health and wellbeing, parking and landscaping policies and could address local emissions (e.g. domestic), non-local emissions (transport, and energy), or pollutant interception / absorption services provided by landscaping features or elements of the building fabric. However, these matters are deferred to the reserved matters stage.
- 7.71 The EHO raises no objection to the granting of outline consent, subject to the inclusion of the suggested amendments to the suite of contamination conditions required by the Environment Agency.
- 7.72 If permission is granted the changes to condition 1 suggested by the EHO is recommended (as are the reasons for the 4 conditions) to avoid condition discharge problems arising and the potential for the effects of the proposed conditions to be undermined.
- 7.73 Overall, it is considered that it has been demonstrated that subject to appropriate conditions the development can be designed to provide a good quality living

environment for future residents in accordance with adopted Core Strategy policies CS16 and DM10 and emerging Local Plan policies E22 and E23 and the National Planning Policy Framework.

(v) Public open space

7.74 Public Open Space (POS) should be provided on the site to enhance the quality of the development. The applicant has advised and as shown on the indicative Masterplan there would be approximately 0.14 hectares of central POS, 0.1 hectares POS in the south east corner, plus a perimeter walk. Parts of these areas could also provide opportunities to incorporate ecological and SuDs features.

7.75 Submission Local Plan policy E9 states for residential development of 50 dwellings or more, that:

"a. High quality on-site public open space is provided to a standard of 1.5 ha per 1,000 population;

b. On development where the open space requirement exceeds 0.5ha, an element of play space is provided; and

c. On greenfield sites, part of this requirement is provided in the form of community food growing space, to a standard of at least 0.2ha per 1,000 population."

7.76 At this stage, as the population of the development is not yet known, it is not possible to confirm the precise amount of open space that will be required to be delivered by the development. Furthermore the emerging POS policy can only be afforded limited weight at this stage in the Plan preparation process. The exact size, nature and location of the POS would therefore be a reserved matter which would need to accord with the requirements set out in Policy E9 in the Submission Local Plan.

(vi) Archaeology

7.77 The County Archaeologist (CA) has been consulted over the application and noted that the potential of archaeological implications for the site was not explored in any detail in the application, notwithstanding pre-application advice given, and that the site may have archaeological potential that needs to be investigated as part of any further application. The CA whilst raising this concern, is of the view that "... *archaeological issues are very unlikely to emerge as overriding and that these matters can be dealt with by use of a condition or conditions...*" *"to secure an appropriate level of archaeological consideration, survey and mitigation."* Conditions to this effect are recommended to ensure an appropriate level of archaeological investigation of the site, should outline planning permission be forthcoming for the proposal.

(vii) Highways, parking and accessibility issues

7.78 The National Planning Policy Framework at Paragraph 110 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all users. Paragraph 111 states that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

7.79 Paragraph 112 also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

- 7.80 There have been detailed discussions with the Highway Authority at the pre-application and application stage in relation to the highways aspects of the proposal. There have also been discussions with Highways England. The application has been submitted with a Transport Assessment, Framework Travel Plan, Technical Notes and detailed plans in response to the Highway Authority's and Highways England's comments. The main issues in relation to the highway considerations are considered to relate to the following:

Strategic Road Network
Assessment of Existing Conditions
Background Traffic Growth
Personal Injury Accident Review (PIA)
Junction Capacity Assessment
Site Access Proposal
Site Accessibility
Cycle/Footpath Provision - Sustainable Travel Improvements
Vehicle and Cycle Parking Provision
On Site Layout
Trip Generation
Traffic Distribution
Speed Reduction Measures
Framework Travel Plan

Strategic Road Network

- 7.81 Highways England (HE) was consulted over the proposal due to the A3(M) running parallel to the west of the site, which forms part of the Strategic Road Network. Further information was required by HE concerning the proposal for a 3m high bund with a 1.8m high acoustic fence along the top adjacent to the A3(M) and its proposed proximity to the motorway. HE requires a separation distance equivalent to the height of the bund (i.e. 3m) at all times with the edge of the carriageway of the A3(M), including during construction. The slope should also be no steeper than 1 in 3. HE also advised that the carriageway of the A3(M) is drained via a system of road gulleys set into the kerb line at the back of the hard shoulder and that there should be no run-off from the bund into the system of road gulleys. Supporting information was required in the form of a Preliminary Sources Study Report to include ground investigation works, slope stability and drainage.
- 7.82 HE also had concerns regarding construction activities and required measures to prevent dust blowing across the motorway, creating a potential road hazard for drivers. A transport assessment detailing the routing to and from the site, and the daily trips throughout the construction period was required, together with any agreed mitigations as necessary.
- 7.83 Following a meeting with HE (and the Highway Authority (HA)), and the submission of additional information, HE has raised no objection to the proposal, subject to conditions (and an informative) regarding the geotechnical submission relevant to the construction of the bund and full details of drainage and its location to prevent run off from the development onto the Strategic Road Network. If permission is granted, the conditions and informative of HE is recommended, together with a Construction Management Plan.

Assessment of Existing Conditions

- 7.84 The proposed development is located to the west of Hulbert Road between the Purbrook Way/Hulbert Road roundabout to the south and the Dunsbury roundabout to the north. Hulbert Road is subject to a 40mph speed limit with no existing pedestrian provision.
- 7.85 Hulbert Road is lined by woodland to the east and west and does not benefit from street lighting.
- 7.86 The context for the proposed development is set by current road conditions surveys which were carried out by the applicant's Transport Consultants between 11 – 17 February 2019 to determine traffic flows and speeds over a seven-day period. The survey found that 85th percentile speeds to be 49.2 northbound and 49.2 southbound, with an average speed of 40.6 northbound and 42.2 southbound.
- 7.89 Vehicle flows in the peak hours AM were 567 northbound and 692 southbound. In the peak hours PM they were 565 northbound and 637 southbound.

Background Traffic Growth

- 7.90 To calculate the 2025 forecast traffic flows, growth factors have been calculated and applied to the 2020 surveyed flows. For the growth period 2020 to 2025, for all roads, for AM peak periods the growth factor is 4.84%. For PM peak periods the growth factor is 4.6%.

Personal Injury Accident Review (PIA)

- 7.91 PIA statistical data was obtained for the highway network in the vicinity of the proposal development for the most recent 5-year period. The data identified 25 accidents across the study period, 2 of which were on the Hulbert Road approach to the Hulbert Road/Purbrook Way roundabout whilst the remaining accidents were located along Hulbert Road and the rest at the roundabout.

Junction Capacity Assessment

- 7.92 The scope of junction testing has been agreed with the HA, which covered the capacity of the Purbrook Way/Hulbert Road signalised roundabout junction to the south.
- 7.93 The modelling demonstrates that the proposed development would not result in a severe impact on the roundabout. The highest observed Degree of Saturation (DoS) is 77.8% on the Purbrook Way (W) Entry under the 2026 PM peak + development + committed development scenario. Across the AM and PM peak 2026 scenarios, the development traffic flows impact on the DoS cannot be considered severe when considered against the NPPF.
- 7.94 Within the HA's earlier responses, a contribution was sought to improve the safety of vulnerable road users at this junction. However, following a review of the safety improvement schemes for the roundabout by HCC's safety engineering team, it was noted that any safety changes would be likely to be low cost improvements at this stage and would be fully funded through their Safety Engineering Programme. Therefore, the HA would not require a contribution from the development towards safety improvements at the roundabout.

Site Access Proposal

- 7.95 The site currently benefits from an access onto Hulbert Road, with a gate set back into the site. When the application was first submitted a right hand turn lane was proposed from Hulbert Road into the site. Following discussions with the HA this was deemed unnecessary, with changes proposed to the existing access instead. Further information was submitted and agreed with the HA which provides for a 10m wide access radii, supported by visibility splays of 2.4m x 160m.
- 7.96 A pedestrian access (indicative) is also proposed to the south east of the site which would link into the proposed cycle/footway along the western side of Hulbert Road, which is considered acceptable.
- 7.97 As to the visibility available for right turning vehicles into the site, these have been included on the submitted transport drawings. The submitted information indicates that 145m forward visibility is available which the HA considers would be acceptable against the measured speeds on the road. The principal of the site access arrangement is therefore considered acceptable to the HA and would be secured through the S106 agreement, if permission is forthcoming.
- 7.98 Tracking into and out of the new access was also provided for a family car, pantechnicon and refuse vehicle. The HA noted that the revised geometry improves the manoeuvring of these vehicles. However, there are minor changes to the design which could be made to provide further improvements, which the HA has advised can be made during the Section 278 design check process, if permission is forthcoming.
- 7.99 Therefore, the principle of the site access arrangement is considered acceptable to the HA, which would be secured through the S106 agreement.

Site Accessibility

- 7.100 In relation to Walking and Cycling the Transport Assessment has assessed the proximity of the development to local facilities.
- 7.101 Local facilities in the area and the approximate distance from the site to reach them are identified. These include B & Q and Asda Superstore to the south, approximately 0.7km and 0.9km respectively from the site and Barncroft Primary School approximately 1.4km. Taking 2km as the preferred maximum walking distance, it is noted that locations such as Crookhorn College (2.1km) and Bedhampton Rail Station (2.3km) sit outside of this distance and are therefore unlikely to be accessed by foot. However, these locations would be within the preferred maximum cycling distance of 6km.

Bus

- 7.102 In relation to Bus travel the nearest bus stops to the proposed site are located approximately 700m away on Purbrook Way, to the south of B&Q, serving routes 20 and 39. Accessibility to these stops from the site would be provided by the provision of a 3m shared cycleway/footpath to the west side of Hulbert Road. The stops on both sides of the road consist of a shelter and timetable, providing services to Havant, Waterlooville and Portsmouth.

Rail

- 7.103 As noted above, the nearest rail station to the site is located within Bedhampton which is 2.3km away and is considered more conducive for cycle trips rather than walking trips. The station provides trains every 20 minutes into Havant and every

hour to wider destinations such as Portsmouth and London Waterloo. The provision of the shared use facilities along the road to the west would help increase the accessibility of the station from pedestrian and cycle travel to the train.

Cycle/Footpath Provision - Sustainable Travel Improvements

- 7.104 As previously mentioned, there is currently no pedestrian or cycle infrastructure to the site. To ensure that there are sustainable travel improvements to the site, which would normally only be accessible by motor vehicles, it is proposed that a shared 3m wide footway/cycle way would be provided to the east of the site to connect into the existing provision at the Purbrook Way/Hulbert Road roundabout to the south. Due to design constraints of the proposed shared way and onsite limitations in terms of width capacity, the proposed route cannot be significantly altered. To achieve this provision an Oak tree, the subject of a Tree Preservation Order would have to be removed, which is undesirable. However, whilst this high quality tree is visible in the public realm it is set within the context of a densely treed wooded backdrop to the west, as well as there being a substantially treed woodland area to the east, beyond the existing Hulbert Road carriageway.
- 7.105 The removal of this protected tree, within a well treed woodland backdrop, is balanced against the sustainable travel improvements the shared access way would provide for the development, the provision of up to 100 units of accommodation which would contribute to the Council's 5 year land supply and the landscaping that would be provided for the development at the reserved matters stage. Having regard to these material planning considerations, and on balance, it is considered that the loss of the protected tree would not be so significant to the character and appearance of the area as to warrant a refusal of planning permission.
- 7.106 The implications of the loss of this protected tree are considered further below under the headings 'Trees' and 'Planning Balance'.
- 7.107 The application would also provide a 2m wide footway link to the north to connect into the Dunsbury Park roundabout. This footpath would not connect into any existing/proposed facilities. Whilst there will be a new shared use path delivered from Dunsbury Park, this will not extend to the point at which the footway proposed through this development terminates. The applicant has therefore agreed to provide a crossing point and connecting infrastructure at the roundabout for pedestrians to access the facilities due to be provided as part of the Dunsbury Park scheme. The details of this arrangement would be agreed at the detailed design stage and the HA has confirmed will be secured through provision of an appropriate drawing appended to the S106 agreement.
- 7.108 As to a shared way to the north, the HA requested this be investigated with a view to providing a continuous link from Dunsbury Park down to the Purbrook Way/Hulbert Road roundabout. This was subsequently found not to be feasible due to constraints to the west of the carriageway.
- 7.109 The provision of the footpath and lighting to the north would necessitate the loss/cutting back of trees on the highway which are not protected and woodland trees along the edge which are protected. The trees on the northern footpath requiring removal are all classified as categories 'C' or 'U' low quality trees, due either to their small size, poor structural form or limited scope for sustainable retention beyond the short term.
- 7.110 The felling of these low quality trees, which are set against a backdrop of a densely

wooded area, is balanced against the benefits of providing new sustainable infrastructure to facilitate the proposed development, which would provide up to 100 units of accommodation, including 30% of them as much needed affordable properties for the Borough. The loss of these low quality trees and their localised impact on the character of the area, when assessed against the benefits the proposal would secure, is not considered to warrant a refusal of the development.

- 7.111 The implications of the loss of these trees (and the protected tree) are also considered below under the headings Trees and Planning Balance.
- 7.112 Lighting, with suggested locations, has been provided along the length of the footpath and shared way on the western side of Hulbert Road. The exact location of the lighting would be agreed at the detailed design stage via discussions with the HA and the applicant's lighting engineer and ecologist to help manage unnecessary vegetation removal when implementing the lighting. The location and design specifications would be conditioned.

Vehicle and Cycle Parking Provision

- 7.113 As mentioned above, it is not currently possible to comment on the layout of the proposed vehicle and cycle provision until the site proposals have been developed further at reserved matters. The quantum of vehicle parking and cycle provision would need to comply with Havant's Car Parking SPD.

On Site Layout

- 7.114 The indicative on site layout does not provide a great deal of information; the detailed reserved matters application will provide detailed layout proposals.

Trip Generation

- 7.115 Following further information for residential development of the site the two-way additional trip generation at AM peak would be 60, with 58 in the PM peak. The HA has advised that the trip rates are considered acceptable for the proposed development's impact on the network.

Traffic Distribution

- 7.116 Following a revised traffic distribution assessment and utilising the census data, 15% of the traffic is predicted to route northbound to the Dunsbury Park roundabout (equating to 9 trips in both peak periods) whilst the other 85% (equating to 51 and 49 trips in the respective peak periods) will head southbound to route via the Asda roundabout. The HA considers the updated assessment as more likely to be reflective of the distribution from the site and suitable for assessing the development's impact.

Speed Reduction Measures

- 7.117 The applicant's original TA identified 85th percentile speeds of 49.2mph northbound and southbound along Hulbert Road. To help address these excess speeds in the context of a new residential development proposed the applicant is proposing that conditions be imposed as regards the requirement to provide details of new speed reduction measures along Hulbert Road. The applicant's Technical Note suggests that the measures which could be provided includes additional signage, street lighting and gateway features.

- 7.118 Because the vehicle access is not contingent on the speed reduction measures to achieve the required visibility splays, nor is there an identified safety issue linked to speeding on Hulbert Road, the HA agrees that the details can be conditioned and agreed post planning. A condition to this effect is recommended.

Framework Travel Plan

- 7.119 An amended Framework Travel Plan (FTP) has been provided to address issues raised by the HA, detailing how more sustainable modes of travel would be encouraged. The FTP is now considered to meet the requirement of the HA. The FTP will be secured through a legal agreement, which will include approval and monitoring fees and a bond.

Conclusion

- 7.120 Taking all the above highway factors together it is considered that the site is sustainable in transport terms, subject to the mitigation proposed, the S106 and conditional requirements. Car and cycle parking can be secured at the reserved matters stage to meet the Council's Parking Standards SPD requirement. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused on highway grounds. It is clear in paragraph 111 of the NPPF that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Following the implementation of the agreed mitigation proposals required by the legal agreement and conditions, these are considered to mitigate the impact of the development on the highway network and therefore a reason for refusal on this basis could not be justified.

(viii) Flood Risk/Drainage

- 7.121 The applicant's site is located within Flood Zone 1 (lowest flood risk) and within a Source Protection Zone. A Flood Risk and Drainage Assessment has been submitted as part of the application, which includes a preliminary drainage plan showing an indicative foul and surface water layout. The application has been considered in detail by the Local Lead Flood Authority (Hampshire County Council) and Southern Water. As to the Environment Agency they are only concerned with potential contaminates on the site.

Surface Water Drainage

- 7.122 There is no existing surface water (or foul) sewer on the site. The applicant's Flood Risk & Drainage Assessment states that the Environment Agency's Flood Risk Surface Water map indicates that there are no significant flow paths on the site. There are small areas of low risk around the existing attenuation ditch and in lower land in the centre-east of the site adjacent to Hulbert Road.
- 7.123 Overall, the Assessment found the risk of flooding from surface water and overland flow to be low.
- 7.124 In respect of surface water the intention would be to use Sustainable Drainage options and on the indicative Masterplan SuDs attenuation basins are shown within the centre of the site and within the south east corner.

7.125 The Local Lead Flood Authority at HCC has confirmed that following the receipt of additional information they have no objections to the proposal. Appropriate conditions in relation to Surface Water Drainage are recommended and subject to these and a requirement that the SuDs system is suitably managed and maintained through the associated S106 Agreement, it is considered that acceptable and appropriate surface water drainage can be provided.

Foul Water Drainage

7.126 In relation to Foul Drainage, the proposal is to link the site with the existing Foul Drainage that runs parallel with the site in Hulbert Road, for which an application would be required by Southern Water, who are the statutory undertaker in relation to foul sewerage.

7.127 Southern Water has confirmed that their initial investigations indicates that they can provide foul sewage disposal to service the proposed development. A pre-commencement condition is recommended in relation to details of the proposed means of foul and surface water sewerage to the development.

(ix) Ecology Impacts

7.128 The application is accompanied by an Ecological Appraisal and amended Bat and Dormice Surveys, on which the Council's Ecologist has been consulted, and who raises no objection subject to a site wide ecological mitigation compensation and enhancement strategy and a construction Environment Management Plan being secured by conditions.

Dormice

7.129 The revised dormice surveys carried out in 2020 recorded dormice nests and several live dormice within nest tubes places at the site's boundaries. The dormouse report quantifies the extent of habitat to be affected as 200m². Therefore, the surveys confirm that hazel dormice are present on the site, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where developments affect European Protected Species (EPS), permission can be granted unless the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations and is unlikely to be granted an EPS licence from Natural England (NE) to allow the development to proceed under a derogation from the law.

7.130 It is therefore necessary to consider whether the development is likely to be licensed by NE.

7.131 An EPS licence can only be granted if the development proposal is able to meet three tests:

"1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))

2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and

3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b))."

7.132 With regard to the first test, the development would be of economic benefit through construction and through additional spend generated by the new residents, which could help sustain local services, and which would have a social benefit for the community. The proposal would also provide much needed housing, including affordable housing within the Borough which would also be a social benefit for the community. With regard to the second test, it is considered there is no satisfactory alternative for the development as the site is being proposed for residential development in recognition of the Council's absence of a 5-year housing land supply at present and notwithstanding other sites in the emerging Local Plan coming forward at this time.

7.133 With regard to the third test, the applicant has provided Dormice surveys, which have carried out assessments of the impacts to dormice and the measures to ensure that any impacts to dormice are avoided or compensated for, which includes the erection of 10 dormice nest boxes within the surrounding woodland to provide increased nesting opportunities. These boxes would be monitored by a licensed hazel dormouse survey twice a year for five years after completion of the scheme.

7.134 The Council's Ecologist has raised no objection to the proposal, subject to the following conditions being added to the decision notice:

"Prior to the commencement of development activities, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be in accordance with those detailed within the Ecological Appraisal (WYG, December 2019, the Dormouse Survey report (WYG, March 2021) and the Bat Survey report (WYG, March 2021) unless otherwise agreed in writing by the local planning authority. The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the location, composition and ongoing management of all compensatory or enhancement habitat; location, type and number of all bat/bird boxes; details of lighting. All ecological compensation/enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.

Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP . Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011."

7.135 As to a EPS licence, the Supreme Court in *R. (Morge) v Hampshire CC* [2011] UKSC 2; [2011] Env. L.R. 19 held that the duty of the local planning authority is limited to that set out in reg. 9(5) of the Regulations (i.e. Conservation (Natural

Habitats etc.) Regulations 1994), namely: “to have regard to the requirements of the Directives so far as they may be affected by the exercise of those functions.”

- 7.136 In paragraph 28 of his judgment Lord Brown of Eaton-under-Heywood referred to what Ward L.J. had said in the Court of Appeal (in para.61 of his judgment) (part set out below):

“The planning committee must grant or refuse planning permission in such a way that will ‘establish a system of strict protection for the animal species listed in Annex IV(a) in their natural range ...’ If in this case the committee is satisfied that the development will not offend art. 12(1)(b) or (d) it may grant permission. “ “ If the planning committee conclude that Natural England will not grant a licence it must refuse planning permission. If on the other hand it is likely that it will grant the licence then the planning committee may grant conditional planning permission. If it is uncertain whether or not a licence will be granted, then it must refuse planning” .

- 7.137 The Dormice and Bat surveys include mitigation strategies, to both mitigate and protect the existing features of value from potential impacts from the development and provide enhancements post development.
- 7.138 To conclude, having assessed the proposal, the Local Planning Authority is satisfied that there is a need for the development and there is no satisfactory alternative and that tests 1 and 2 above are satisfied. As to the third test, (the favourable conservation status of the species) this is met by the Mitigation & Recommendations set out in the Dormice Surveys which has characterised the status of the dormice habitats and set out measures that ensure favourable conservation status of the species can be maintained. In light of this, the Local Planning Authority considers it likely that Natural England will grant a licence and therefore conditional planning permission may be granted for the proposal.

Bats

- 7.139 As with the dormice report, the outline nature of the application means that firm details on proposed landscaping are not provided. However, the mitigation principles as detailed in the bat report are considered to be sensible by the Council’s Ecologist, which includes: a lighting scheme, Type 1F bitumen and hessian under-felt to enable bats to exit roofs; the planting of specific native tree species that are preferred by tree roosting bats; and boundary landscape buffer distancing residential development from the boundary habitats. As to enhancing biodiversity in accordance with emerging policy E14 and the advice in the NPPF, native habitat enhancements are proposed, together with 10 bat boxes for the site.
- 7.140 Overall, it is considered that the impacts on protected species on site or nearby and in particular in relation to dormice and bats can be appropriately mitigated and addressed in the development proposal subject to appropriate conditions.

(x) Impact on Trees

- 7.141 The application site is mainly open agricultural land. The woodland to the north is the subject of a Woodland TPO, with protected trees along the southern and part of the eastern boundaries of the woodland to the south.
- 7.142 Tree Surveys and an Arboricultural Assessment & Method Statement have been submitted in support of the proposal.

- 7.143 The Council's Arboricultural Officer (AO) has been consulted over the information provided and has raised an objection to the removal of a TPO'd Oak tree sited on the eastern boundary of the woodland to the south. The removal of this protected tree is required to facilitate the shared access link to the south, as are other unprotected trees.
- 7.144 The AO has also sought further information on level details (provided), drainage provision (ie SuDs) and details of the HCC adopted no dig footway.
- 7.145 The AO has confirmed that there is no objection to the loss of the trees to the north of the access, a number of which are of a poor quality, but would not support any further felling of trees on the information available. A number of trees to be felled to the north of the site are in a poor condition and have been assessed as needing to be removed for management reasons. This is irrespective of any proposal relating to the footpath construction.
- 7.146 The quality trees to be felled as a direct result of the proposal would be 1 x Ash to the north, with 3x Ash, 1x Oak, 1x Plum: total 5x trees to the south.
- 7.147 The AO agrees that lighting along Hulbert Road should be suitably located to avoid further tree loss, which has been the aim of the Highway Authority when agreeing the shared access and footway.
- 7.148 The loss of the protected Oak is undesirable. However, the removal of this quality tree would be set against the backdrop of a dense woodland, limiting the impact of its loss on the character and appearance of the area. The landscaping of the site, as a reserved matter, should mitigate the loss of this tree and other trees required to be removed as a result of the development.
- 7.149 The removal of the Oak and the other trees to the north and south is balanced against the sustainable infrastructure that the shared facility and footpath would provide for the site and the provision of housing – up to 100 units - which would contribute to the Borough's 5 year land supply, which the Council cannot currently demonstrate. Therefore, the removal of the protected Oak tree and the other trees is considered to be necessary and acceptable in planning terms.
- 7.150 The location of the SuDs provision in the south east corner of the site is indicative only at this stage and further details in relation to its provision for the site would be forthcoming as a reserved matter. Therefore, further information is not deemed necessary at this stage, to determine the application.
- 7.151 As to the details of the HCC adopted no dig footway, these were received, and the AO considers them acceptable.
- 7.152 Overall, the loss of a protected Oak to the south is considered proportionate and necessary for the development to proceed, as is the felling of the limited number of other trees required to accommodate the sustainable transport infrastructure needed in connection with the development. Such loss would also be compensated by the new landscaping details required at the reserved matters stage. A condition is however recommended in respect of tree protection of other trees in the vicinity of the development if permission is granted.

(xi) Education

7.153 The capacity of local schools has been considered in assessing the proposed development and infrastructure requirements. Hampshire County Council, as the Local Education Authority has been consulted and have confirmed that they will not be seeking a contribution towards education facilities from this development.

(xii) Minerals

7.156 Hampshire County Council as the Mineral and Waste Planning Authority (MWPA) has been consulted over the proposal and raised no objection to the outline application.

7.157 The land is a safeguarded site under the adopted Hampshire Minerals and Waste Plan 2013 for oil and gas development under the name Havant Exploration Site. However, the MWPA has advised that following a review of the earlier permissions which have not been pursued, it has been determined that the oil exploration applicant no longer has an interest in progressing the site as an oil/gas development. Therefore, the intention of the MWPA is to remove the site's status as a safeguarded site for oil and gas development.

(xiii) Contamination

7.158 As to potential contamination on the site the Environment Agency (EA) and the Council's Environmental Health Team (EHT) have been consulted. No objection has been raised by either party with a recommendation from the EHT, that the EA's recommended condition 1 is refined, with the reasons for the three conditions amended. The reason for this is to avoid duplication of information already submitted and that the reasons for the conditions only refer to water protection; not all receptors, which is required for residential development.

7.159 The conditions are concerned with a remediation strategy, unidentified contamination, and a verification report. A condition concerning piling or other deep foundation is also recommended by the EA. If permission is granted, such conditions are recommended.

(xiv) Developer Contributions/CIL and S106 requirements

Infrastructure/S106 requirements

7.160 Consultations have been carried out in relation to infrastructure requirements and these will be addressed in relation to the following areas:

Community Infrastructure Levy (CIL)
Affordable Housing
Ecology
Highways Requirements
Heath (SE Hants Clinical Commissioning Group)
Community Officer

Community Infrastructure Levy

7.161 With regard to CIL, this outline application is not CIL liable. However, any subsequent reserved matters or full planning application would be. The current CIL rate in relation to residential development in Havant would be £80 per square metre plus indexation.

Affordable Housing

- 7.162 Affordable housing would be provided on site at a rate of 30% of the total units and secured through the associated S106 Agreement.

Ecology

- 7.163 The Solent Recreation Mitigation Strategy and nutrient neutral development would be secured via the associated S106 agreement. The final quantum of the contribution would be based on the reserved matters applications which would set the final mix of the development.

Health Contributions

- 7.164 The South Eastern Hampshire Clinical Commissioning Groups (CCG) has confirmed that the growth in local population from the development would result in additional registration with local GP surgeries and primary care services. Whilst the additional demand is not considered to warrant the commissioning of an additional GP surgery, such demand will be accommodated within existing surgeries open to new registration from people living in the area of the proposed development, where additional capacity within the premises will be required. The CCG considers that the application should be required to make a financial contribution to the capital and revenue investments that the NHS will make in this regard. A contribution of £19,200 has been calculated for the development and this would be secured through the S106 Agreement.

Highways Requirements

- 7.165 The following requirements have been identified by Hampshire County Council:

Site Access Works – S278 Agreement

Delivery of shared use path between the site access and the Hulbert Road/Purbook Way Roundabout and a footpath between the site access and the Dunsbury Park Roundabout via a S278 Agreement

Framework Travel Plan approval and monitoring (£1,500 and £15,000 respectively)

Provision of bond or form of financial surety, in respect of measures within the Travel Plan.

Community Officer

- 7.166 Submission Havant Borough Local Plan policy DR1 relates to regeneration. This states in part f:

“Developments of 20 or more new homes will contribute towards a community officer, to help new residents in the development integrate into existing communities.”

This would require a contribution of £25,000 based on the 100 units of accommodation proposed, to be secured through the S106 Agreement.

- 7.167 The following matters would therefore be secured via the Section 106 Agreement:

Affordable Housing

Nutrient Mitigation Requirements

Solent Recreation Mitigation Strategy Contribution (based on Reserved Matters bedroom numbers)

SUDs – including SUDs Bond, Management and Maintenance

Children's Play Area
Common Parts Management and Maintenance
Health Contribution £19,200
Community Officer £25,000
Provision of Public Open Space
Permissive Paths and Roads
Highway Works
Travel Plan Requirements
Monitoring Fee

(xv) Overall Conclusions and Planning Balance

- 7.168 The proposal conflicts with the most relevant policies within the development plan, namely HBLPCS Policies CS11, CS16 and CS17 and Policies AL2 and DM20 in the ALP in that the site is not allocated for residential development. However, due to the lack of a 5 year housing land supply, the policies which are most important for determining the application are out-of-date. This triggers the 'tilted balance' which means it is necessary to determine whether the proposal would cause significant and demonstrable harm, which outweighs the benefits.
- 7.169 The development would provide 30% affordable homes in an area with a significant waiting list for such homes. As such, significant weight to the delivery of affordable homes is given in accordance with HBLPCS Policy CS9, criterion (2).
- 7.170 The proposal would be on a greenfield site outside the urban area boundary for Havant and, in this respect, delivery of homes on the site would not accord with the spatial strategy within the development plan. However, very limited weight is afforded to the conflict with both HBLPCS policy CS17 and ALP Policy AL2, and the NPPF. This is due to their reliance on these urban area boundaries predicated on out-dated levels of housing need.
- 7.171 The site is not allocated for housing in the Submission Local Plan. Due to the status of the Submission Local Plan, only limited weight can be given to the policies and housing allocations in this plan, albeit these policies indicate the direction of travel for such developments. However, the site is being promoted as an omission site as part of the Local Plan examination and as such, the status of the site has the potential to change as the examination progresses. Nonetheless, refusal of the application of the grounds of prematurity in terms of the local plan examination would not be legitimate in light of the provisions of paragraph 49 of the NPPF.
- 7.172 The landscape is of local value and there would be harm arising both to landscape character and to visual amenity. The landscape character and visual impact of the proposal would be harmful in the short term. However, the landscape character and visual impact of the proposal would be visually contained and localised, due to existing tree planting and woodland to the south and north; plus the development of the site would provide landscape planting, at the reserved matters stage. As such limited weight is given to these harms and the conflict with HBLPCS Policy CS16 which requires development to demonstrate that it integrates with existing local landscape features.
- 7.173 The proposal would result in the loss of protected and unprotected trees along the west side of Hulbert Road. This tree loss would be set against the backdrop of woodland with further tree planting forming part of the reserved matters application for the site. As such limited weight is given to this harm and the conflict with HBLPCS Policy CS11.

- 7.174 The provision of net bio-diversity gains through habitat creation on the site is given moderate weight to the development's promotion of wildlife and biodiversity in accordance with HBLPCS Policy CS 16 criterion (1b).
- 7.175 The proposal would not offend other development plan policies, including relating to air quality, designated European Habitats, accessibility, transport and highway safety.
- 7.176 Overall, the resulting policy conflicts, are such that the proposal cannot be regarded as to accord with the development plan, when taken as a whole.
- 7.177 It is therefore necessary to consider whether there are material considerations that would determine the proposal otherwise in accordance with the development plan.

Public Benefits

- 7.178 The Planning Practice Guidance advises that, 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the Framework.
- 7.179 Amongst the benefits of the proposal would be the provision of a significant number of homes in a Borough which does not have a 5 year supply of deliverable housing sites by a considerable margin.
- 7.180 It is clear that the Council will not be able to significantly boost its supply of homes and meet its housing needs without the development of currently unallocated greenfield sites beyond existing development boundaries. The Housing Delivery Test results for 2021 are significantly below the expectation in the Framework and the Borough's housing needs continue to not be met. The proposal would help to rectify this situation.
- 7.181 The Framework is clear that the Government's objective is to significantly boost the supply of homes to meet peoples' housing needs. The scheme would provide up to 100 units of much-needed housing, with a minimum of 30% of these comprising affordable housing. As to the latter, there is a significant waiting list for affordable housing within the Borough. This is considered to be a material consideration of substantial weight. The proposal would provide housing for future residents and good access to local services and facilities. As such, substantial weight is given to the provision of affordable and market housing on the site.
- 7.182 The proposed development would include areas of public open space and the provision of other landscaped areas, at the reserved application stage. The open space would, therefore, promote health and well-being within the community to which moderate weight is afforded to the benefits derived from the public open space and other landscaped areas.
- 7.183 Proposed enhancements to biodiversity include new native trees preferred by roosting bats, a lighting scheme to reduce the impacts on bats and bat and dormice boxes. The provision of public open space will also benefit the habitats of the nearby woodlands. The net biodiversity gain resulting from the proposal is supported by Framework paragraph 174(d) and affords this benefit moderate weight.
- 7.184 The development would result in supporting direct and indirect jobs during construction, with additional contributions to the economy generally through the activity and spending of future occupiers. Although the economic benefits may be

ones that would result from any residential development, they are nonetheless important and are ones to which moderate weight is attached.

- 7.185 The development, at the reserved matters stage, would include a significant number of electric vehicle charging points and water efficiency measures, both of which would be secured by condition. Some weight is given to these measures given their support within paragraph 152 of the Framework which requires the planning system to support the transition to a low carbon future.
- 7.186 Overall, the delivery of the proposed housing would yield significant social, economic and environmental benefits. Furthermore, it is considered that the public benefits would be of sufficient importance to outweigh the harm that would arise to the impact in this location outside of the Borough's settlements.

Tilted Balance

- 7.187 By virtue of the absence of a 5 year housing land supply and the Council's most recent Housing Delivery Test result (i.e. 4.3 year housing land supply), the tilted balance under paragraph 11 d) of the Framework is engaged. Therefore the policies most important for determining the application are out-of-date. Therefore, the relevant approach is to consider the balance in accordance with paragraph 11d)ii). This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.188 Framework paragraph 174(b) requires planning decisions to recognise the intrinsic character of the countryside, trees and woodland. Given that the landscape harm would be localised, limited weight is given to this harm.
- 7.189 Weighing against this negative impact, there is substantial policy support for the proposal within the Framework given the economic, social and environmental benefits of the proposal as variously set out above. The presumption in favour of sustainable development, as set out at paragraph 11d)ii) of the Framework, provides very substantial weight in favour of the proposal.
- 7.190 Overall, it is considered that the conflict with the development plan as a whole is outweighed by other material considerations and the public benefits listed above. In particular the delivery of housing to contribute towards the Council's 5 year housing land supply, which must be given substantial weight.
- 7.191 To conclude, having regard to all material planning considerations, it is considered that the adverse impacts of granting planning permission in this instance would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole.

Final Planning Balance

- 7.192 The proposal conflicts with the development plan as a whole. However, whilst the importance of the plan-led system is recognised, it is necessary to consider whether there are material considerations of sufficient weight or importance to indicate that the decision should be made other than in accordance with the development plan.
- 7.193 The need to significantly boost the supply of housing in Havant Borough is a substantial material planning consideration, particularly in the absence of a five year supply of deliverable housing sites. The various economic, social and environmental

benefits of the proposal set out above also weigh in favour of the proposal. In the balancing exercise, it is considered that the harm resulting from the impact of the development on landscape and the loss of protected and unprotected trees is limited. Furthermore, these adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal as set out at paragraph 11d)ii) of the Framework. As a result, there is a clear presumption in favour of planning permission being granted.

7.194 Overall, it is considered that the conflict with the development plan as a whole is outweighed by other material considerations and it is recommended that conditional planning permission be granted.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT OUTLINE CONSENT** for application APP/20/00441 subject to the following:

- (A) The completion of a Section 106 Agreement under the Town and Country Planning Acts, to secure the matters as set out in paragraph 7.167 above; and
- (B) The following conditions (subject to such changes and /or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

General

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

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The approval of the Local Planning Authority shall be obtained in respect of the following reserved matters before the development first takes place - the appearance; landscaping; layout; and scale.

Reason: The application is granted in outline only under the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Plans

Site Location Plan 03/02/20
Proposed Site Access Drawing No. A096474-SK01 Rev C

Proposed footway Drawing No. A096474-SK02 Rev C
Proposed Site Access Drawing No. A096474-SK01 Rev B
Swept Path Analysis Drawing No. A096474-SK04 Rev A
Forward visibility Drawing No. A096474-SK05 Rev A
Tree Protection Plan 16030-4

Reason: - To ensure provision of a satisfactory development.

NB The decision also took account of the following documents and plans:

*Concept Masterplan Drawing No. CMP-01 Rev E
Application Form
Planning Design & Access Statement May 2020
Barrell's Manual for managing trees on development sites.
Residential/Dwelling Units – Supplementary information template
European Site avoidance and mitigation checklist, email dated 27/5/21 from
jamie@meonsprings.com
EIA Screening Request Letter 18/5/20
Utilities Plan 25/03/2
Sewer records
Southern Water Sewer Map
Preliminary Tree Survey Plan 2019
Flood Risk Assessment and Preliminary Drainage Strategy April 2020
Lighting Assessment April 2020
Constraints Plan 26/03/20
Topographical Survey Drawing No. WYG001 A
Topographical Survey Drawing No. WYG001-003
Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 July
2020*

Documents

*Barrell's Arboricultural assessment & method statement dated 27/5/21 and tree
plans.
Noise Assessment DEC 2020
Noise response from applicant dated 18/3/21, addendum received June 2021
Air Quality Assessment Oct 2020
Phase 1 Geoenvironmental Assessment Desk Top Study A096474 July 2020
Action Plan
Ecological Appraisal Dec 2019
Reptile Report Dec 2019
Bat Activity Surveys Dec 2019 & March 2021
Dormouse Reports Jan 2020 & March 2021
Transport Assessment April 2020
Framework Travel Plan May 2021*

- 4 The building line of the housing development to the west of the site shall be no closer than 37m from the A3(M) kerbside.
Reason: In the interests of the air quality and amenity of future residents having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local (Allocations) 2014, Policy E23 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 5 No housing shall exceed two storey in height across the entire site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of housing will not be impacted upon by any external noise levels, having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local (Allocations) 2014, Policy E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 6 Any reserved matters application shall have regard to the Crime Prevention Through Environmental Design principles, with particular reference to:

The design and layout;
The presence of good natural surveillance of the public realm and defensible spaces (especially about the dwellings);
Appropriate level of lighting; and
Appropriate connectivity and permeability within the development.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 7 The development of the site shall provide a range of dwelling types and sizes to meet an identified local housing need, with 35% of the overall housing mix (both market and affordable) to be two bedroom homes, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To meet an identified local housing need having regard to Policy CS9 of the Havant Borough Local Plan (Core Strategy) 2011, Policy H4 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

Pre-commencement

- 8 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 the character and amenities of the area having due regard to Policy CS16 of the Havant Borough Local Plan 2011, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 9 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Barrell's Arboricultural Assessment & Method Statement dated 27/5/21 and the Tree Protection Plans shall be installed and agreed at a pre-commencement meeting with the Council's Arboricultural Officer and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

Reason: To safeguard the continued health and presence of such existing

vegetation and trees and to protect the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E1 and E18 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 10 Prior to the commencement of development activities, a detailed Ecological Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement measures shall be in accordance with those detailed within the Ecological Appraisal (WYG, December 2019, the Dormouse Survey report (WYG, March 2021) and the Bat Survey report (WYG, March 2021) unless otherwise agreed in writing by the Local Planning Authority. The Strategy shall include (but not necessarily be restricted to): details of all habitat and species mitigation measures; details of the location, composition and ongoing management of all compensatory or enhancement habitat and; location, type and number of all bat/bird boxes; details of any lighting used during construction. All ecological compensation/enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function.
Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 11 Prior to the commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 12 Prior to commencement of development, detailed designs of speed reduction measures on Hulbert Road shall be submitted to, and approved in writing, by the Local Planning Authority. The agreed reduction measures on Hulbert Road shall be implemented to certificate of completion standard prior to occupation of any part of the development hereby approved.
Reason: In the interest of highway safety and having regard to Policy DM12 of the Havant Borough Local Plan (Core Strategy) 2011, Policy IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.
- 13 Prior to the commencement of construction of the proposed bund, geotechnical submissions (in accordance with DMRB Standard CD622) relevant to the construction of the earth bund (as set out in principle in the drawing number SK02 included in the Noise Assessment document dated December 2020) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Highways England).
Reason: To mitigate any adverse impact from the development on the A3(M); to ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980; to satisfy the reasonable requirements of road safety and

in accordance with Policy DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy IN1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: WYG Flood Risk & Drainage Assessment (FRDA) (ref. A096474, dated April 2020), has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
 - b) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - c) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - d) Evidence that urban creep has been included within the calculations.
 - e) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - f) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
 - g) Evidence that the existing highway ditch connects to the watercourse and confirmation of ownership and approval to discharge to the ditch or watercourse through third party land.

The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network.

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, Policies IN1 and E20 of the Submission Havant Borough Local Plan and the National Planning Policy Framework; and

To mitigate any adverse impact from the development on the A3(M) and to ensure that the A3(M) continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980; to satisfy the reasonable requirements of road safety; and in accordance with Policy DM15 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy IN1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 15 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 until 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, Policies E20 and IN1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 16 Prior to development commencing, in the event of piling or other deep foundations for the site using penetrative methods, full details of such piling or penetrative methods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling or other deep foundation in soils affected by contamination does not harm groundwater resources. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014, Policy E21 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 17 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

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

1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

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

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

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants, controlled waters or ecological receptors. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014, Policy E24 of the Submission Havant Borough Local Plan and paragraphs 183 - 185 of the National Planning Policy Framework.

- 18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: Contamination may be present at the site that has not been or will not be identified by the site investigations required by the above condition which may be encountered during construction. If allowed to remain at the site, contamination could pose an unacceptable risk to future occupants, controlled waters, &/or to ecological receptors. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014, Policy E24 of the Submission Havant Borough Local Plan and paragraphs 174, 183-185 of the National Planning Policy Framework.
- 19 No development or any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only 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, Policies E1 and E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.
- 20 A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This should include construction access, construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.
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, Policies E1 and E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.
- 21 No development shall commence unless and until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in order to

recognise, characterise and record any archaeological features and deposits that may exist here. The assessment should initially take the form of trial trenches that are within the footprints of the proposed houses, garages, access roads and service trenches.

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 having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, Policy E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

Above ground

- 22 Prior to any above ground works details of the lighting proposed to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The design of the lighting scheme shall comply with BS 5489-1:2020 and discharge any liabilities attached to that standard. The lighting shall, prior to occupation of any of the residential units hereby approved, be carried out in accordance with the approved details and maintained thereafter.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 23 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 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. 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, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 24 No above ground construction works shall take place unless and until details specifying the Energy Efficiency of the residential development in accordance with Policy E12 of the Submission Havant Borough Local Plan have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved specification.

Reason: To ensure the energy efficiency of the residential development in accordance with Policy CS14 of the Havant Borough Local Plan (Core Strategy) and Policy E12 of the Pre-Submission Havant Borough Local Plan 2036 and the National Planning Policy Framework.

Pre-occupation

- 25 Prior to occupation of any residential unit hereby approved, confirmation in writing shall be submitted to the Local Planning Authority that:
- (a) the acoustic mitigation measures employed with regard to the building envelope, including fenestration and ventilation, for all residential units meets BS8223:2014 standards as 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; and
- (b) in respect of external areas that are used for personal amenity space, such as gardens and patios, noise levels in these areas must not exceed 55 dB LAeq, 16 hour.

Note: To secure compliance with this condition, post validation testing would need to be undertaken by a competent person to determine compliance with the noise impact assessment as provided by WYG Noise assessment, dated December 2020, 4th issue. Such testing shall be achieved using at least 3 sample dwellings, nearest to the measurement positions LT1 & LT2. This must include a top storey apartment or house adjacent the A3M and an apartment or dwelling adjacent the Hulbert Road.

Reason: To ensure the residential amenity of the properties is not impacted upon by any external noise levels, especially traffic noise having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local (Allocations) 2014, Policy E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 26 Prior to occupation, an Overheating Assessment in accordance with CIBSE TM59 (2017) shall be submitted to and approved in writing by the Local Planning Authority in respect of any residential properties required to keep windows closed to mitigate noise from road traffic sources (especially overnight), to demonstrate that indoor temperatures would be acceptable in the absence of open windows. Any scheme/s or measures to mitigate overheating shall be included with the Acoustic Design Statement or in the approved plans for the development. The Overheating Assessment shall be implemented strictly in accordance with the approved details, prior to the occupation of any of the properties the subject of the scheme.

Reason: To ensure that the internal residential amenities are not impacted on by overheating, especially during periods where windows cannot be opened for any reasonable length of time due to external traffic noise levels, and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM18 of the Havant Borough Local (Allocations) 2014, Policy E22 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 27 Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained, details of which shall be submitted to the Local Planning Authority.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with Policy CS8 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 28 No part of the development 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, Policy IN3 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 29 Prior to the occupation of the development full details of the Electrical Vehicle

Charging points shall be submitted to and approved in writing by the Local Planning Authority. The Charging Points shall be installed in accordance with the approved details prior to the occupation of each individual dwelling and retained at all times thereafter.

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

- 30 Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings.

The submitted details shall include;

- a) Maintenance schedules for each drainage feature type and ownership
- b) Details of protection measure

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 CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policies E20 and IN1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 31 Prior to any phase of development being occupied, and pursuant to Condition 17, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and verified in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of the Havant Borough Local Plan (Allocations) 2014, Policy E24 of the Submission Havant Borough Local Plan and paragraphs 174, 183-185 of the National Planning Policy Framework.

- 32 No part of the development shall be first occupied until 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 future occupiers of the development having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E1 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 33 Following completion of archaeological fieldwork pursuant to Condition 21 a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic

environment and to make this publicly available having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, Policy E13 of the Submission Havant Borough Local Plan and the National Planning Policy Framework.

- 34 The development hereby permitted shall not be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and
 - a) All measures necessary to meet the approved water efficiency calculation have been installed.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.

Post occupancy

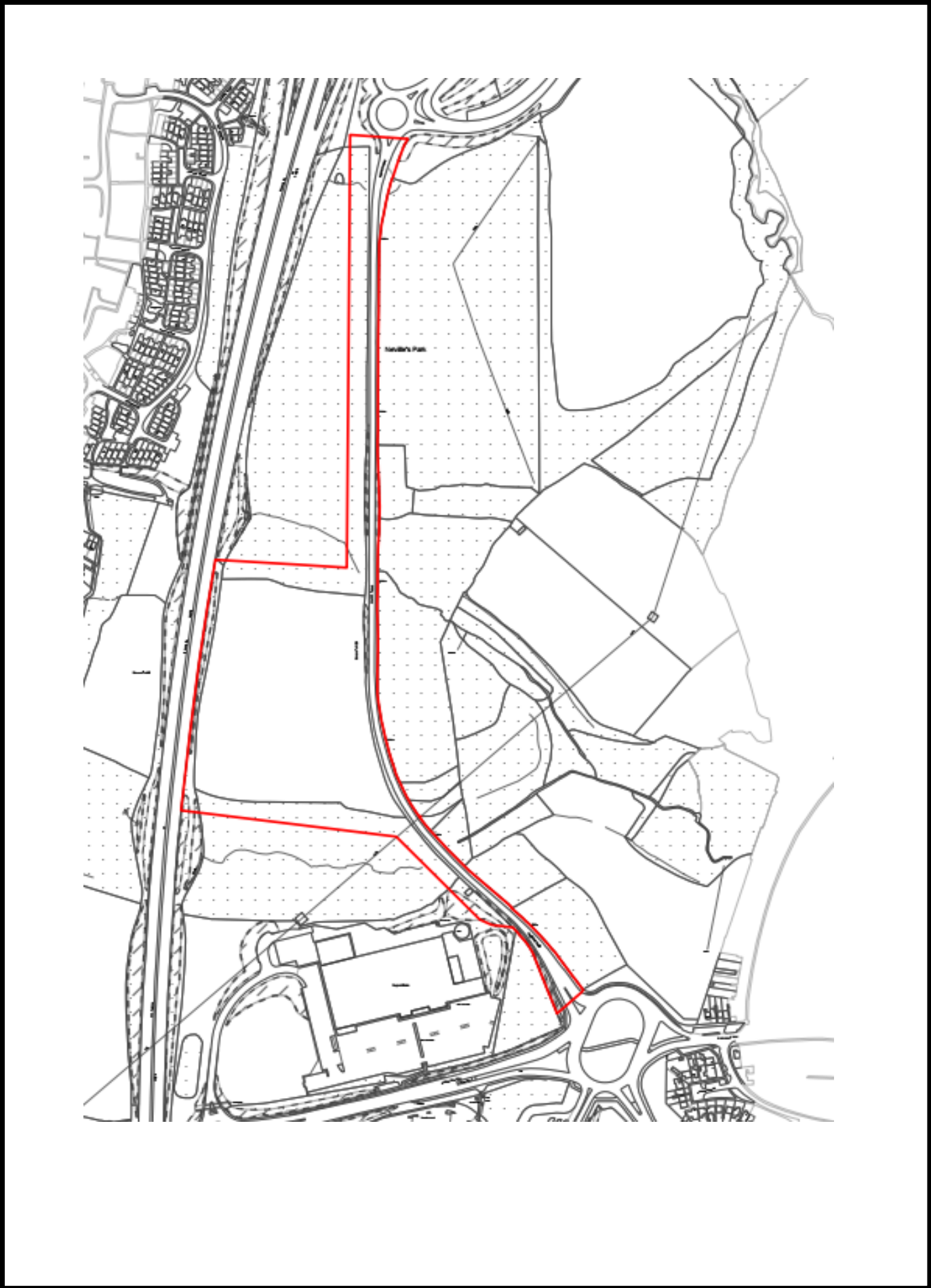
- 35 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policies E14, EX1 and E12 of the Submission Havant

Borough Local Plan.

Appendices:

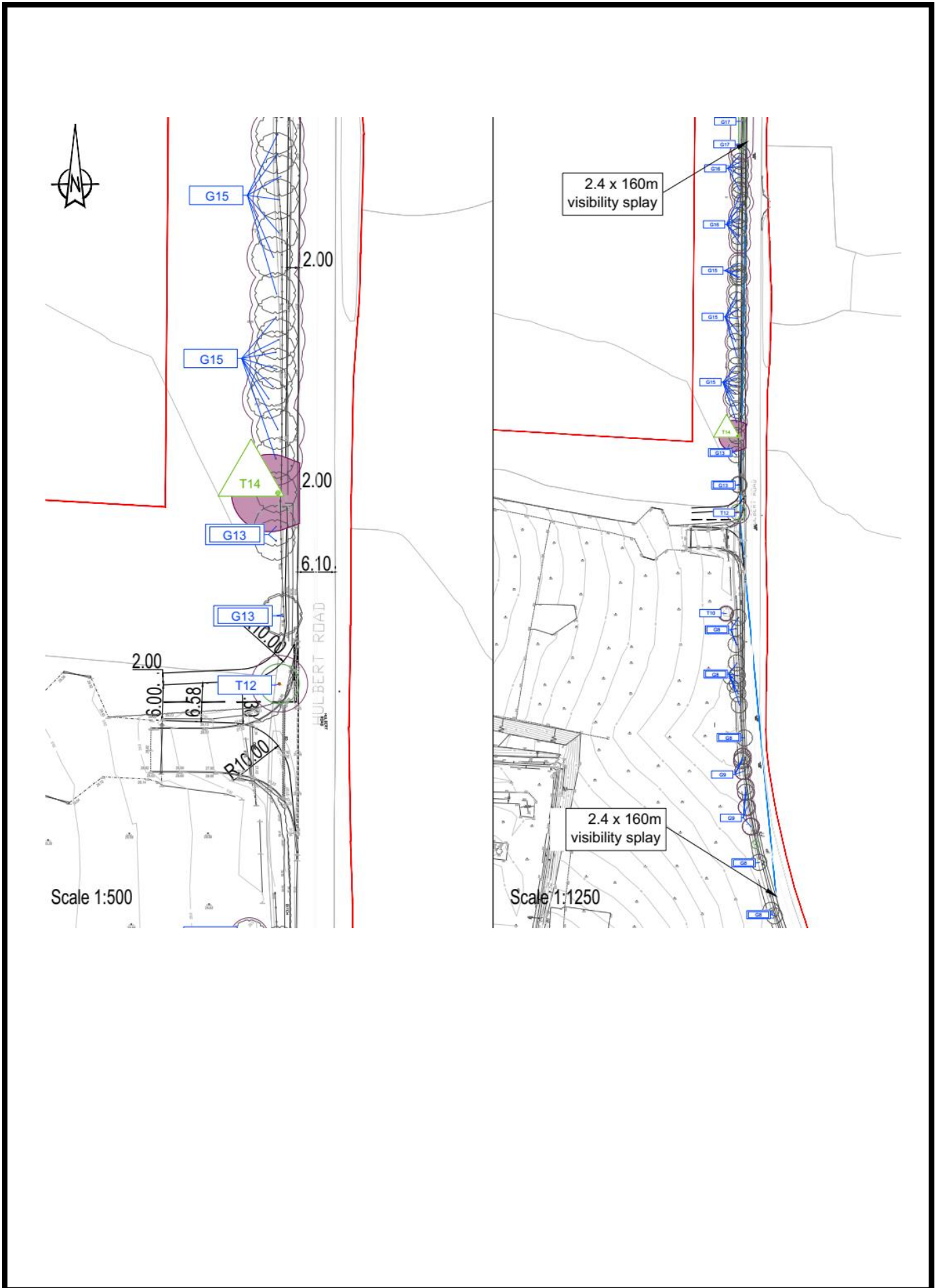
- (A) Location Plan
- (B) Concept Masterplan
- (C) Proposed Site Access Plan
- (D) Proposed Shared Cycleway/Footway Plan
- (E) Proposed Footway Plan
- (F) Proposed Tree Removals
- (G) Response to requests made by Site Viewing Working Party



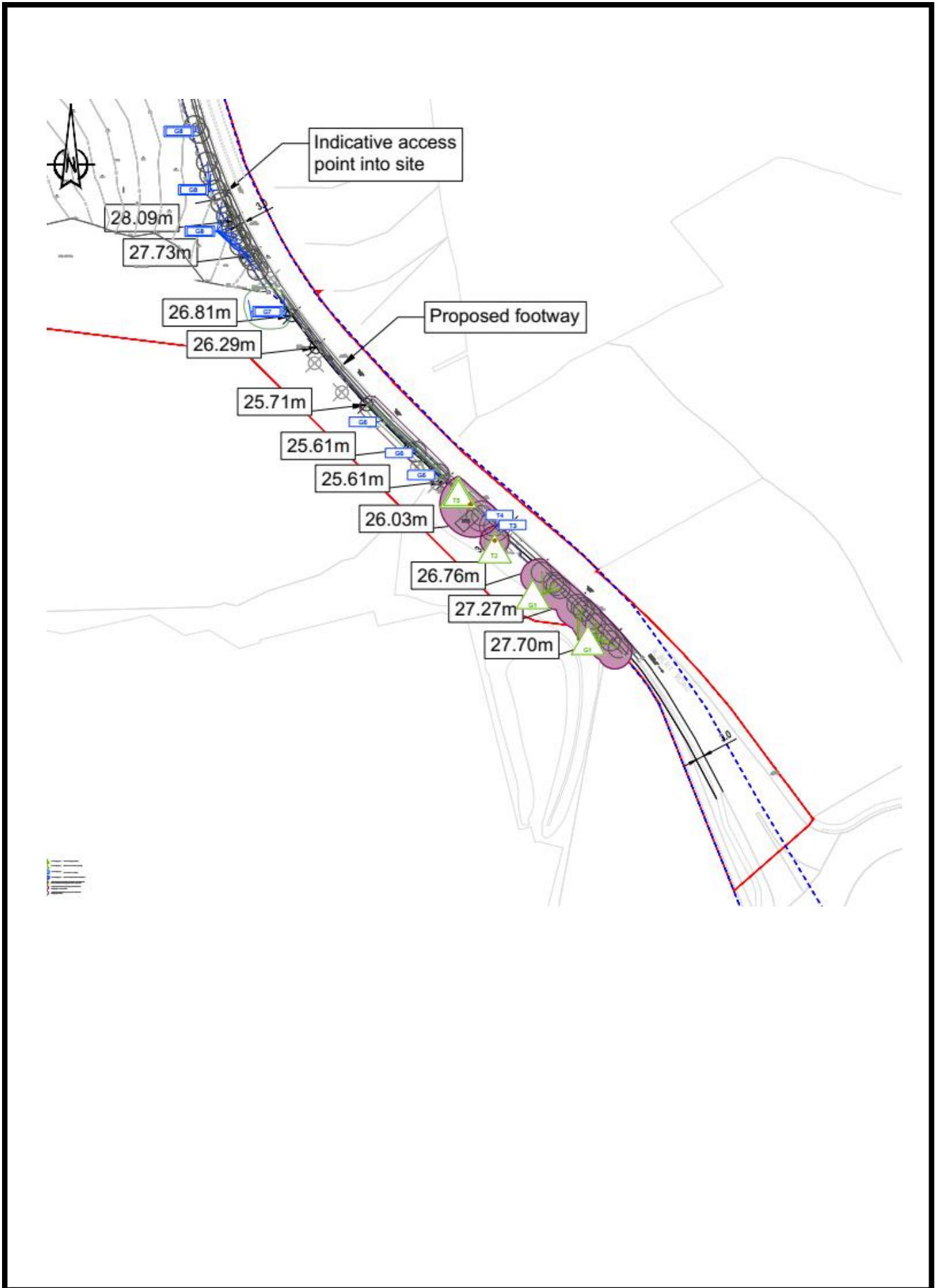
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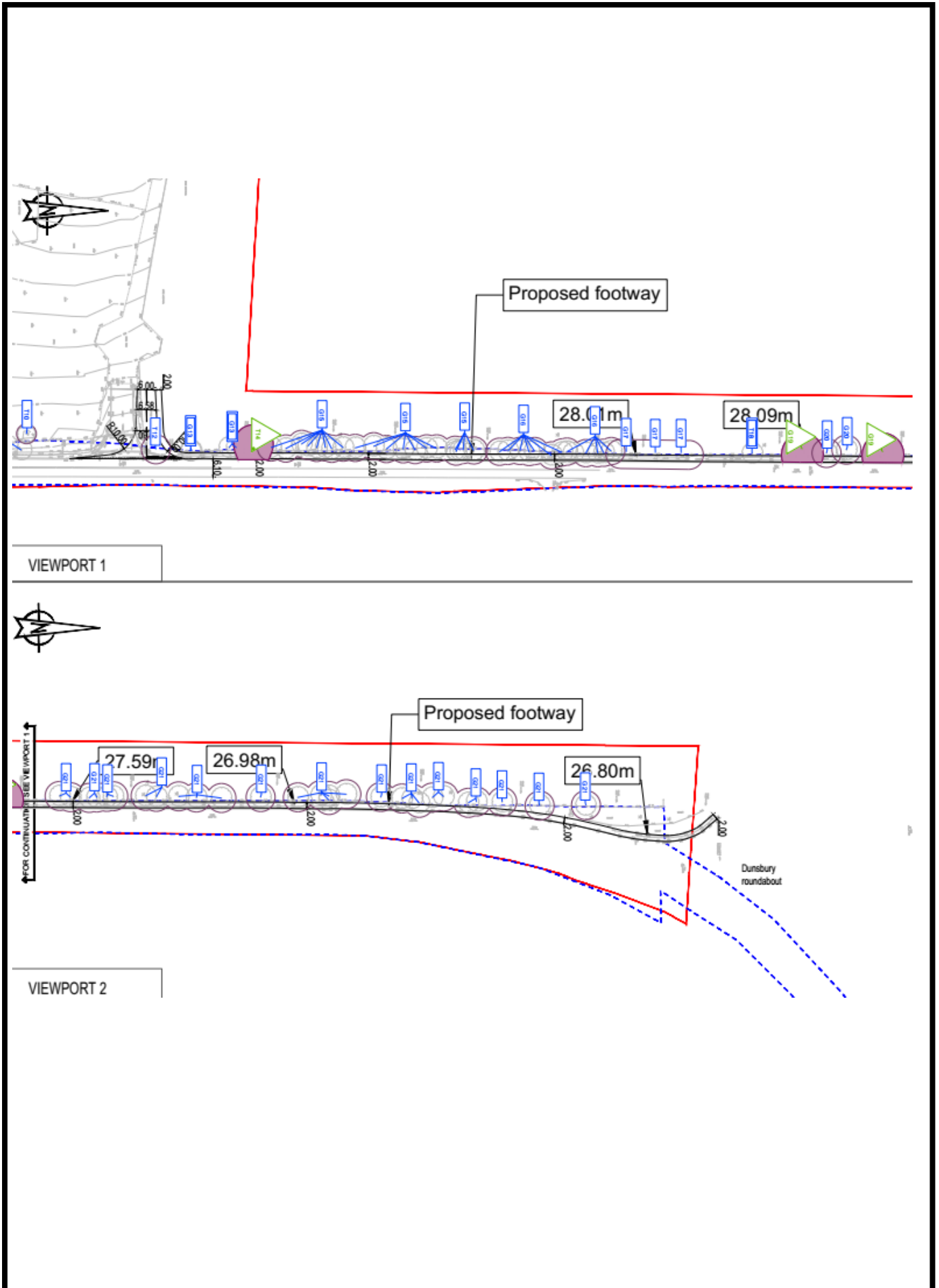
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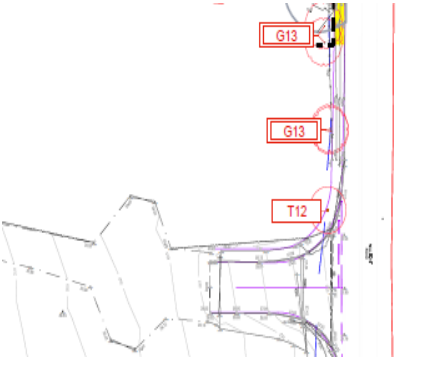

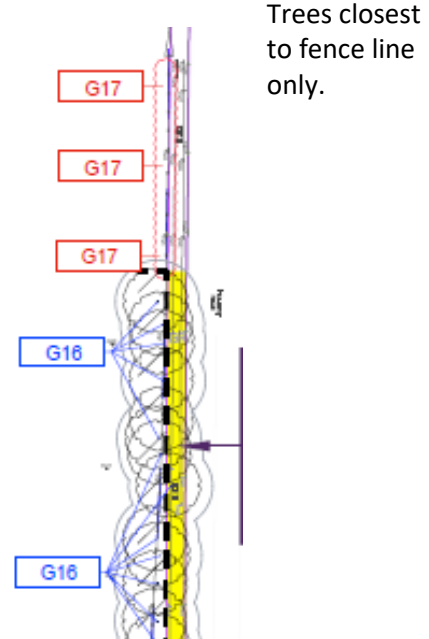

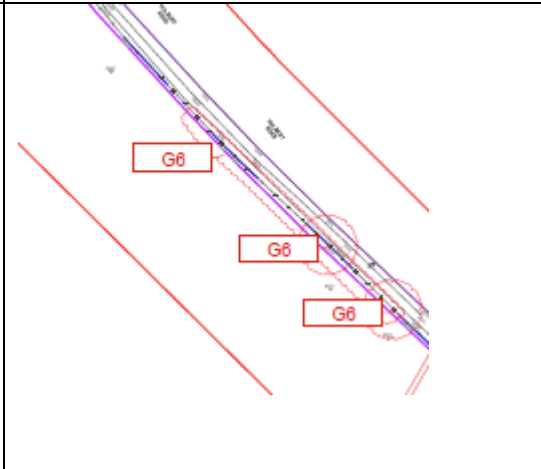

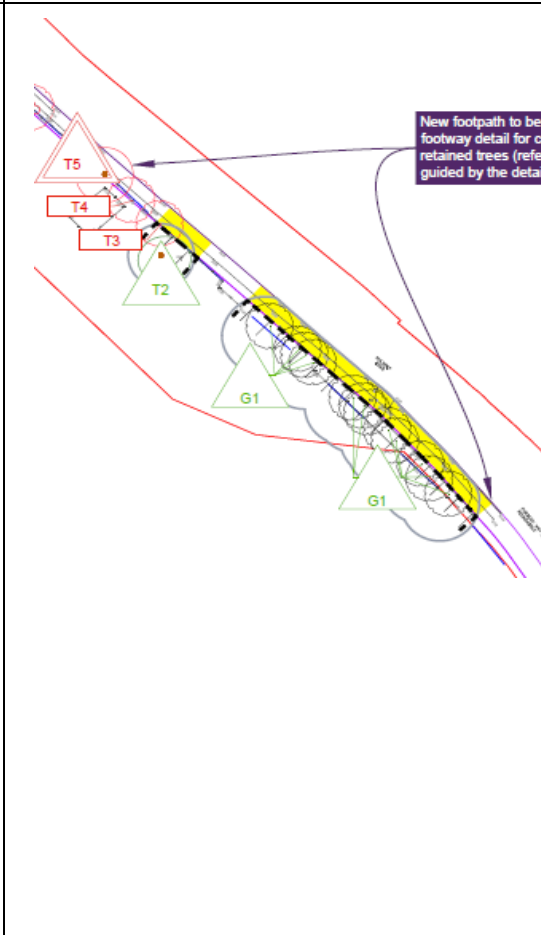
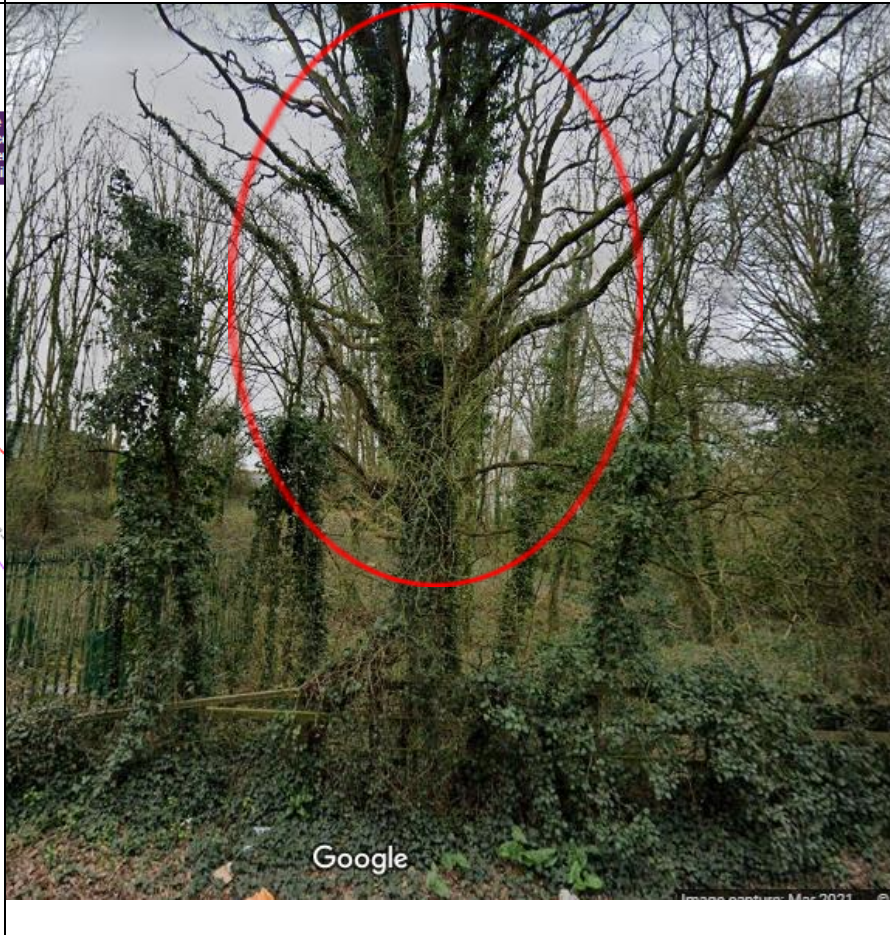
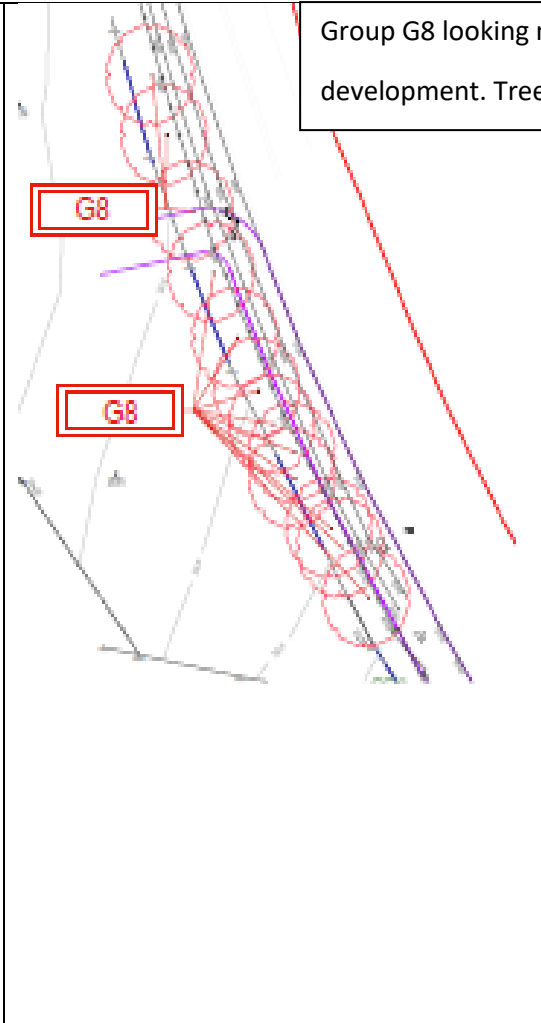
Tree Category no.	Tree Protection Plan (section of) in relation to Tree Category no.	Estimated Location (Picture of)
T12	 <p>A technical drawing of a tree protection plan section. It shows a road layout with several trees marked. Two trees are labeled 'G13' in red boxes, and one tree is labeled 'T12' in a red box. The drawing includes property lines, a fence line, and various colored lines representing protection zones.</p>	 <p>A photograph of a road scene in Havant, England. The road is lined with trees and a fence. A red circle is drawn around a specific area of trees on the right side of the road, indicating the estimated location of tree T12. A red car is visible on the road.</p>
G17	 <p>Trees closest to fence line only.</p> <p>A technical drawing of a tree protection plan section. It shows a road layout with several trees marked. Three trees are labeled 'G17' in red boxes, and two trees are labeled 'G16' in blue boxes. The drawing includes property lines, a fence line, and various colored lines representing protection zones.</p>	 <p>A photograph of a dense line of trees along a road. The trees are mostly bare, suggesting a winter or late autumn setting. A fence line is visible in the foreground, and a road is visible on the right side of the image.</p>

Table 2: Key Trees South of the Site's main proposed entrance

Tree Category no.	Tree Protection Plan (Section of) in relation to Tree Category no.	Estimated Location (Picture of)
G6		
T5, T4, T3	 <p data-bbox="574 929 702 1008">New footpath to be footway detail for retained trees (refer guided by the detail)</p>	

G8



Group G8 looking north-west. Note felling is selected and required irrespective of development. Trees Category U (lowest quality) .



Group G8 looking south.
Note felling is selected
and required irrespective
of development. Trees
Category U (lowest
quality) .



At its meeting on the 14 October 2021 the Site Viewing Working Party viewed the site, the subject of application APP/20/00441, to assess whether there were any additional matters that should be considered by the Planning Committee.

It was resolved that a number of pieces of additional information should be provided to the Planning Committee: *(a) clarification on the number of houses required for each year to enable the Council to meet its housing supply target; (b) details of other Councils that are currently unable to meet their housing supply target; (c) clarification on the routes proposed for the cycleway/footpath to the south linking into the footpath to Purbrook Way and the proposed footpath to the north linking to Dunsbury Park; (d) clarification on whether the proposed cycle/footpaths would link with the strategic cycle routes across the Borough; and (e) details of any complaints received by the Council relating to the noise generated by traffic on adjoining major roads from the residents of the new developments at Bedhampton Hill and Scratchface Lane.*

The responses to the queries are as follows:

(a) clarification on the number of houses required for each year to enable the Council to meet its housing supply target

Under the Government's standard method for calculating housing need, the Council is required to provide 504 homes each year. However, Planning Practice Guidance indicates this should be further adjusted to take into account the shortfall which has been accumulated since the start of the plan period (2016). This is equivalent to a year's worth of housing need (504 dwellings). The NPPF indicates a buffer is then required to be added to the five year requirement (para 74). In Havant's case, there is a need to add a 20% buffer which reflects its performance under the last Housing Delivery Test results. The adjusted figure is therefore 675 dwellings a year (rounded).

(b) details of other Councils that are currently unable to meet their housing supply target

The Isle of Wight is the only other authority in South Hampshire where the presumption applies and the tilted balance is engaged (housing delivery has been substantially below (less than 75% of) the housing requirement over the previous three years). Fareham, Gosport and Portsmouth are required to add a 20% buffer to their housing requirement to reflect the significant under delivery of housing (housing delivery was below 85% of the housing requirement). There is however, no engagement of the tilted balance under para 11d) ii. of the NPPF for these authorities.

(c) clarification on the routes proposed for the cycleway/footpath to the south linking into the footpath to Purbrook Way and the proposed footpath to the north linking to Dunsbury Park

The Highways Authority have advised as follows:

The footway to the north of the site will pick up from the site access, whilst the shared use path to the south will be provided at the southern eastern corner of the development. A route through the site will be provided to connect the two new facilities together. Providing the footway internal to the site was balanced against the tree loss along Hulbert Road, which has been subject to a lot of work to ensure that tree loss is minimised where possible when implementing the works. The route through the site will still provide a direct connection and therefore it was considered that in balance, this was more preferable than pursuing a route adjacent to the carriageway which would have had further ecological implications.

(d) clarification on whether the proposed cycle/footpaths would link with the strategic cycle routes across the Borough

The Highways Authority have advised as follows:

The shared use path to the south will connect in with the existing provision at the ASDA roundabout and subsequently Purbrook Way, one of the strategic cycle connections between Havant and Waterlooville (also a signposted route).

The footpath to the north will connect with Dunsbury Roundabout and the footway works which will eventually be brought forward as part of the Dunsbury Park development, providing a direct walking route into the Park along Fitzwygram Way.

(e) details of any complaints received by the Council relating to the noise generated by traffic on adjoining major roads from the residents of the new developments at Bedhampton Hill and Scratchface Lane

The Council's Environmental Health team have advised that they have received no complaints related to noise linked to the developments referred to. In any event, any complainants for road traffic noise from standard highways would normally be directed to the County Council (Hampshire Highways) and that from motorways towards Highways England. This is because the Council has no powers to deal with road traffic noise, other than at Planning stage.

The National Planning Policy Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan are to be considered out of date. In such cases the 'tilted balance' is engaged under paragraph 11(d), and the local planning authority as the decision maker must carry out a 'balancing exercise' in which planning permission should only be withheld where the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme. Therefore, national policy considerations should be afforded substantial weight in the planning balance against the conflict with the development plan.

The proposal has been subject to review and consultation. Negotiations have taken place resulting in the plans being improved and amended to address concerns – in particular revising the design, layout and improving landscaping. Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall, the development would not unduly affect the character and appearance of the wider area, particularly given that it lies within the broad area approved for development under APP/18/00450. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site.

The proposal has complied with the flooding Sequential and Exception Tests, in that whilst an element of the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms of providing much additional housing, open space and ecological enhancements.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on Chichester and Langstone Harbours Special Protection Area (SPA) requiring mitigation. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy, Position Statement on Nutrient Neutral Development and the Solent Waders and Brent Goose Strategy Guidance. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur.

To conclude, it is considered that the scheme would contribute to the need to significantly boost the supply of homes within the Borough, on a site which has established residential use, which must be afforded weight in the overall planning balance. In assessing the proposal (including associated evidence) against the adopted development plan, the National Planning Policy Framework and given the need to improve the supply of deliverable housing sites, the scheme is considered to represent sustainable development and is therefore recommended for permission

1 Site Description

- 1.1 The site was an open area of land to the south of Portsdown Hill, which was formerly used for farming and had been previously used for local events, including car boot sales. A small cluster of farm buildings associated with fruit picking formally existed in the southernmost part of the site. The site lies close to the administrative boundary with Portsmouth. The site sits 7.5 km north east from the city centre of Portsmouth, and 2.5 km west from the town centre of Havant. The site is an approximate rectangle

shape covering 22.9 hectares. It comprised several agricultural fields divided by mature tree lines, for which some are covered by Tree Preservation Orders (TPO's). The site previously had one site is accessed via a single bellmouth taken from Havant Road. Opposite the existing site access is a right-turn lane providing access into residential development on Auriol Drive.

- 1.2 The land gently slopes north to south accommodating a 6m change in level, with a steep change in level, of approximately 2.5m, along the northern boundary. The site is located within Flood Zones 1, 2 and 3. Flood zone 3 is in the southern part of the site. A gas pipeline runs through the north-east corner of the site.
- 1.3 Planning permission for major residential development within the site was previously granted in January 2020, under application APP/18/00450 which was considered by Planning Committee on 29th August 2019. The consented scheme, which commenced in November 2020, includes 320 residential dwellings (including a 30% provision of affordable homes), a care home, provision of public open space, a habitat mitigation zone, allotments and associated infrastructure.
- 1.4 The site is bounded to the north by Havant Road (A2030). There is vegetation along some parts of this boundary, screening the road from the site. The application site lies within the residential development approved under application APP/18/00450. As such it only lies directly adjacent to existing building plots undergoing development, and not next to existing residential properties. To the east, the site is bounded by vegetation screening the site from the slip road and A3(M) motorway beyond. The site is bounded to the south by vegetation alongside the adjacent railway line.
- 1.5 The majority of the development in the vicinity consists of suburban housing developed throughout the twentieth century. Many of these houses, such as those on Fortunes Way, are semi-detached two-storey houses. However, the series of houses which overlook the site on Auriol Drive are detached. There are also a number of three-storey apartment blocks in the area to the west of the site, in the Portsmouth City Council administrative area.

2 Planning History

Applications directly relevant to the current proposals

- 2.1 APP/18/00450- Erection of 320 dwellings (including a 30% provision of affordable homes), 66 bed care home, provision of public open space, habitat mitigation zone, allotments, closure of existing access and creation of 2 new access points and associated infrastructure following demolition of existing buildings – Permitted January 2020.
- 2.2 Following the approval of the initial full application, six non-material amendment applications were submitted in late 2020. All gained approval in 2021, serving to grant the below amendments:
 - i) APP/20/00510 - Application for non-material change relating to internal changes for the care home comprising the reconfiguration of floor space within the building and external alterations.
 - ii) APP/20/01041 - 17 no. Maidstone house types were replaced by Ellerton house types, and all Kenley house types were replaced by Denford house types
 - iii) APP/20/01101- Amendments to the spacing and parking layout of plots 156-161
 - iv) APP/20/01098 - Finished floor level (FFL) of Plot 1 raised from 8.200 to 8.500 to

- match that of attached neighbouring property, Plot 2
- v) APP/20/01099 Application for non-material change to Planning Permission APP/18/00450 relating to relocation of substation.
 - vi) APP/21/00824 - Two no. sub stations – one adjacent to the allotments and one within the residential area – replaced by a single substation adjacent to the approved care home.
- 2.3 APP/20/00835 - Application for non-material change to Planning Permission APP/18/00450 relating to replacement of Maidstone house types with Elleton house types and Kenley house types with Denford house types., Refused 29/10/2020
- 2.4 APP/20/00972- Erection of temporary sales arena. Permitted 16/3/21.
- 2.5 A number of advertisement applications have also been submitted and approved comprising the following applications: APP/20/00972 and APP/21/00670
- 2.6 APP/11/00226 - Application for Deed of Variation to S106 dated 17.1.2020 relating to Schedule 5, clauses 1.2, 2.2, 2.3, 2.4 and 7.4 relating to Highways Works Agreement- still under consideration.
- 2.7 APP/21/00247 - Application for Deed of Variation to S106 dated 17.1.2020 relating to Schedule 2, clause 1.1 - management company – Approved June 2021
- 2.8 APP/19/00374 - To create a Habitat Mitigation Zone for Brent Geese and Solent Waders (linked to the current planning application APP/18/00450). Withdrawn 28/6/2019
- 2.9 GEN/17/00884 - Development Consultation Forum (DCF) - Residential proposal for 322 new homes (30% affordable housing), care home, allotments, ecological mitigation areas and public open space. The DCF took place on 9/11/2017
- 2.10 GEN/17/01388 - Screening Opinion - Residential proposal for 322 new homes (30% affordable housing), 60 bed care home, allotments, community building, habitat mitigation zone, provision of public open space and associated infrastructure. Environmental Impact Assessment not required, decision issued 04/01/2018

Other applications relating to this site

- 2.11 APP/14/01261 - Change of use from agricultural building to a flexible use (within classes A1, A2, A3, B1, B8, C1 or D2) subject to prior approval covering flooding, highways and transport issues, noise impact and contamination risks on site., Prior Approval approved,28/01/2015.
- 2.12 APP/12/00285 - Change of use of land to allow car boot sales on 24 days per annum, Withdrawn,13/08/2012
- 2.13 08/56092/008 - Change of use from Agricultural Building to meat packaging and Farm Shop, Permission, 29/05/2008
- 2.14 06/56092/007 - Renewal of Planning Permission 03/56092/004 to allow for continued use of land as a maize maze, incorporating car parking, temporary structures, portable toilets, ticket and refreshment facilities during the period June-October., Temporary Planning Permission ,27/04/2006
- 2.15 05/56092/006 - Renewal of Planning Permission 03/56092/005 for change of use of

part of the existing building for fresh flower packing for a further 5 years., Temporary Planning Permission,06/02/2006

- 2.16 03/56092/005 - Renewal of temporary permission for change of use of part of the existing building for fresh flower packaging for a further 5 years., Temporary Planning Permission,14/07/2003
- 2.17 03/56092/004 - Change of use of existing agricultural land to a maize, incorporating car parking, timber footbridge with incorporated observation platforms, portable toilets and refreshment facilities during the period from mid July to mid September., Temporary Planning Permission,31/03/2003
- 2.18 00/56092/001 - Change of use of part of existing building for fresh flower packaging, Permission,02/10/2000

3 Proposal

- 3.1 Planning permission for residential development within the site was previously granted in January 2020, following the resolution to grant planning permission in August 2019 by the Planning Committee. The approved scheme, which commenced in November 2020, included 320 residential dwellings (including a 30% provision of affordable homes), a 66 bed care home, provision of public open space, a habitat mitigation zone, allotments and associated infrastructure.
- 3.2 As part of a re-consideration of the scheme by the applicant they have explored areas within the site to make more effective use of the land, within the approved residential development area. Following this the applicant has applied to increase and re-configure areas of the approved development, which are broadly located within the central and eastern areas of the developable area. For the avoidance of doubt this proposal does not change the approved layout adjacent to the existing residential properties in Westways. The changes in this application are as follows:
 - An uplift in the number of dwellings by 34 units within the amended parcels, which gives a total of 147 dwellings against the approved 113 units within this area
 - Given the uplift in overall numbers a further 10 affordable homes are proposed
 - Dwellings will range from 1 to 4 bedrooms in size. Most of the development will consist of 2 storey houses, with some 2.5 storey houses and a number of 3 storey apartment buildings placed strategically within the core of the scheme. Further details of the housing mix are provided below.
- 3.3 The following elements of the extant permission will not be altered under the current scheme, being outside of the red line boundary of this application:
 - Care home - situated within the north-west corner of the application site, served by a car park and softened by landscaping
 - Habitat Mitigation Zone - located to the eastern boundary of the application site, 34,701sqm in size, providing opportunities for migratory geese, surrounded by a circulatory pedestrian loop
 - Nature Park - an area of informal open space providing opportunities for play and informal recreation and areas of attenuation basins
 - Nature Play Park - designed to accord with the FIT Guidance, the play area

integrates a minimum of six pieces of play equipment, providing a full range of play experiences within an area greater than 0.04ha

- Nature Park Attenuation Zone - immediately south of the development, the termination of the SUDS strategy through areas of seasonally wet attenuation basins. In part providing an undisturbed natural habitat for local wildlife with minimal intervention, this area provides mitigation for habitat loss and a wet habitat rich in ecology)
- Nature Park Allotment and Orchard
- Access - The site is served by two vehicular access points, both bellmouth arrangements, onto Havant Road. The accesses will be constructed to HCC adoptable standards
- Pedestrian access – No pedestrian access is proposed to Westways, which is in accordance with the resolution of members at the August 2019 Planning Committee
- Off-site Works -provision of a 3m wide footway/cycleway along the southern side of Havant Road and improvements along the pedestrian route to Bidbury Infant and Junior Schools and around the Rusty Cutter roundabout and are secured through a legal agreement under application APP/18/00450.

3.4 The proposed scheme for the site has continued to evolve since the submission of the original application in response to comments from the internal and external consultees, local residents and officers at the Council. The amendments made to the scheme from the original submitted layout including:-

- The parking throughout the development has been broken up with soft landscaping;
- Additional landscaping has been provided at the entrance to the site to improve the initial vistas when entering the site

Nature of housing proposed

3.5 Relative to the previous approval of 320 dwellings, the present application would produce an uplift of 34 dwellings, resulting in 354 dwellings across the wider development site. This comprises 217 dwellings falling outside of the present application boundary and 147 within the current site boundary, relative to the 113 previously dwellings consented within this area. The table below show the proposed housing tenures against the previous approval.

	Approved units under APP/18/00450	Proposed units	Difference (total units)
Affordable units	96	106	10
Private units	224	248	24
	320	354	34

3.6 The table below show the proposed housing mix against the previous approval.

Beds	Approved mix			Proposed mix			Difference
	Private Housing Total	Affordable housing Total	Total	Private Housing Total	Affordable housing Total	Total	
1 bed	0	20	20	0	20	20	0
2 bed	67	36	103	53	46	99	-4
3 bed	127	36	163	164	36	200	37

4 bed	30	4	34	31	4	35	1
	224	96	320	248	106	354	+34

- 3.7 Of the 34 net increase in proposed dwellings, 10 will be affordable homes, a ratio of 29.4%. 3 of the affordable homes will contribute to shared home ownership (30%), whilst 7 will be available for affordable rent (70%).

Appearance and Layout

- 3.8 The overall appearance and character will not be significantly impacted from the original proposal, with all of the proposed housetypes being previously approved, with the exception of Kirkdale and Greenwood housetypes, which have been added to this scheme plotted. The same palette of materials is proposed as was originally approved.
- 3.9 The main departure in appearance will be to an area in the easternmost part of the site originally consented with a crescent shape. This will be amended to a more regular shape, consistent with the grain of the rest of the site, which preserves a significant area of open space but enables additional homes to be developed.

Landscaping

- 3.10 The landscaping scheme will closely reflect the consented scheme within the re-plan area, with only minor adjustments being needed to the positioning of green infrastructure elements (verges, hedges etc) where they are positioned around houses whose positions have changed. Outside of the re-plan area, much of the consented residential area and the southern open space area will remain as consented (being outside of the redline boundary of this new application). Boundary treatments will be maintained as consented to the site boundary and reflected as closely as possible within the re-plan area for residential property boundaries.

Proposed parking and layout

- 3.11 The level of parking will be increased in line with the additional units, to include an uplift in 7 no. visitor parking spaces, to be distributed throughout the site. The number of visitor spaces will total 71 across the site, as required to meet the standard of 0.2 spaces per dwelling. Private parking will be provided in line with required parking standards at 1 space per 1 bed house, 2 spaces per 2 and 3 bed house, and 3 spaces per 4 bed dwelling.
- 3.12 The proposed accesses will remain as permitted, which comprises two access points from Havant Road.

- 3.13 The planning application includes the following documents:

Statement of Community Involvement
Statement of Conformity with the emerging Local Plan
Air Quality Assessment
Archaeological Desktop Assessment
Land Contamination Assessment
Ground Conditions Report
Affordable Housing Statement
Infrastructure Delivery Statement

Ecological Mitigation and Management Plan
Wintering Bird Survey Report August 2019
Report to inform Habitats Regulations Assessment
Reptile Survey Report
Bat Activity Survey Report
Extended Phase 1 Habitat Survey
Revised Transport Assessment
Revised Travel Plan
Sustainability Review Report
Arboricultural Impact Assessment and Method Statement
Flood Risk Assessment
Utility Service Statement
External Lighting Report
Landscape Masterplan
Landscape & Visual Impact Assessment
Tree Report
Tree Protection Plan
Noise Impact Assessment Covering Letter
Noise Impact Assessment –
Planning, Design & Access Statement
Planning Layout (Site Layout)
Economic Benefits Statement

4 **Policy Considerations**

National Planning Policy Framework

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

The Development Plan

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

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

Havant Borough Local Plan (Core Strategy) 2011

The following policies are particularly pertinent to the determination of this application:
CS11 (Protecting and Enhancing the Special Environment and Heritage of

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

Havant Borough Local Plan (Allocations) July 2014

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

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

Submission Version Havant Local Plan

DR1 – Delivery of Sustainable Development
DR2 - Regeneration
IN1 - Effective Provision of Infrastructure
IN2 – Improving Transport Infrastructure
IN3 – Transport and Parking in new development
IN5 – Future management and management plans
E1 – High Quality Design
E2 - Health and wellbeing
E3 – Landscape and settlement boundaries
E6 – Best and most versatile agricultural land
E9 - Provision of public open space in new development
E12 – Low Carbon Design
E13 – Historic Environment and heritage assets
E14 – The Local Ecological Network
E15 – Protected Species
E16 – Solent Special Protection Areas
E17 – Solent wader and Brent Goose feeding and roosting sites
E18 – Trees, hedgerows and woodland
E19 – Managing flood risk in new development
E20 – Drainage infrastructure in new development
E22 – Amenity and pollution
H1- High Quality Homes
H2 – Affordable Housing
H3 – Housing Density
H4 – Housing mix
H5 – Retirement and specialist housing
H14 – Land at Forty Acres

Supplementary Planning Documents

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

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

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

No Objection subject to conditions

Building Control, Havant Borough Council

No comments

Coastal Engineering

No Objection subject to conditions

Community Infrastructure, Planning Policy & Urban Design

For APP/18/00450 there is an existing S106 dated 17 January 2020 and Deeds of Variation in progress reference:

- APP/21/00226 (relating to Schedule 5, clauses 1.2, 2.2, 2.3, 2.4 and 7.4).
- APP/21/00247 - S106 dated 17.1.2020 relating to Schedule 2, clause 1.1 - management company

The changes proposed will result in a further Deed of Variation.

In addition to increased amounts being required in respect of various Head of Terms (due to the increased quantum of development and potential new permission date) there may be other site-specific obligations arising out of statutory consultee responses.

CIL is applicable on the uplift elements of the development

Conservation Officer

No response

Countryside Access Team

No response

County Archaeologist, Strategic Environmental Delivery Group, HCC

No objection subject to condition:

I recommend that an archaeological condition is attached to any planning permission which might be issued to secure the archaeological mitigation already agreed and partially implemented so that the archaeological mitigation previously agreed remains secured

County Ecologist

The addition of 34 new units does not materially alter the previously agreed ecological mitigation, compensation and enhancement measures. The increase in units has required matters of nutrient neutrality to be addressed through an amended Habitats Regulations Assessment which concludes that neutrality will be achieved with the

increase.

Defra

No response

Southern Water

The sewers services at this location are the responsibility of Icosa Water Services Limited. There is an inset agreement/NAV agreement in place between Southern Water and Icosa Water Services Limited for the supply of sewerage services. The connection/ discharge points to the public network and agreed discharge flow rates must comply with inset/NAV agreements terms.

Portsmouth City Council

No response

Engineering Services,

No response

Environment Agency

No response

Environmental Health Manager

No Objection subject to condition - I have reviewed the documents submitted in support of this application and note that a good number of the technical assessments have been reviewed in connection with prior applications

Hampshire Constabulary

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

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

Hampshire County Council Education Department, Strategic Planning Unit

The additional 34 dwellings proposed for this development will generate approximately 10 additional primary age pupils, about one or two per year group. There are sufficient primary places within Havant to accommodate these additional pupils and no contribution for educational facilities will be sought.

Similarly, there are sufficient secondary age places in Havant to accommodate these additional pupils and, again, no contribution for educational facilities will be sought.

Hampshire Fire and Rescue Service

Comments relating to Building Control matters

Hampshire Wildlife Trust

No response

Hampshire Highways

No objection:

The applicant is proposing to re-plan part of the residential area of the site to facilitate 34 additional new homes. From the revised site layout, it is only the eastern side of the site where the internal road network has been changed. The Highway Authority provide no objections to the revised site layout subject to appropriate amendments approved through the S38. The amendments required are:

Revised drainage strategy will need to be amended in the S104 agreements and evidence submitted along with the revised S38 package if this application is approved

Vehicle tracking will need to be updated within the S38 package

In addition to the above, the bond figure and commuted sums are likely to be affected by the revised layout.

Highways England (now known as National Highways)

No objection

Housing Needs Manager, Havant Borough Council

Housing would support the principle of this replan as it will provide much needed additional affordable housing to meet the significant need of our borough.

Landscape Team

Initial comments

- At present the massing of the car parking is contrary to HBC design guides, which state; *'It is important the public realm is enjoyable and attractive. The car and highway should not dominate and create an environment that is harsh and unwelcoming. Large areas of hard surfacing given over to car parking can create a bland, uninteresting and unattractive environment for users and for buildings that address the space. In order to prevent this, the Council expects car parking spaces to be grouped in numbers no greater than five. Larger parking areas are expected to be broken up by at least two metre wide planting beds incorporating low-lying shrubs and trees with a vertical emphasis. Planting should be designed to soften the appearance of parking areas, without preventing reasonable surveillance.'* As such we require soft landscaping to reflect the design guide and break up the car parking.
- The cycle/footway connectivity on the north of the site is unclear in the submitted revision. Previously there was a 3m wide off road shared surface, which has now been removed to accommodate a access road. This is deemed to be a inferior design and we require the layout to include the 3m wide off road shared cycle route as per the previously approved layout.
- Given the amendments to the site layout we require the boundary treatment plans to be updated and resubmitted for comment.

Officer comment – *Amended plans have been received to address the points raised by the landscape officer, whilst a response is awaited officers are of the view that the revised plans address the points regarding the breaking up of car parking areas.*

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and wish to OBJECT to the proposals on the grounds that the Langstone Harbour Management

Plan states that “The open area around the harbour is part of the harbour’s landscape and nature conservation value and should be retained and managed for these purposes in association with the harbour itself”.

Local Lead Flood Authority

No objection subject to condition

Natural England

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. Provided the applicant is fully compliant the mitigation measures set out in the AA, an appropriate planning condition or obligation is attached to any planning permission to secure the contributions towards these mitigation measure, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of recreational disturbance, increase in nitrogen from wastewater discharges and loss of SPA supporting habitat on the integrity of the Habitat site(s).

Network Rail

The developer must ensure that their proposal, both during construction and after completion does impact on the railway network

Norse South East

No response

Nutrient Team

The development site, though utilising the proposed open space mitigates the impact of the uplift in numbers of this development

Planning Policy

No Objection:

The principle of the development of this site is supported in policy terms, based on the emerging policy position in the Submission HBLP. The planning permission is also a material consideration. The increase in the site's capacity is also welcomed, particularly in the context of the Council's current housing land supply position. There are various detailed matters e.g., affordable housing, housing mix, open space provision which need to be carefully assessed relative to the approved scheme.

Portsmouth Water Company

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

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

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

Public Health Team, Hampshire County Council

We welcome the ambition to provide healthy housing to support the growing population of Havant and Hampshire more widely.

Royal Society for the Protection of Birds,

No response

South Eastern Hampshire Clinical Commissioning Group,

No response received

***Officer comment:** Due to the current Covid-19 situation officers have advised the applicant of the NHS financial contribution tariff, which is based on a per dwelling unit basis*

Southern Electric

No response

Southern Gas Network

No response

Sport England

No response

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

Waste Strategy

No response

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: 155

Number of site notices: 3.

Statutory advertisement: 16/07/2021

Number of representations received: 17

Summary of representations

Principle of development

- Previously identified together with lands to the south as a gap between Havant/Bedhampton and Portsmouth and not recommended for development. The site was allocated for 320 houses and the developer is now being greedy and adding further units
- It takes out an important part of the Bedhampton / Portsmouth Gap and erodes the historic division between two developed areas resulting in a loss of identities for existing communities
- There is not the infrastructure, existing or planned, to support further residents
- Site could also be of historical and archaeological importance but not known as it's never been surveyed.
- Goes against key guiding principles for green and blue infrastructure, and important goals of connectivity and multi-functionality to create a robust network of green spaces to address identified deficits and need
- Given the early nature of the emerging plan, it ought not to be used for development management decisions ahead of its adoption. The proposal is contrary to current adopted policies at this time. It is also contrary to the Council's stated policy not to allow piecemeal developments or the infilling of a recognisable gap between areas of built form, thus harming the setting of the adjacent AONB which would weaken the stance taken to protect similar Gap land.

Highway issues

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

Drainage and Flooding Issues

- Havant Borough Council must be certain that the local drainage system will be able to handle the proposed housing on this site.
- Exacerbate existing drainage problems. Site prone to surface water flooding and this is only going to get worse with climate change putting other properties at risk
- Existing foul sewerage system is already at capacity with residents experiencing flooding, and Southern Water have been fined by the regulators for breaches of regulations
- Who is going to compensate households who are flooded again when natural drainage is reduced due to the extra housing proposed.
- Part of site is in flood zone 3, due to tidal flooding and therefore not an appropriate place to put development.
- In recent years frequent flood events, (affecting Westways), have been caused by a combination of surface water flooding
- The revised plan does not provide an environmentally sensitive plan for ground and flood water: the site is made up of clay
- SuDS can lead to poorer water quality downstream (with increased nitrate & 'diffuse pollution' levels through altering the natural hydrological cycle), and this in turn will impact negatively on the water in Chichester/Langstone Harbours

Impact on Ecology and Natural Features

- Object to more loss of valuable wildlife habitats and open spaces.
- Adverse impact on the Chichester Harbour Area of Outstanding Natural Beauty and Langstone Harbour, due to removal of the "green corridor" linking north- south
- Development of the site will see the loss of a significant number of established trees and hedgerows which will not be replaced within the new development
- Small area of green is worth saving it helps with the pollution from the bypass
- The green areas are not adequate to mitigate or enhance loss of wildlife habitat
- The green areas are not connected to other development and the proposal fails Havant's rich biodiversity, leaving vulnerable species isolated, and therefore unviable.
- Loss of habitat for the protected birds which are seen on this agricultural site, this will destroy the population of these birds.

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.
- Further dwellings will create further noise and disturbance on existing well-established properties.

General Design and Layout Issues

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

Other Issues/comments

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

Matters raised which are not material planning considerations

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

7 Planning Considerations

- 7.1 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as the Habitats Regulations). The application is accompanied by a suite of ecological reports, which were also considered in detail under the approved application APP/18/00450.
- 7.2 The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to both the increase in recreation, decrease in water quality and impact on Loss / degradation of supporting habitats that arise as a result of the proposed development. The planning application was then subject to Appropriate Assessment under Regulation 63. This included four avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. The third is a package of measures relating to establishing permanent refuges for overwintering birds on this site. The fourth is measures to control the impact on the environment during construction of the development. The mitigation measures proposed in this application consist of utilising the approved package of measures secured under the permitted scheme APP/18/00450.

Recreational Pressure

- 7.3 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the Draft Havant Borough Local Plan 2036 and the Solent Recreation Mitigation Strategy, a permanent significant effect on the Solent SPAs due

to increase in recreational disturbance as a result of the new development is likely. As such, in order to lawfully be permitted, the development will need to include a package of avoidance and mitigation measures. The applicant has proposed a mitigation package based on the methodology in the Developer Contributions Guide. The scale of the proposed mitigation package would remove the likelihood of a significant effect. The applicant has confirmed that they would be willing to enter into a legal agreement to secure the mitigation package in line with the requirements of the Habitats Regulations and Policy DM24.

Water Quality

- 7.4 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. NE have highlighted that there are high levels of nitrogen and phosphorous input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment, which reflects NEs latest advice.
- 7.5 The Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, such as this one, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will not emit a nutrient load into any European Sites. The calculations for this development site are found within the completed Appropriate Assessment.
- 7.6 Achieving a position where there are no net nutrient emissions into European Sites from this development involves the use of specific on-site avoidance and mitigation measures. Appropriate planning and legal measures will be necessary to ensure it will not revert back to agricultural use, or change to alternative uses that affect nutrient inputs on the long term. Natural England have agreed with this assessment.

Wintering Birds

- 7.7 The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS). It is accepted that the loss of some sites already used by wintering birds, but which are available on an insecure basis, can be compensated for by the provision of permanent habitat: a single area of permanently-available habitat is judged to be better than several areas that could be unsuitable at any time. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For Low Use and Secondary sites as here at Forty Acres the principle of compensated loss is acceptable, which was the conclusion reached under the permitted application APP/18/00450.
- 7.8 The previous application proposed to provide a permanent wintering bird refuge in the east of the site and the general principle of this is acceptable. The primary purpose of

the refuge is to offset the loss of H04B (to housing) and some of H04C (to open spaces/SuDS), and to ensure that the overall network of SWBGS sites is maintained (by securing permanent land at the Forty Acres site) and, where possible, enhanced (by providing improved permanent rather than intermittent habitat). This location of the additional uplift in dwellings on this site is within the approved residential development area. Measures have been used to enhance it and ensure that there is continuity of habitat for wintering birds: this is primarily through fencing (deterring disturbance), habitat improvement (providing optimal habitat in every winter) and ensuring long-term (in perpetuity) management and monitoring.

- 7.9 The establishment of the refuge, which has been overseen by the Council's ecologist consultant, in partnership with Natural England (conversion of arable to permanent grassland) has been carried out by the developer, and has included infrastructure such as fencing, vegetation screening and signage. This has comprised the use of a clover ley grassland mix which is acceptable and should provide suitable foraging habitat for brent geese and certain wader species (academic research shows that such grassland is a preferred habitat). The provision of several shallow scrapes should also add useful habitat for all SPA birds provided they retain water in the correct season (this is why ongoing monitoring and management is essential). Management operations entail twice-annual cuts plus any interventions as necessary to ensure that the refuge is in suitable condition for the overwintering period. Overall, the principle of the proposed refuge was acceptable in the previous application APP/18/00450 and is considered appropriate for the uplift in dwellings sought within this application.

Construction impacts

- 7.10 There is potential for construction noise and activity to cause disturbance of SPA qualifying bird species present on site, either using existing habitats or those created as mitigation. Control measures have been included within the approved Construction Environment Management Plan (CEMP), under application APP/18/00450, these included controlling matters such as minimising idling by machinery, locating construction compounds in less noise sensitive areas of the site and maintaining machinery to further reduce these noise levels. Subject to the imposition of a condition securing these controls, it is considered that the significant effect due to noise, disturbance and construction related pollutants which would have been likely, has been suitably avoided and mitigated. As such, no likelihood of a significant effect remains on this issue.

Atmospheric pollution

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

Appropriate Assessment conclusion

- 7.12 The Appropriate Assessment concluded that the four avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 7.13 Having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Nature of Development and impact on the character and appearance of the area
- (iii) Impact on heritage asset
- (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) Impact on archaeology
- (x) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) Principle of development

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

The Development Plan

7.15 The Development Plan consists of:

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

Submission Havant Borough Local Plan

7.16 The Submission Havant Borough Local Plan was submitted for examination by the then Secretary of State for Housing Communities and Local Government on 12 February 2021. Through initial questions, the matters and issues and during the Stage 1 Hearings in July 2021, the inspectors sought clarification about whether the Council had done all it could to try and boost supply of housing in the short term, given that it would be unable to demonstrate a five year supply housing on adoption of the Plan. On this basis, officers indicated that the Council would be willing to consider further allocations in addition to those included in the submitted Local Plan to increase its five year supply.

At the time of publication, an Interim Findings Report, following the stage 1 hearings, is yet to be published. This is likely to change prior to the committee date and an Update Report will be provided in this instance.

7.17 The site is identified as a site allocation in the Submission Local Plan under Policy H14 which must be afforded weight in the determination of any subsequent application. Planning permission reference APP/18/00450 is also a material consideration. The site is allocated for about 320 dwellings under Policy H14 in the Submission Local Plan.

The application proposals would increase the site capacity to 354 dwellings (an additional 34 units). In terms of density, this would result in an increase from 41 dwellings per hectare to 46dph. This is considered appropriate having regard to the way in which allocations are set at 'about' meaning site capacities are not deemed to be maximums or minimums. Furthermore, it is considered that the proposed revisions would maximise the use of the site in a sustainable manner.

Consistency with the National Planning Policy Framework

- 7.18 The Secretary of State's National Planning Policy Framework (July 2021) is a material consideration which should be placed in the s.38(6) planning balance.
- 7.19 The NPPF's primary objective is to promote sustainable growth and development through a "plan-led" planning system. Paragraph 11 of the NPPF advises that a presumption in favour of sustainable development is seen as the golden thread running through both plan-making and decision making, which means; "approving development proposals that accord with the development plan without delay, and; where the development plan is, absent, silent, or out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
- 7.20 The Council published its latest 'Five Year Housing Land Supply Update in September 2021. This indicates that the Council cannot demonstrate a five-year supply of deliverable sites. The assessment found that the Council could only demonstrate a 4.3 year housing land supply, with a 20% buffer. In addition, the Housing Delivery Test (HDT) for Havant indicates that delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years.
- 7.21 In response to the December HDT results, the Council published the Housing Delivery Action Plan in January 2021, which sets out measures the Council is taking to reduce further under-delivery and improve delivery going forward. This document acknowledges that "The small, constrained and heavily urbanised local authority means site availability to meet housing need is extremely limited within Havant Borough." It also highlights that substantively; the lack of five year supply is due to events outside of the Council's control. However, steps have been put in place to help rectify the situation and improve housing delivery.
- 7.22 The Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan are to be considered out of date. In such cases it is considered that the tilted balance applies in favour of housing development and that planning permission should be approved without delay unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme.

Five year housing land supply and delivery of housing need

- 7.23 The Government has an objective of significantly boosting the supply of housing. Under paragraph 74 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place, proposals for development should only be refused if:

- The site is within particular designated areas set out footnote 7 of the NPPF. The application site in question is not within any of these areas.
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.24 As stated above, the Council's Five Year Land Supply Update September 2021 indicates the Council has 4.3 years supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF). However, significantly it does not follow that there is an automatic assumption that planning permission should be granted. There is still a need to carry out a balancing exercise – however, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme.
- 7.25 As has been outlined the principle of residential development for an element of the site has been established through the granting of application APP/18/00450. Furthermore, it is considered that the proposed revisions would maximise the use of the site in a sustainable manner and would not prejudice the environmental benefits that were secured through the previous application. Whilst the uplift in 34 dwellings sought within this application would not address the Council's five year housing supply shortfall, it would provide further much needed residential development. As such this proposal would make a contribution in remedying the Council's housing land supply shortfall and this must be afforded weight in the overall planning balance.

Deliverability

- 7.26 The NPPF, in annex 2, clarifies that:
 "To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."
- 7.27 The development approved under the previous application is currently under construction, as such there would not appear to be any off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the current 5-year period, which weighs in support of the scheme.

Environmental Sustainability

- 7.28 Introducing further residential development, which is within the approved residential development area would have a limited impact, as any harmful visual impact of the development would be localised within the re-plan areas. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area, which is considered in more detail further in this report. Furthermore, the secured provision in the previous application of the habitat mitigation open space comprising nature park, play areas, allotment and orchard provision is of significant benefit to this application.
- 7.29 In terms of the location of the site relative to services and facilities the closest such services are offered by Farlington, with the site being situated approximately 1km to the nearest facilities. The site is located within close proximity to a number of bus routes with bus stops on the northern and southern carriageway of Havant Road.

- 7.30 In addition, Bedhampton railway station is 2 km from the site, which offers stopping services towards Brighton to the east and Southampton and Portsmouth to the west. In accessibility terms, the site is in a sustainable location, and has realistic alternatives to the use of the car, which weighs in support of the scheme.

Economic Sustainability

- 7.31 One of the core planning principles of the NPPF is proactively to drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs.
- 7.32 As with any new housing the proposed development would bring people into the area which would be a continuing economic benefit that would support growth in the local economy. In addition, the additional uplift in development on this site would also create or maintain construction jobs, which would contribute towards the local economy. Furthermore, the proposed development would result in financial contributions being secured to offset certain impacts of the development including contributions towards the provision of enhanced community infrastructure.
- 7.33 Provided they are appropriately secured and address any adverse impacts of the scheme, these elements are all considered to be benefits in the planning balance and overall, it is considered that the development would be economically sustainable.

Social Sustainability

- 7.34 In accordance with the local plan development is only to be permitted where adequate services and infrastructure are available or suitable arrangements can be made for their provision. Where facilities exist, but will need to be enhanced to meet the needs of the development, contributions are sought towards provision and improvement of infrastructure. The approved application APP/18/00450, secured a number of transport and infrastructure improvements. A development should also offer a mix of house types and tenures to ensure a balanced and thriving community. The applicant has been working with the LPA on a draft S106 and has agreed to the principle of the obligations sought.
- 7.35 The application proposes a range of house types, sizes and tenures would be provided on site, including 29.4% affordable housing (shared ownership and affordable rented) in accordance with Policy CS9 of the Core Strategy. The Council's adopted Affordable Housing SPD is also a material consideration, as is the NPPF which aspires to "deliver a wide choice of high quality homes in inclusive and mixed communities to meet the needs of different people". A financial contribution is also required in lieu of the 0.6 dwelling, needed to meet the 30% affordable housing requirement, this contribution is currently being calculated by the Housing Team, and members will be updated in due course on this matter. Overall, the Housing Officer supports this proposal.
- 7.36 The approved development secured significant areas of open space, which has a variety of uses, which could be used by both new and existing local residents and is considered to be a significant benefit in the overall planning balance. In addition, the approved development secured provision of a new pedestrian/cycle access across the Rusty Cutter, which will be of benefit to both new and existing local residents, by enabling safe and sustainable access to facilities in Bedhampton and Havant. Contributions would be secured in this application for additional dwellings through the Community Infrastructure Levy to improve off-site community infrastructure in accordance with relevant adopted policies and the adopted SPD on Planning

Obligations.

Education and Health

7.37 The capacity of local schools has been considered in assessing the proposed development and infrastructure requirements. Hampshire County Council, as the Local Education Authority (LEA), has advised that the additional 34 dwellings proposed for this development will generate approximately 10 additional primary age pupils, about one or two per year group. There are sufficient primary places within Havant to accommodate these additional pupils and no contribution for educational facilities will be sought. Similarly there are sufficient secondary age places in Havant to accommodate these additional pupils and, again, no contribution for educational facilities will be sought. The LEA have outlined that a safe walking route to Bidbury Infant and Junior Schools and Warblington Secondary School across the Rusty Cutter roundabout was secured under the previous application APP/18/00450.

7.38 The resulting additional growth in the local population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; in primary, community and secondary care settings. The level of additional demand that will be placed on NHS primary care does not warrant the commissioning of an additional GP surgery. However, the increased demand will be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development, however additional capacity within the premises will be required. As such a financial contribution is sought to enable those practices impacted, to make suitable building adaptations to facilitate this growth, this will be secured through a legal agreement.

7.39 In conclusion on this issue,

- (1) The scheme is contrary to the development plan
- (2) National policy is a material consideration
- (3) The presumption in favour of sustainable development is engaged in this case because: (a) the Council cannot demonstrate a 5 year supply of deliverable land for housing and (b) the main important policies for the determination for the application set out in the development plan are out of date in that respect.
- (4) The proposals would constitute sustainable development in policy terms, and would make efficient use of land, having regard to the established principle of residential development on this part of the site.
- (5) It is deliverable now and is required to bolster the 5 year supply.
- (6) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan

(ii) Nature of Development and impact on the character and appearance of the area

7.40 The current application to increase the number of dwellings by 34, 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

7.41 This revised application to provide a total of 354 dwellings equates to approximately 46

dwelling per hectare(dph), compared to the previously permitted 41dph approved under application APP/18/00450. 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'.

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

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

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

Under this assessment, the density of development can be considered to be within the Medium Density category, compared to the previous approved low density scheme.

- 7.43 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'.
- 7.44 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'. This scheme has increased the density of the development, so that it now is within the medium density at 46 dph, this increased density is considered to make an efficient use of land, within the approved residential area. Furthermore, it is considered that this is an appropriate density given the context of the site on the edge of the settlement, taking into account the surrounding area, and site constraints such as the gas main, need for open space, protected trees, proximity to the A3(M), A27 and railway, and with the southern part of the site being in flood zone 3, and associated drainage requirements.

The Mix of Dwelling Sizes and Tenures

- 7.45 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should 'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities. Paragraph 6.24 states that a mix of dwelling types is sought from terraces, semi-detached and larger detached houses. This development does provide a mixture of dwelling sizes and tenures, furthermore the affordable units are spread throughout this revised scheme, and the development as a whole, and in terms of building form they are consistent with the development in general, and overall are considered to be acceptably integrated.

The Design and Layout of the Development

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

Havant Borough Local Plan

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

Vision and delivery strategy

- 7.51 Policy DR1 – Delivery of Sustainable development outlines the council's strategy with regards to delivering sustainable development as outlined in the NPPF. This policy outlines the amount of development required, ensuring the delivery of sustainable development, ensuring appropriate co-ordination of development. In addition, the policy focuses on innovation and the acceleration of housing delivery.
- 7.52 Policy DR2 – Regeneration outlines the council's vision for regeneration. This encompasses both a council led programme of regeneration and the effective use of brownfield land. This policy also focuses on boosting local skill levels and community integration. As part of this element the policy outlines that developments of this nature will contribute towards a community officer, to help new residents in the development

integrate into existing communities. The applicant has agreed to make this contribution, for the additional 34 dwellings - a contribution was also secured in the approved application, and as such this application does comply with this emerging policy.

Infrastructure Policies

- 7.53 Policy IN2 – Improving Transport Infrastructure requires amongst other strategic transport requirements to facilitate the proposed development within the plan. In this case the application will benefit from proposed off-site transport enhancements to the Rusty Cutter roundabout, to allow a safe crossing point for pedestrians and cyclists, which is secured under the approved application.
- 7.54 Policy IN3 – Transport and Parking in new development broadly follows the requirements of adopted policy CS20 of the Core Strategy. This proposal does fully comply with parking standards for each dwelling, including the required level of visitor parking for the residential element. This policy additionally requires that Electric vehicle charging infrastructure is provided for each residential unit with private off-street parking. Following discussions with the applicant, amended plans have been received, which provides for some of the dwellings to have EV charging points. The applicant has outlined that they are not providing EV charging points to all the dwellings, given the current limited weight of the plan and is not within their business model to do so at this present time.

Environment Policies

- 7.55 Policy E9 – provision of public open space in new development seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through requiring the provision of a certain level of public open space. This policy requires that public open space is provided to a standard of 1.5ha per 1,000 population and on greenfield sites, part of this requirement is provided in the form of a community growing space. This policy also seeks to provide that an element of play space is provided, where the overall required open space provision exceeds 0.5ha. Given these thresholds this would generate a need of 1.10ha of open space. The approved application secured extensive areas of open space of at least 9.37 ha (excluding the mitigation zone, which is not publicly accessible), which includes play areas, community garden and allotments. As such the overall development would significantly exceed the requirements in emerging policies.
- 7.56 Policy E12 – Low Carbon design seeks to ensure that new development addresses climate change through low carbon design. In residential schemes, this requires a reduction in CO2 emissions of at least 19% of the Dwelling Emission Rate (DER) compared to rate required under part L of Building Regulations. In addition, the policy seeks to ensure that the development has demonstrated its long-term sustainability in the form of an assessment under the Home Quality Mark (HQM) One. The applicant has outlined that they will not be providing these enhancements for the residential element, as they have objected to this Local Plan policy, as they do not feel that there is justification for the Local Planning Authority seeking to go beyond Building Regulation requirements, which controls such matters. The proposal does not therefore meet these emerging requirements in this regard.
- 7.57 Policy E14 – The Local Ecological Network requires that new development results in biodiversity net gain. The permitted application secured an ecology strategy that recognised the key nature conservation features of the site, namely the open space area to the east of the site that is being retained for Brent Geese. The ecology strategy seeks to improve the quality and interconnectedness of this habitat. A key part of the

permitted landscape masterplan is the proposal for a number of attenuation basins and ponds which not only provide valuable habitat in their own right, but increase the value of existing, retained habitats. Additional features have been incorporated such as the creation of species rich wetland areas, wildflower and grasslands, the implementation of these new features, parkland, tree planting, together with the installation of bat and bird boxes and reptile refuges. These features have been designed to complement habitats in the wider area.

Housing policies

- 7.58 Policy H1 of the Local Plan 2036 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through, inter alia, appropriate internal space standards for new dwellings.
- 7.59 The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25th March 2015. This statement should be taken into account in applying the NPPF. New homes need to be high quality, accessible and sustainable. The Council does not have a current Local Plan Policy that allows it to require compliance with these standards. Policy H1 is proposed within Draft Local Plan which would secure new housing developments to provide adequate internal and external space to ensure appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. This application proposes that across the overall site (taking into account the approved scheme) that 103 (32%) of the dwellings would comply with the Technical Space Standards. As such this proposal partially complies with the emerging requirements in this policy.
- 7.60 Policy H3 – Housing density now requires that development within the Borough provides minimum housing densities, depending on their location. This is to ensure that development maximises the finite amount of land in a full and sustainable manner. This application site is located within an area that requires that development to achieve a minimum of 40 dwellings per hectare. This revised application achieves a density of 46 dwellings per hectare, making more efficient use of land than the previous application which therefore complies with this policy.
- 7.61 In conclusion on this matter, the Havant Borough Local Plan, is currently at examination with the Planning Inspectorate. As such in accordance with paragraph 48 of the NPPF, and having regard to the level of objection received during the pre-submission consultation, it is considered that only limited weight can be attributed to the policies within it. Notwithstanding, a number of relevant emerging policies have been fully or partially met and this threshold has been weighted into the overall planning balance made on this application.

(iii) Impact on heritage asset

- 7.62 Within the wider application site was a flint cottage that was identified as a building of local interest, which was located within the approved open space, and has now been demolished. Whilst it did not benefit from the level of protection that a statutorily listed building would, it was considered to have heritage value. This is covered by local plan policy CS11 - Protecting and Enhancing the Special Environment and Heritage of the Borough. This policy advises that development should protect and where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to consideration areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, building of local historic or architectural interests. In the permitted application the principle of the demolition was accepted as a viable re-use of this building was not

forthcoming. There are no other heritage designations within the application site.

(iv) Impact upon residential amenity

- 7.63 As outlined in paragraph 3.2, this development does not propose to amend the approved layout adjacent to the properties in Westways, which was an element of the application that was debated in detail at the Planning Committee for the permitted application APP/18/00450. The application proposes to amend elements within the central and eastern parts of the scheme, which are contained within the approved layout. As such given the degree of separation of these elements to the existing residential properties of Westways and Auriol Drive, which is to the north of Havant Road, the proposed development is not considered to have a significant adverse impact on the amenities of these neighbouring properties with regard to loss of sunlight/daylight, overlooking or overbearing impact.
- 7.64 It is acknowledged that the increase in dwellings will increase activity across the site, however an additional 34 residential dwellings is not considered to result in a significant adverse impact on the amenities of the immediate and surrounding neighbouring properties.

Impact on future residents

- 7.65 Policy CS16 states that proposals for noise-sensitive development, including residential uses, which would result in the occupiers of such development being exposed to unacceptably high levels of noise will not be permitted. This policy is consistent with that of Paragraphs 170 and 180 of the NPPF, which respectively require that planning should always seek a good standard of amenity for existing and future occupiers of land and buildings, and that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, amongst other things, unacceptable levels of noise pollution.
- 7.66 The permitted application considered the impact of the development on future occupiers from noise generated from traffic on the A3(M), A27, Havant Road and railway line. The noise assessment proposed that a number of properties on the northern and southern edge of the development will have to have a higher glazing specification, whilst most will have to be provided with alternative ventilation as an alternative to opening windows. The report concluded that development can be delivered without causing significant harm to the amenity of future residents. The detailed layout and elevations propose an almost continuous built form which will also reduce noise levels to external private amenity areas, and the rest of the development. Overall, the Environmental Health officers are satisfied that subject to conditions a satisfactory environment for future residents can be achieved.

(v) Access and Highway Implications

- 7.67 The National Planning Policy Framework (NPPF) at Paragraph 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 of the NPPF also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise

conflicts between traffic and cyclists or pedestrians.

- 7.68 In the permitted application, APP/18/00450, extensive representations were received by interested parties raising concerns as to the highways impacts and related accessibility issues of this proposal, which have been raised in this further application. In particular concerns are raised that the existing highway network in the vicinity of the site is heavily used, congested and restricted, particularly regarding congestion, delays and safety on Havant Road and the Rusty Cutter roundabout. The consequences of this are that the development would result in harm by adding traffic to this existing situation. In addition, concerns are raised as to accessibility and movement by alternative means of transport including cycling, walking and public transport to facilities and the identified catchment schools for this site, which have been identified as Bidbury and Warblington.
- 7.69 The applicant has submitted an updated Transport Assessment to take into account the additional 34 dwellings. The TA undertook junction capacity modelling at the following junctions:
- Rusty Cutter roundabout
 - A27 Teardrop junction
 - Havant Road/Auriol Drive
 - Havant Road/Bedhampton Hill
 - Bedhampton Hill/Portsdown Hill Road/Bedhampton Road
 - Havant Road/Farlington Road
 - Havant Road/Eastern Road

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

- 7.70 The trip rate assessment indicates that the proposed development would generate approximately 17 additional trips in both the AM peak (0800-0900hrs), and PM Peak (1700-1800hrs), and approximately 168 additional trips across the day. For the purposes of comparison, the permitted development was forecast to create approximately 1588 trips across the day.
- 7.71 Utilising the vehicle distributions outlined in the Transport Assessment it is possible to assign the additional vehicle trips through the two site accesses and onto the local road network. In order to understand the operation of the site accesses with the additional unit numbers the results of the junction capacity assessment completed as part of the TA have been reviewed. The results of the modelling for both accesses demonstrated the junction would perform within capacity in all scenarios with the highest RFC value of 0.26 on the site access arm of the eastern access in the 2028 future year which resulted in a maximum queue of 0.4 or delay of 19.99 seconds. This therefore demonstrates that the accesses have sufficient capacity to accommodate the increase of 34 dwellings. Having regard to paragraph 109 of the NPPF, which refers to the cumulative impacts of development, it is not considered that the development would result in 'severe impacts' to the local and strategic transport network.

Access and off-site highway works

- 7.72 The site will be served by two vehicular access points, which were permitted in the previous scheme, both accesses would be of bellmouth arrangements 7m wide supported by 15m radii. The access roads would reduce in width to 5.5m approximately 20m into the site. These dimensions would allow two vehicles to pass when concurrently turning in and out of the access and would allow large vehicles to

enter and exit the site safely without utilising the other side of the road. These site accesses are considered appropriate to accommodate the additional 34 dwellings.

- 7.73 As outlined in paragraph 3.3, this application does not impact on the approved Off-site Works (provision of a 3m wide footway/cycleway along the southern side of Havant Road and improvements along the pedestrian route to Bidbury Infant and Junior Schools and around the Rusty Cutter roundabout. The Highway Authority do not consider that any further additional works are required, above and beyond what has been secured under the approved application APP/18/00450.

Internal layout and parking

- 7.74 The development is designed to replicate the approved layout, with slight changes to the road layout, as part of this application. The internal roads are designed to adoptable standards, with Hampshire County Council to adopt the roads, which would accommodate the occasional Heavy Goods Vehicle (HGV's), such as refuse vehicles, emergency services and food home deliveries. In addition, the internal roads will be able to cater for occasional on street visitor parking. As the internal road moves out towards the periphery of the site into quieter cul-de-sacs, there will be shared-surface carriageways adopting 'home zone' principles. The internal site design would achieve the required inter-visibility for vehicles travelling up to 15/20mph within the site, supported by planting maintained to a suitable height to ensure visibility is maintained at all times.

- 7.75 The permitted application proposed a segregated pedestrian route through the centre of the site to the open space located in the southern part of the site. This element of the development remains part of this application, and will be secured in conjunction with the development approved under application APP/18/00450.

Parking

- 7.76 The Council's adopted car parking standards SPD sets out minimum vehicular parking requirements. Based on the accommodation schedule for the replanned 147 dwellings, a provision of 313 allocated car parking spaces would be provided. In addition, and in accordance with HBC's standards a further 43 spaces are provided as formal visitor spaces within the red line of this application, totalling 68 visitor spaces across the site as a whole. As such for this element of the proposal it is in accordance with the SPD requirements.

Cycle parking

- 7.77 Based on the accommodation schedule for the replanned 147 dwellings, the site would need to provide a total of 294 long stay cycle spaces which would be provided in rear garden sheds or garages. As per the previous application, short stay parking is provided within individual plots' rear gardens.

Travel plan

- 7.78 The approved application had secured a travel plan detailing how more sustainable modes of travel would be encouraged. The Travel Plan now meets the standards set out in HCC's 'A guide to development related travel plans', and it is considered acceptable for the purposes of the additional dwellings proposed in this application.
- 7.79 Taking all these highway factors together it is considered that the additional dwellings on this site would be sustainable in transport terms, with the mitigation measures proposed in the S106 Agreement in the permitted application APP/18/00450 and

further conditional requirements in this application. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused. It is clear in paragraph 109 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe and therefore a reason for refusal on this basis could not be justified.

(vi) Flooding and Drainage

- 7.80 Currently, most of the site lies in Flood Zone 1, with the southern part of the site affected by Flood Zones 2 and 3, from potential tidal flooding. The NPPF Technical Guidance (Table 2) designates buildings used for residential as “more vulnerable” to flood risk. The proposals must therefore satisfy both the Sequential and Exception tests, as set out in the NPPF, in order for development to be permitted. These matters were considered in detail in the permitted scheme, APP/18/00450, and were considered to pass these tests and the principle of building on this element of the site was established, however given that additional dwellings are proposed, consideration must be given to these matters again. These tests are considered in detail below:
- 7.81 The Sequential Test aims to direct development towards areas of lowest flood risk. This applies to all development proposals in Flood Zones 2 and 3 (as stated above, the southern part of the site is within Flood Zone 2 and 3, which largely comprises the proposed open space and elements of residential development). The NPPF states that "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding".
- 7.82 In this case, the requirements of the Sequential Test should be considered alongside the wider available and suitable land for residential development within the borough, through providing further residential units, within the approved residential layout. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test.
- 7.83 Moreover, as part of the site is within Flood Zone 3, the proposals must also demonstrate compliance with the "Exception Test". The NPPF states that for the Exception Test to be passed:
- "it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
 - a site-specific flood risk assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."
- Both elements of the test must be passed for development to be permitted.
- 7.84 In respect of the first requirement, to demonstrate "wider sustainability benefits", this proposal would provide much needed additional housing, in an approved residential layout within the borough, together with the benefits provided by the permitted scheme, which included open space and ecological enhancements in accordance with sustainable development principles. In addition, as part of the evidence base for the emerging local plan a Strategic Flood Risk Assessment has taken place, which considers the site and the measures that have been proposed in this planning application, which are considered below.

- 7.85 The second requirement to demonstrate that the development will be safe was the subject of discussions between the applicant, Environment Agency (EA) and the Local Lead Flood Authority (LLFA) in the permitted application and resulted in a Flood Risk Assessment being submitted. The EA have assumed that the application site will flood during a 1 in 100 year event, allowing for the effects of climate change. As such the Flood Risk Assessment outlines that the greatest risk of flooding to the development has been identified from tidal flooding for the southern part of the site.
- 7.86 The FRA assessed the extent of the area at risk over the lifetime of the development and identifies that about one third of the northern part of the site is unaffected by the extent of the 2115 tidal flood zone, which takes climate change into consideration. Access to the site is to the north and is not at risk of flooding. The potential tidal flood levels over the development lifetime (100 years for residential development) are estimated at 4.4m Above Ordnance Datum (AOD). A topographic survey has shown existing ground levels to be below 4.4m AOD. Given this situation the primary mitigation to reduce the risk of flooding from all sources has been proposed in the form of elevating levels to a minimum of 4.4m AOD and will set finished floor levels at 4.7m AOD. This development will be located within the approved residential layout, and as such would be located on this raised ground, with finished floor levels being in accordance with the approved levels. This will therefore make the development safe from tidal flooding.

Surface Water Management

- 7.87 The permitted drainage strategy for surface water management considered key elements of the constraints and opportunities in the development of the surface water drainage strategy were as follows:
- Consideration of infiltration drainage, if feasible;
 - Using green corridors where possible to take exceedance flows;
 - Surface level Sustainable urban Drainage Systems (SuDS) features such as a wet pond would be considered highly beneficial;
 - Attenuation basins to be located outside of the flood zones and consideration to the effect of tide lock should be undertaken to assess impact to onsite attenuation.
- 7.88 The permitted drainage strategy outlined that use of infiltration was not been deemed suitable based on the intrusive investigations carried out onsite, which indicate a highly silty Clay geology over a weathered chalk stratum. The use of both attenuation basins and ponds are proposed within the surface water drainage scheme and whilst part of the basins are located within Flood Zone 3 (tidal flood zone), the levels of the basin have been raised and the impact of tide lock considered as part of the attenuation scheme. This mitigating the potential impact of placing the basins within the designated flood zone. The principles of placing the attenuation basin and features within Flood Zone 3 and mitigating this through raising the levels above the tidal peak flood level have been agreed by the EA.
- 7.89 The surface water drainage strategy design has been devised and hydraulically modelled to demonstrate that the scheme can be suitably implemented without increasing the level of flood risk when the surface water drainage system experiences a 1:100 year rainfall event (including additional 40% allowance to take into account climate change).
- 7.90 The surface water drainage scheme has been designed to ensure:
- A reduction in the pre-development site discharge for peak storm events.
 - SuDS systems are wholly incorporated within the scheme.

- Consideration is given for the improvement of water quality within the design.
- The designed drainage scheme can satisfactorily retain a critical 1 in 100 Year storm event with additional 40% allowance for climate change.

- 7.91 The agreed drainage strategy replicates as closely as possible the natural drainage from the site before development and improve water quality. The proposed run-off from the access roads, drives and parking bays will be conveyed to the new below ground surface water network via trapped gullies. The rainfall run-off from the roofs of the new properties will discharge directly into the below ground surface water network. The surface water network will convey the flows, under gravity, southwards towards the new attenuation basins and SuDS ponds. This will provide attenuation of the restricted flow prior to discharging to a series of ponds and scrape creation areas/ bio retention areas, which will provide multiple levels of SuDS treatment to the surface water flows prior to final discharge to the Langstone Harbour via the surface water outfall and existing watercourses. The discharge into the existing watercourse will be at a controlled rate, with the SuDS features improving the water quality, equivalent to the Greenfield runoff rate for the pre-developed site. The LLFA have confirmed that this system can accommodate the additional dwellings proposed in this application.
- 7.92 A management company will be given ownership of all SUDS structures on this site. The Section 106 Agreement in the permitted scheme has approved full details of how the SUD's are managed and maintained to ensure the optimum operation of the system.

Foul sewerage

- 7.93 The approved foul sewerage arrangements drains to an adoptable foul water pumping station situated adjacent to the proposed allotments, near the western boundary of the site, in close proximity to Westways. The pumping station will connect into the existing foul drainage network in Havant Road via a rising main. The proposed additional foul sewerage from the additional dwellings can be accommodated within the approved foul sewerage arrangements.
- 7.94 In conclusion on this matter, whilst an element of the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed additional housing within the borough. In addition, it is considered that the measures in place to ensure that the development is free from the risk of flooding and is sustainably drained. Furthermore, the proposal would mitigate against flooding and improve drainage in the wider area, through provision of additional flood storage capacity, which is above and beyond the requirements outlined and required from the statutory consultees.

(vii) The Effect of Development on Ecology

- 7.95 The site overall before the approved development commenced was not considered to be of particularly high ecological value. The vegetation communities are generally species-poor and comprise improved grassland, cereals and boundary hedgerows, scrub and planted trees. The site had long been cultivated as arable, with areas of permanent pasture. Small waterbodies were present at the southern boundary and within the small collection of farm buildings in the centre of the site.
- 7.96 Given that the site is not of particular value to bats the impacts are not considered to be significant, provided that mitigation measures are incorporated. This includes the retention of boundary tree lines, the provision of wetland and terrestrial habitats within the 'nature area' immediately south of the housing, and a sensitive lighting strategy.

(viii) Impact on Trees

7.97 The Council's Arboriculturalist has advised that the supporting arboricultural evidence provided by the applicant is comprehensive. The application proposes to largely keep the trees subject to a Tree Preservation Orders (TPO's), as per the approved application, which did result in the internal roads punctuating through to provide the internal access arrangements. As such tree removal is required to facilitate development, including those not subject to TPO. These trees are all of low BS: 5837 (2012) grading, and as such should not be considered a constraint to development.

(ix) Impact on archaeology

7.98 Forty Acre Farm has been considered for its below ground archaeological potential as part of an Archaeological Desk Based Assessment which has been submitted as part of this planning application. In terms of relevant nationally significant designated heritage assets, no World Heritage sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites are identified within the study site or its immediate vicinity. In terms of relevant local designations, the site contains no designated or undesignated heritage assets currently recorded.

7.99 The present application impacts the same area as the previous application but provides for a greater number of dwellings. The present application impacts the same area as the previous application but provides for a greater number of dwellings. The archaeological implications for the scheme. Preliminary archaeological survey took place and a number of archaeological sites were identified that merited further mitigation. A written scheme of investigation for this follow up mitigation was prepared, however has not yet been discharged as the final stages of analysis and publication are awaited, which can take while after completion of field work, a relevant condition is proposed to secure this.

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

7.100 The impacts of the proposed development on key infrastructure have been assessed, with regard to the additional requirements for the uplift in residential units which would be the subject of a legal agreement as set out below.

The CIL liability for this site currently stands at £2,275,029.32 - this is net of Mandatory Social Housing Relief. Additionally, having regard to the consultation responses received and the planning considerations set out above a S106 Agreement will be required in respect of the following matters, this includes a number of obligations secured in the completed legal agreement for the permitted development, which need to be secured in this application:-

1. Affordable Housing on site provision and in addition a financial contribution (to the value of 0.6 of a dwelling) to be confirmed for off-site provision.
2. S106 monitoring fee
3. Open Space, on site play, habitat mitigation zone, allotments and associated infrastructure should be provided by the developer and arrangements for maintenance incorporated in the Management Plan. Including measures to ensure that the open space is managed in a Nutrient Neutral manner
5. Solent Recreation Mitigation Strategy contribution currently £26,605.85
6. A contribution towards Health of £5,440

7. Wintering Bird Mitigation Area maintenance and management
8. Permissive paths
9. A contribution towards a Community worker of £8,500
10. Schedule Management company and management plan

8 Conclusion – overall planning balance

- 8.1 In considering whether the presumption in favour of sustainable development is satisfied the economic, social and environmental aspects of the proposal have to be weighed. The development lies outside of the built up area and is not provided for in current adopted Local Plan policy - as a result the proposal is contrary to development plan policy. Although weight must be attached to this start point for considering the proposal, it is tempered by the findings that a number of material considerations also weigh in favour of recommending permission.
- 8.2 Notwithstanding that the site is located outside of the urban area in the development plan it is in the countryside, the site benefits from an existing permission, and this development would make efficient use of land. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver economic and social benefits. The additional units proposed would make a further much needed contribution to the Borough's five year housing land supply. On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development, and this is a compelling material consideration, which indicates that that a decision could be taken that departs from the development plan.
- 8.3 Any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area. It has also been concluded that the development would not have an adverse impact on highway safety, both in terms of its impact on the surrounding highway network and providing safe access to the site.
- 8.4 With regard to highway factors it is considered that the additional dwellings on this site would be sustainable in transport terms, with the mitigation measures proposed and secured through the S106 in the permitted application APP/18/00450 and further conditional requirements in this application. Overall, the impacts on the highway network are not considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused.
- 8.5 The Appropriate Assessment concluded that the four avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 8.6 It is considered that the proposal has complied with the flooding Sequential and Exception Tests, in that whilst an element of the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms

of providing much needed additional housing, open space and ecological enhancements. In addition, there are acceptable measure in place to ensure that the development is free from the risk of flooding and the site would be sustainably drained.

- 8.7 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging balance of sustainable development principles, and notwithstanding the development plan position in relation to the site, the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00605

(A) a Section 106 Agreement as set out in paragraph 7.100 above; and

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

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

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

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

Planning

Application Form

CIL Assumption of Liability Form

CIL Additional Information Form

Planning Design & Access Statement

Affordable Housing Statement

Statement of Community Involvement

Design and access statement

Planning statement

Heritage statement

Air quality Assessment – October 2018

ARCHAEOLOGICAL Written Scheme of Investigation LP3190L-WSI-v1.3

ARCHAEOLOGICAL Desk Based assessment April 2018

Bat report April 2018

Biodiversity Action Plan

CONTAMINATED LAND REVIEW J16120/db/c08

EARTHWORKS STRATEGY AND MATERIALS MANAGEMENT -J16120

October 2019
GROUND INVESTIGATION REPORT J16120/db/c03
Mitigation Area Creation, Management and Monitoring Strategy A108712
Extended Phase 1 Habitat Survey – April 2018
Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 – May 2021
Winter Bird Mitigation Strategy April 2018
Noise constraints plan R8192-3 Rev 0
Noise assessment – August 2019
Transport note – Uplift technical note
Revised Transport Assessment – June 2019
Travel plan June 2019
Landscape Maintenance and Management Plan Revision 03 25 April 2018
Flood risk assessment – May 2021 TRS/BSO/E4409/17864
Utilities Statement May 2021 AC/BSO/E4519/17867

Architect's Plans

Proposed site layout 201
Proposed site layout coloured 202
Proposed residential site layout plan 203 Rev B
Boundary Treatment Plan 204
Affordable layout plan 205
Affordable Cell plan 206
SHARED DRIVEWAYS PLAN 207
Storey height plan 208
Bin and cycle storage plan 209
Chimney location plan 210
Electric vehicle charge plan 211
Materials plan 212
Proposed street scenes 213 Rev:P1
Elevations of dwellings contained within Housetype Booklet – July 2021

Landscape and trees

Landscape proposal sheet 1 of 9 Rev: Q
Landscape proposal sheet 2 of 9 Rev: Q
Landscape proposal sheet 3 of 9 Rev: Q
Landscape proposal sheet 4 of 9 Rev: Q
Landscape proposal sheet 5 of 9 Rev: Q
Landscape proposal sheet 6 of 9 Rev: Q
Landscape proposal sheet 7 of 9 Rev: Q
Landscape proposal sheet 8 of 9 Rev: Q
Landscape proposal sheet 9 of 9 Rev: Q
ARBORICULTURAL ASSESSMENT AND METHOD STATEMENT - 16270-AA4-CA
MANUAL FOR MANAGING TREES - V2.1
Tree protection plan 16270-6

Highways, drainage and levels

REPLAN REFUSE VEHICLE SWEEP PATH ANALYSIS BSO-E4519-053 B
REPLAN FIRE TENDER SWEEP PATH ANALYSIS BSO-E4519-054 B
REPLAN HIGHWAY LAYOUT REVIEW BSO-E4519-055 B
REPLAN PEDESTRIAN VISIBILITY SPILL ANALYSIS BSO-E4519-056 B
REPLAN LEVELS STRATEGY BSO-E4519-057 B
REPLAN DRAINAGE STRATEGY BSO-E4519-058 A
REPLAN SURFACE WATER CATCHMENT AREAS BSO-E4519-059 A

REPLAN EXCEEDANCE FLOW LAYOUT BSO-E4519-060 A
REPLAN INDICATIVE STREET LIGHTING LAYOUT BSO-E4519-061 A
EXTERNAL LEVELS LAYOUT BSO-E4519-504 Q

Reason: - To ensure provision of a satisfactory development.

Landscaping

- 3 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved landscaping plans:

Landscape proposal sheet 1 of 9 Rev: Q
Landscape proposal sheet 2 of 9 Rev: Q
Landscape proposal sheet 3 of 9 Rev: Q
Landscape proposal sheet 4 of 9 Rev: Q
Landscape proposal sheet 5 of 9 Rev: Q
Landscape proposal sheet 6 of 9 Rev: Q
Landscape proposal sheet 7 of 9 Rev: Q
Landscape proposal sheet 8 of 9 Rev: Q
Landscape proposal sheet 9 of 9 Rev: Q

In addition, the implementation of all hardsurfacing shall be in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 November 2020 in respect of Condition 3 of Planning Permission APP/18/00450; viz:

Forty Acres Play Area Revision A - received 6/11/20

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

Materials

- 4 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the Materials plan 212 and the particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 05 March 2020 in respect of Condition 4 of Planning Permission APP/18/00450; viz:

Physical samples of bricks, as follows:

Sunset Red Multi stock brick (Wienerberger)
Pembroke Red Multi stock brick (Wienerberger)
Nevada Buff feature brick (Wienerberger)
Staffordshire blue feature brick (Wienerberger)

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.

- 5 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 5 of Planning Permission APP/18/00450; viz:

Landscape and Ecological Management Plan, March 2020
Mitigation Area Creation, Management and Monitoring Strategy and a
Landscape and Ecological
Management Plan (WYG, June 2020)

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

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 6 Unless otherwise agreed in writing by the Local Planning Authority, the approved tree protective measures, including fencing and ground protection, as shown on Barrell Arboricultural assessment and method statement particulars ARBORICULTURAL ASSESSMENT AND METHOD STATEMENT - 16270-AA4-CA, MANUAL FOR MANAGING TREES - V2.1, Tree protection plan 16270-6 shall be installed.

No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

- 7 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 7 of Planning Permission APP/18/00450; viz:

Updated Mitigation Area Creation, Management and Monitoring Strategy and a Landscape and Ecological Management Plan (WYG, June 2020).

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

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 15 October 2020 in respect of Condition 8 of Planning Permission APP/18/00450; viz:

Construction Traffic & Construction Environmental Management Plan, March 2020

Landscape and Ecological Management Plan, March 2020
Mitigation Area Creation, Management and Monitoring Strategy and a
Landscape and Ecological
Management Plan (WYG, June 2020).

Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 11 August 2020 in respect of Condition 10 of Planning Permission APP/18/00450; viz:
Earthworks Strategy and Materials Management Plan, Ref J16120 Issue No 4
Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.
- 10 Prior to the occupation of any relevant part of the permitted development, a report shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the works outlined within the Wilson Bailey 'Contaminated Land Review and Discussion' report Ref J16120/bd/c08 (17/01/2020) & Wilson Bailey Earthworks Strategy Design Statement & MMP Support Document Ref: J16120 (March 2020) have been satisfactorily completed. The report shall include results of sampling and monitoring carried out in accordance with the above-referenced documents, and must demonstrate that site acceptance criteria have been met.
Reason: Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework; to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.
- 11 No individual dwelling as being subject to high levels of noise, as indicated on plan SK05 of WYG Noise Assessment dated August 2019, shall be occupied unless and until mitigation has been installed and demonstrated through post validation testing to determine compliance with the noise impact assessment as provided by WYG in the Noise Assessment : August 2019). Such testing can be achieved using sample dwellings, as per the measurement positions. This shall be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms. the glazing and ventilation strategy mitigation measures outlined in the WYG Noise Assessment dated August 2019, shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels and having due regard to policy CS16 of the

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

- 12 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 24 July 2020 in respect of Condition 15 of Planning Permission APP/18/00450; viz:
Construction Traffic & Construction Environmental Management Plan, February 2020
Plan no. BSO/E4519/475 – Existing Sewer Location and Interaction
Plan no. BSO/E4519/477 – Existing Sewer Longsection
Plans received 26.6.20
BSO/E4519/475 Existing sewer location and interaction - April 2019
BSO/E4519/477 Section through existing sewer - March 2020)
- Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), National Planning Policy Framework and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.
- 13 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 16 of Planning Permission APP/18/00450; viz:
Micro Drainage Calculations
16 x plans
Plan no. BSO/E4519/017 Rev G – Exceedance Flow Layout
Drainage General Arrangement plans Sheets 1-14 of 14
Plan no. BSO/E4519/465 – Drainage General Arrangement Sheet 15 of 15
Owners Manual Relating to Surface Water Drainage Maintenance, BSO/E4519 RCP Flood Risk Assessment, April 2018 (approved by permission APP/18/00450; unaltered)
RCP - INFORMATION_TO_ADDRESS_LLFA_COMMENTS-1378723.pdf (11/03/2020).
Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriated mitigated and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 14 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated 20th April 2018) as secured under condition 17 of permission APP/18/04450 and as updated by the Flood Risk assessment (dated May 2021) TRS/BSO/E4409/17864 and the following mitigation measures detailed within the FRA:
1. Existing ground levels are to be raised to a minimum of 4.4m above Ordnance Datum (AOD) for the extent indicated on drawing number BSO/E4519/029 B (Appendix G of the FRA).
2. Finished floor levels are set no lower than 4.7m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the Flood Risk Assessment (FRA) (dated 20th April 2018) and dated May 2021, unless otherwise agreed in writing by the Local Planning Authority.

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

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.

- 15 No development shall be carried out within 3m of the high pressure gas pipeline and no piling or boreholes within 15m without the prior written consent of the Local Planning Authority in consultation with Southern Gas Networks.
Reason: To safeguard the amenities of the locality and or occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 16 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 21 of Planning Permission APP/18/00450; viz:
Construction Traffic & Construction Environmental Management Plan, Construction Method Statement - Harbour Place Rev 5'. Received 27/3/20
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.
- 17 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve each individual dwelling hereby permitted shall be made fully available for use prior to that dwelling being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 18 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 06 April 2020 in respect of Condition 23 of Planning Permission APP/18/00450; viz:
Written scheme of investigation, REf.LP3190L-WSI-v1.3, September 2019

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

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

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 20 The development hereby permitted shall not be occupied until:

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty

as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

- 22 Prior to the occupation of the development full details of the Electrical Vehicle Charging points, as shown on plan Electric vehicle charge plan 211 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 23 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.
- 24 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the drainage system in accordance with the Flood Risk Assessment ref: TRS/BSO/E4409/17864. Any revised details submitted must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.
Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in accordance with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Local Plan (Core Strategy) 2011.

Appendices:

- (A) Location Plan
- (B) Layout Plan
- (C) Street Scenes
- (D) Street Scenes

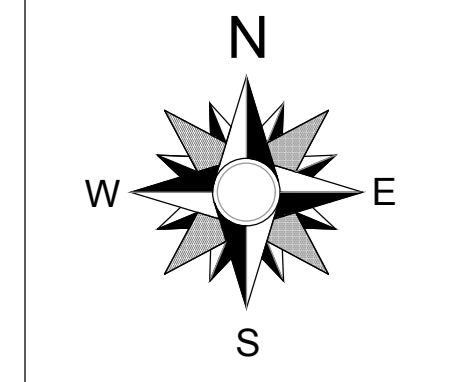
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FORTY ACRE FARM											
BDW SOUTHAMPTON											
		GROSS SITE AREA		No		acres					
		5.83		14.68				22-Apr-2021			
		NETT SITE AREA		4.70		11.62					
HOUSE TYPE	REARW	CONFR	STORYS	NO	MIX	SQ FT	SQ M	TOTAL SQ FT	TOTAL SQ M		
BARRATT											
ROSEBERRY	2	Terrsemi	2	2	1.4	679	63.1	1358	128.20		
ELLERTON	3	Terrsemi	2	29	19.7	830	77.1	24070	2235.90		
MRESSEY	3	Terrsemi	2	13	8.8	855	78.4	11115	1032.20		
KINGSVILLE	3	Terrsemi	2.5	21	14.3	1073	99.8	22533	2091.60		
DWH											
WILFORD P204-EC7/C7	2	Terrsemi	2	3	2.0	620	57.60	1860	172.80		
HADLEY P241-E-5	3	Semi	2	9	5.4	1001	93.00	8008	744.00		
HADLEY P241-E-7	3	Detached	2	4	2.7	1001	93.00	4004	372.00		
ARCHFORD P382-E-7	3	Semi	2	26	17.7	832	77.30	21632	2009.80		
KENNETT T310-E-7	3	Semi	2.5	8	5.4	1089	101.21	8712	809.68		
GREENWOOD T322-E-7	3	Semi	2.5	4	2.7	1179	109.57	4716	439.28		
BAYSWATER H405-7	4	Detached	2.5	2	1.4	1342	124.70	2684	249.40		
EXETER H418-7	4	Detached	2	11	7.5	1484	137.90	18324	1516.90		
KIRKDALE H442-H7	4	Detached	2	8	4.1	1354	125.80	8124	754.80		
BARRATT AFFORDABLE											
TYPE 55	3	Terrsemi	2	1	0.7	958	89.00	958	89.00		
TYPE 67	2	Terrsemi	2	9	6.1	701	65.14	6309	586.26		
		TOTAL		147		100		142407		13228.82	
		OVERALL TOTALS		147		100		142407		13228.82	
OVERALL DENSITY											
UNITS/HA	31.28		SHMA PRIVATE MIX		TOTAL		%				
UNITS/ACRE	12.85		2 BED HOUSE/APARTMENT		5		3.65				
SDM/HA	2815		3 BED HOUSE		1		10.00				
SQ.FT/ACRE	12255		4 BED HOUSE		19		13.87				
				TOTAL		25		18.52			
								137		100.00	
SHMA AFFORDABLE MIX											
				TOTAL		%					
				0		0.00					
				9		90.00					
				1		10.00					
				0		0.00					
				10		100.00					

NOTE: Nett area excludes all public open space and associated structural landscaping / buffer planting / half roads adjacent green etc.



Existing Westways Estate



- KEY**
- LAND WITHIN APPLICANTS OWNERSHIP
 - APPLICATION SITE BOUNDARY
This boundary is subject to confirmation by the client
 - PREVIOUSLY CONSENTED DEVELOPMENT
 - SALES AREA - DWH
 - SALES AREA - BARRATT
 - GRASSCRETE AREAS - CONSTRUCTION TO BE CAPABLE OF ALLOWING EMERGENCY VEHICLE ACCESS
 - HEAVY DUTY CONSTRUCTION FOOTPATH OR DRIVE - CONSTRUCTION TO BE CAPABLE OF ALLOWING EMERGENCY VEHICLE ACCESS
 - DENOTES TREES TO BE REMOVED
 - SHARED OWNERSHIP
 - AFFORDABLE RENT

Landscaping and SUDs - indicative only
For landscaping and drainage proposals refer to separate landscape (drawing numbers D2434 L 120 - D2434 L 129 latest revisions) and engineering (overall plan B50/E45151007 latest revision) drawings.

DO NOT SCALE
All dimensions to be checked on site and Architect to be notified of any discrepancies prior to commencement

DESIGNER'S RISK ASSESSMENT
Construction Design and Management Regulations 2015
RESIDUAL RISKS:

Rev B 05/10/21 Parking to plots 95-101, 108-109, 270-275 & 315-320 relocated at client request KT
Rev A 07/07/21 Additional parking allocation indicated to all Exeter house types at client request KT

BARRATT HOMES **DAVID WILSON HOMES**
WHERE QUALITY LIVES

idPARTNERSHIP NORTHERN
ARCHITECTURE | MASTERPLANNING | URBAN DESIGN

IDPartnership Northern, St Jude's, Barker Street, Sheffield, Newcastle upon Tyne, NE2 1AG
T: +44 (0)191 281 4442 | W: idpartnership.com | E: info@idpartnership-northern.com

JOB/CLIENT: Forty Acre Farm for BDW Southampton

DRAWING TITLE: Proposed Replan Site Layout

PROJECT ARCHITECT: KD	DRAWN BY: MF/VTS	CHECKED:
SCALE: 1:500 at A0	PROJECT NO: N81:2393	DRAWING NO: 203
DATE: April 2021	REVISION NO: 203	Rev B
DRAW STATUS: DWT	CONSULTATION: TENDER	CONSTRUCTION: RECORD

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INDICATIVE STREETSCAPE - A-A



PROPOSED SITE LAYOUT - not to scale

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INDICATIVE STREETSCAPE - B-B



INDICATIVE STREETSCAPE - C-C



PROPOSED SITE LAYOUT - not to scale

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- 3.2 As part of the works, the internal configuration of the flats at first floor level will be altered, with the removal of an existing dining room to facilitate the space needed at first floor level for the new flat.
- 3.3 Car parking provision is proposed to be proposed in the form of 5no. on-site spaces, albeit two of these are tandem spaces (existing) to the front of the site.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD 2011
Havant Borough Council Parking SPD

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS18	(Strategic Site Delivery)
CS4	(Town, District and Local Centres)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

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

Submission Version Havant Local Plan

E1	(High quality design)
H1	(High quality new homes)
E14	(The Local Ecological Network)
IN3	(Transport and parking in new development)
EX1	(Water Quality impact on the Solent European Sites)

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

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

No adverse comments

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the HRA, instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the additional dwelling and its respective number of bedrooms. See <http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>.

b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Councillor Gwen Robinson

No comment

Councillor Mike Seal

No comment

Councillor Peter Wade

No comment

Crime Prevention -Minor Apps

No comments received

Hampshire Highways

Thank you for the consultation for the above application. The Highway Authority would like to make the following comments.

Due to there being no changes to the existing access, the Highway Authority have no objections to this application. A trips analysis indicated that this would result in a similar level of trips associated with the site which is acceptable in this instance.

Parking is a matter to be considered by Havant Borough Council as the Local Planning Authority to make sure the proposed parking falls into their adopted standards.

Additionally, this applies to cycle storage, but the Highway Authority note that additional cycle storage provided and have no concerns with this.

Public Spaces

No comments received

Southern Gas Networks - stage 1

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. **On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.**

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed.

Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger

from Underground Services” must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

If you require any further information please do not hesitate to contact us.

Officer comment: *The works proposed in this case appear to lie well in excess of 0.5m from a low pressure mains pipe in Jubilee Road; hence meeting the advice of Southern Gas.*

Waste Services Manager

No comment received

Portsmouth Water

Please find attached the plan(s) showing the approximate position of water mains at the requested location.

Service connections are not shown but it should be assumed that all premises are supplied from the water distribution network. Other connections not related to properties, such as field supplies, may also exist so we would suggest a visual/CAT scan/Ground Radar survey is undertaken prior to any hand or mechanical excavation. Safe digging practices in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. This documentation is available at

<http://www.hse.gov.uk/pubns/priced/hsg47.pdf>

Copies of guidance notes: Working near distribution apparatus and Guidance for working near or over a Trunk Water Main are enclosed. Please read carefully as the conditions will apply to any work you undertake in the vicinity of Portsmouth Water assets.

It is important to ensure that a copy of the above guidance is provided to those undertaking any work which may affect our apparatus.

Please note Portsmouth water has no responsibility for any underground drainage or sewerage infrastructure. Enquiries regarding these assets should be directed to the relevant authority/company.

Officer comment: *The works proposed in this case appear well away from the water main in Jubilee Road.*

Natural England

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England’s advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any

permission.

Solent Recreation Mitigation Strategy – no objection subject to mitigation

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Nutrient Neutrality – no objection subject to mitigation

Natural England is aware that your authority has adopted a position statement, to ensure that development achieves nutrient neutrality through the agreed site specific nutrient budget. Specifically, mitigation measures for this development involve the use of a specific on-site avoidance measure as well as the use of Warblington Farm as a specific off-site mitigation measure.

The nutrient budget calculated for this development, with a net increase of 1 dwelling is **0.80 kg/TN/yr**. As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation for this scheme would be **£1,015.80**.

Provided that the applicant is complying with the requirements of the Interim Strategy for **0.80 kg/TN/yr** and that the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

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: 21

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Appropriate Assessment

The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (hereafter referred to as

the Habitats Regulations).

- 7.2 The Council's assessment as competent Authority under the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to recreational pressure and impact on water quality. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. Natural England were consulted on the findings of the HRA.

Recreational Pressure

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

Water Quality

- 7.4 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management Study has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment for this application.
- 7.5 Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

Appropriate Assessment conclusion

- 7.6 The Appropriate Assessment concluded that the two avoidance and mitigation

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

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

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Parking
- (v) Standard of accommodation
- (vi) Developer contributions and other matters including CIL

(i) Principle of development

7.8 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.9 The Council published its latest 'Five Year Housing Land Supply Update in September 2021. This indicates that the Council cannot demonstrate a five year supply of deliverable sites. The assessment found that the Council could only demonstrate a 4.3 year housing land supply, with a 20% buffer.

7.10 The National Planning Policy Framework indicates that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites the policies in the development plan are to be considered out of date. In such cases the 'tilted balance' is engaged under paragraph 11(d), and the local planning authority as the decision maker must carry out a 'balancing exercise' in which planning permission should only be withheld where the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the scheme. Therefore, national policy considerations should be afforded substantial weight in the planning balance.

7.11 In this case the development would make a contribution, albeit a very modest one, to the Council's housing supply, and due weight should be afforded to this.

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

7.12 The proposal comprises a first floor extension above the existing store located towards the rear north-west corner of the site to create one additional one bedroom apartment. The existing store has a pitched roof with a ridge height of approximately 4.2 metres. The proposed extension would be sited directly above with an overhang supported by posts, jutting forward into a car parking space to the south accessed off Jubilee Road, and would have a hipped roof with a ridge height of 7.6 metres. It would be constructed in materials to echo those found on the existing building.

7.13 There is an existing platform located towards the rear of the building which offers access to the existing first/second floor maisonette via an external staircase and this would be used to also provide access to the newly created flat which would comprise of one bedroom with ensuite and a combined kitchen and lounge. The total floorspace

of the new unit would have a gross internal area of approximately 39 m2 which is acceptable for the size of unit proposed having regard to the DCLG Nationally Described Space Standards published in 2015.

- 7.14 The entrance accessed via the platform would lead into the lounge area; there would be a window on the south elevation serving the lounge and there would be 4 rooflights also serving this space. The bedroom with ensuite would be located in the space which currently forms part of the maisonette and would be served by an existing window. The window currently serving the kitchen in the maisonette would be moved across to serve the bathroom to the new flat. As stated above the creation of this new flat would result in the loss of some space in the maisonette - the current dining room would be converted to the kitchen. The existing ground floor store room would also be internally altered to allow for cycle storage.
- 7.15 As noted above the extension forming the new flat would lie directly on the northern and western site boundaries and as a result careful consideration has been given to whether, when viewed in conjunction with the host building, this additional extension of the premises would result in an overdevelopment of the site. Whilst the additional development will reduce the sense of space about the premises further, there is already development at ground floor level in this location and on balance, the additional first floor building bulk would not be particularly large in scale and would appear subservient to the host building. The extension would also be sited to the rear of the building and is not judged to be highly prominent within the streetscene when viewed from Jubilee Road as, further to the west along Jubilee Road, the dwellings on the north side of Jubilee Road begin to screen this section of the building. It would be partially visible from London Road however it is not considered to cause harm to the streetscene as it would be set back towards the rear and visible only between the building lines of nos 157 and no 159.
- 7.16 Overall, the design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

- 7.17 Immediately to the north of the application site is no 159 London Road. This property is a two storey building with space in the roof; towards the rear this steps down in height to two storey and then single storey. The proposed extension would be sited immediately adjacent to where the building steps down towards the rear at no 159. Plans submitted as part of a planning application for an external stairwell and garage at no 159 in 2018 under planning reference APP/18/00091 show what appears to be one ground floor apartment and one first floor maisonette. Previous to this the first floor was used as offices. The 2018 application plans show that there is a first floor window on the side elevation which serves a bathroom to the first floor flat and at ground floor level there is a bathroom window, a door and two windows which serve a kitchen to the ground floor flat. Following a site visit by the case officer it appears that this permission has not been implemented and the rear kitchen/store lean to is in a state of disrepair, with damaged brickwork and with the windows boarded up. The remaining windows to the ground floor also appear to be boarded up.
- 7.18 There would be approximately 2.6 metres separation distance between the side elevation of the extension and the side elevation wall at no 159 London Road. The extension would result in a raised side wall with an eaves level coming level in height with the eaves line of the existing building. The proposal is not judged to impact the

bathroom windows in no 159, with the remaining windows on the side elevation at no 159 set forward of the extension and therefore unaffected. Due to the state of disrepair of the lean to where the kitchen windows are located, there is not judged to be any harm caused to the amenity of this section of the building.

- 7.19 To the west of the application site are nos 1 and 2 Hinton House located along Jubilee Road, which are separated from the application site by a communal garage block and parking court. This proposal would result in two rooflights on the west facing roof slope of the extension, however these would face a blank side gable wall of the properties in Hinton House and the garages. There would be a separation distance of approximately 13 metres between the extension and Hinton House. Overall there is not judged to be any harmful impact upon the amenity of these properties.
- 7.20 To the south of the application site on the opposite side of Jubilee Road is Montacute House which is a three storey apartment building. There would be an additional window on the south side of the extension proposed, however this would serve a bathroom and given this, and the significant separation distance, the development proposed would not result in harmful overlooking or loss of light or outlook.
- 7.21 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite and to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(iv) Parking

- 7.22 Policy DM13 of the adopted Local Plan and Policy IN3 of the Submission Local Plan deal with parking in new development and require local parking standards to be met. Minimum standards are set in the Havant Borough Parking SPD. There are currently 5 unallocated parking spaces on site - 4 of these comprise two sets of two tandem spaces located towards the front of the site and accessed via Jubilee Road, whilst the fifth space is located towards the rear of the site and runs alongside the curtilage of the site. The proposal would add one additional residential dwelling to the site however no additional parking is proposed. The Havant Parking SPD states that for each one bedroom unit, one parking space is required. In this case, with 5 one bedroom units on site and 5 parking spaces, this appears to have been met. Despite this, the tandem parking to the front potentially reduces the scope for on site parking and this has been raised as an issue with the applicant. The applicant has supplied a parking statement whereby 2011 Census data has been used by the applicant to show that car ownership is less likely for residents using socially rented accommodation, which is the proposed use of the flats in question. Whilst this is noted, this does not account for any future use of the residential dwellings, and this has been accounted for in the Havant Parking SPD parking requirements evidenced from figures derived from the 2011 Census data and government forecasts in car ownership.
- 7.23 The on street parking in the immediate vicinity already appears at capacity, with double yellow lines leading up to the junction with London Road and with cars parked up on the pavement further up Jubilee Road as noted by the case officer during a site visit. Further pressure on on street parking in this instance would not be acceptable. Highways have been consulted on this application and have no objection as no new access has been created as a result of this proposal. Parking issues are for Havant Borough Council to assess as Local Planning Authority.
- 7.24 As stipulated above, the parking layout is of concern, with the new unit potentially

adding to pressure for on and off site parking. With this in mind, the accessibility of the site has been taken into consideration. The site is located outside of the local district town centre as acknowledged in Policy CS4 however the site is located on a bus 'Rapid Transport route' which has links to the rest of the borough. There are bus stops on both sides of London Road less than 30 metres from the site. The proposal site is also only approximately 0.3 miles to Waterlooville town centre where there are several amenities including the ASDA supermarket. In addition the Parking SPD states that Waterlooville town centre is the second most accessible part of the borough - whilst the site is not within the town centre, it is within close proximity. Given the accessible location of the site, in this case the proposed parking arrangement is deemed to be acceptable, and is considered appropriate to meet the likely needs of the residents of the development.

7.25 The car parking provision at the site is further augmented by cycle storage provision. In this regard the Havant Borough Parking SPD states that all properties should be provided with long stay, secure (overnight) cycle storage facilities. Should a garage meeting the standards referred to above be provided for a residential property then no further external storage facility will be insisted on for that property. Cycle storage facilities have been provided as part of this proposal within the modified store building on the ground floor, which will provide secure cycle storage for all five of the flats resulting from the development.

(v) Standard of accommodation

7.26 The proposed internal accommodation area complies with the 'Nationally Described Space Standards' introduced by the Department for Communities and Local Government in 2015 which provides guidelines recommending the minimum floorspace for a single bedroom to have a floor area of at least 7.5m² and to be at least 2.15m wide. In order to provide two bedspaces, a double (or twin bedroom) would have a floor area of at least 11.5m². The bedroom size as proposed would come to 8.1 m² and 2.7 m wide and therefore would comply with the space standards as a single bedroom.

7.27 In other respects the extension to create a new 1no bedroom flat would be sited right up against the site curtilage to the north and west and the existing building footprint already encompasses the majority of the plot, with no formal outdoor amenity space. Policy H1 of the Submission Local Plan states that new flats should provide sufficient private and/or communal outdoor amenity space. In this regard the applicant has confirmed the existing flat roof area could be used by occupants of both the maisonette and the proposed flat; this space could have room for a small table and chairs for use by residents, although it is surrounded by elements of the existing and proposed building and faces north, so would not provide a high quality environment. Notwithstanding this, given the limited level of weight which can be applied to Policy H1 at this time, coupled with the context of the site and the benefit of the provision of an additional residential dwelling within the existing built up area, it not considered that the quality of the external amenity space would constitute grounds for refusal of the application.

(vi) Developer contributions and other matters including CIL

7.28 As set out in Paragraphs 7.1 – 7.6 above, 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 one additional unit of accommodation, 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) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The development is not necessary for the management of the European sites.

7.29 The Appropriate Assessment undertaken has concluded that subject to the securing of appropriate mitigation packages, the proposal is considered to be acceptable having regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and emerging policies E14, EX1 and E12 of the Submission Havant Borough Local Plan.

7.30 In addition, as the proposal would result in an additional dwelling it is therefore CIL liable.

8 Conclusion

8.1 The development is considered to be acceptable having regard to the policies of the development plan and other material considerations. It would lead to the provision of an additional dwelling within the existing built up area, to which substantial weight must be given. The proposal is not considered to have a significant adverse impact on the character and appearance of the area, residential amenities or highway safety. Appropriate mitigation packages can be secured to address the impact of the development upon the European sites.

8.2 It is therefore recommended that planning permission is granted subject to the securing of the necessary mitigation packages and appropriate conditions.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/21/00680 subject to:

(A) the securing of mitigation packages to address the impact of the development upon the European sites in terms of recreational pressure and water quality; and

(B) the following conditions

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

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

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

Technical note 01 parking review uploaded on the 14.10.2021
C3448-2A Proposed floor plans uploaded on the 24.06.2021

C3448-4 Proposed elevations uploaded on the 24.06.2021
C3448-5 Location plan uploaded on the 24.06.2021
C3448-7 Proposed ground floor plans uploaded on the 24.06.2021
C3448-8 Block plan uploaded on the 24.06.2021
Planning Statement uploaded on the 24.06.2021

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used 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.

- 4 The internal cycle storage and car parking arrangements shown on the approved plans to serve the development hereby permitted shall be installed and made fully available for use prior to the development being first brought into use and retained and maintained thereafter.

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.

- 5 The development hereby permitted shall not be occupied until:

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

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Submission Havant Borough Local Plan.

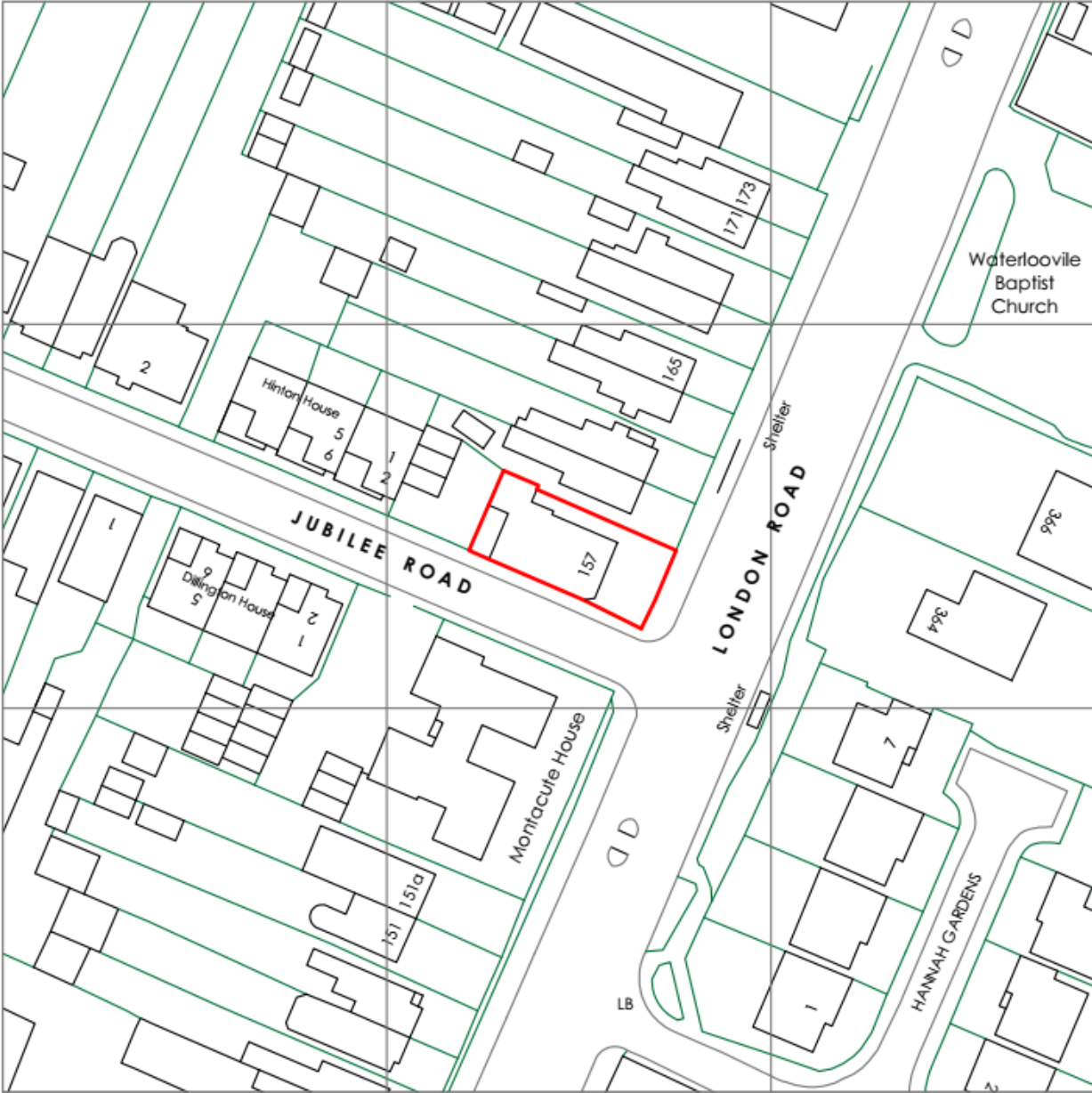
- 6 At all times following occupation of the development hereby approved, all measures necessary to meet the approved water efficiency calculation shall be maintained so as to ensure that no more than 110 litres per person per day shall be consumed in the development in perpetuity.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy E14, EX1 and E12 of the Submission Havant Borough Local Plan.

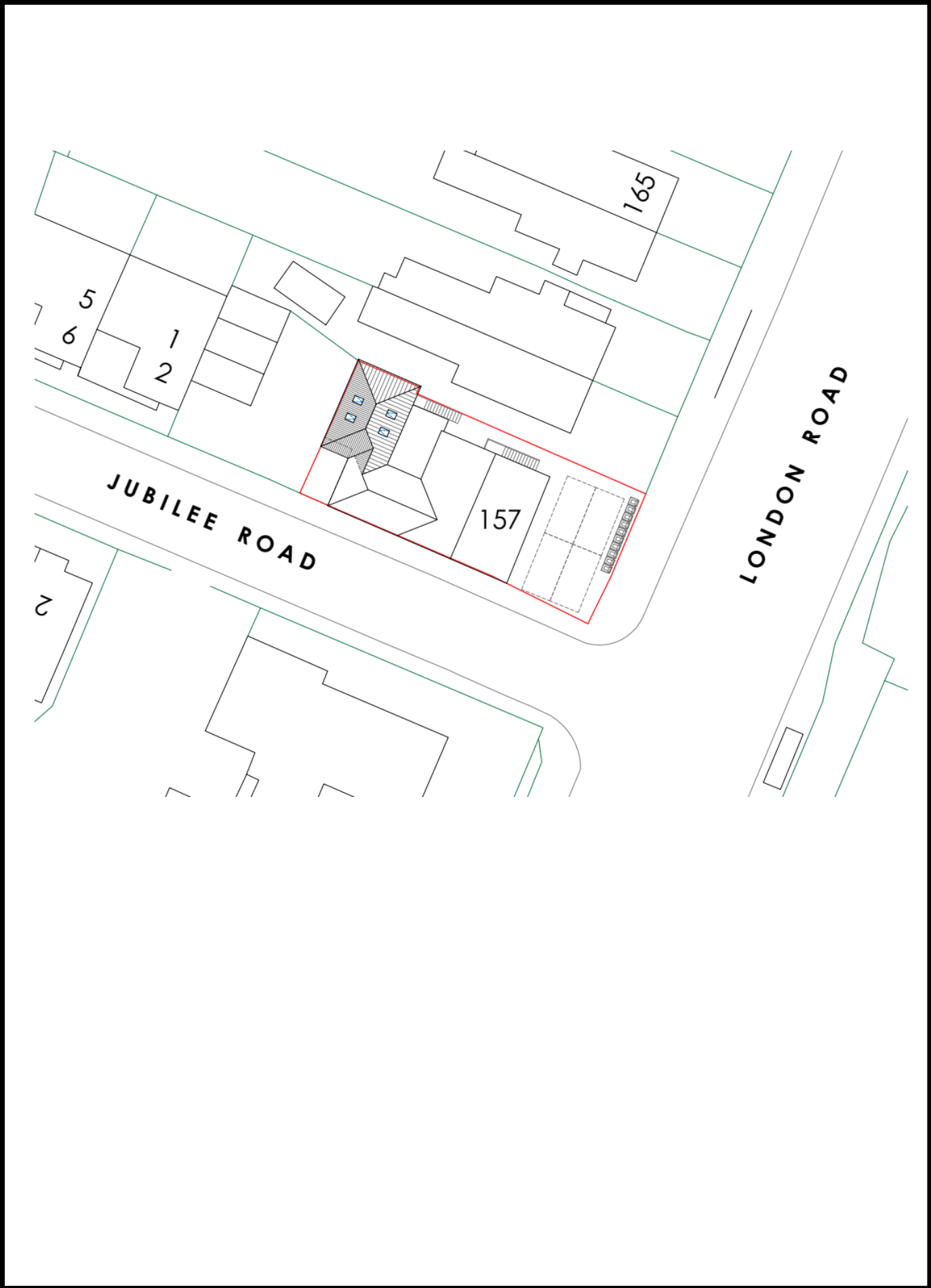
Appendices

- (A) Location Plan
- (B) Block Plan
- (C) Proposed Elevations
- (D) Proposed Floor Plans
- (E) Proposed Ground Floor Plan
- (F) Technical Note 01 Parking
- (G) Photograph Front Elevation
- (H) Photograph Rear Elevation
- (I) Photograph Side Elevation of No.159

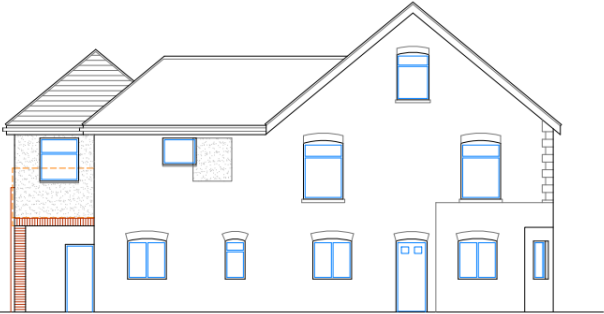
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South Elevation



North Elevation

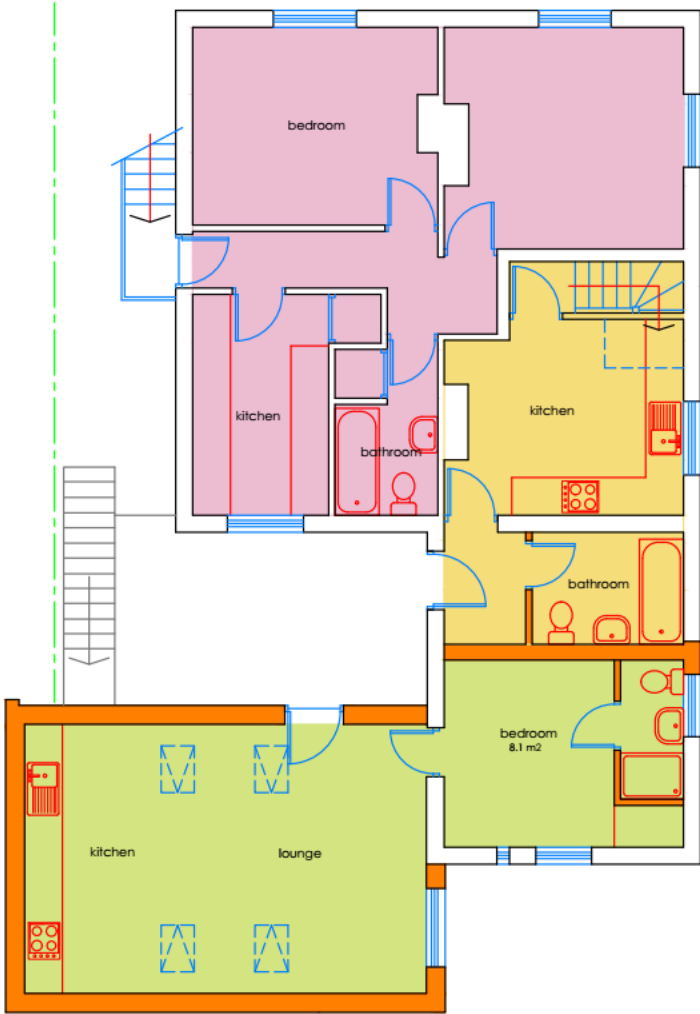


West Elevation

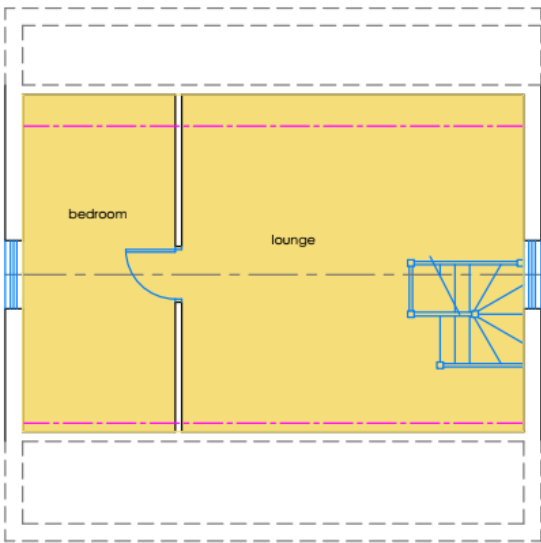


East Elevation

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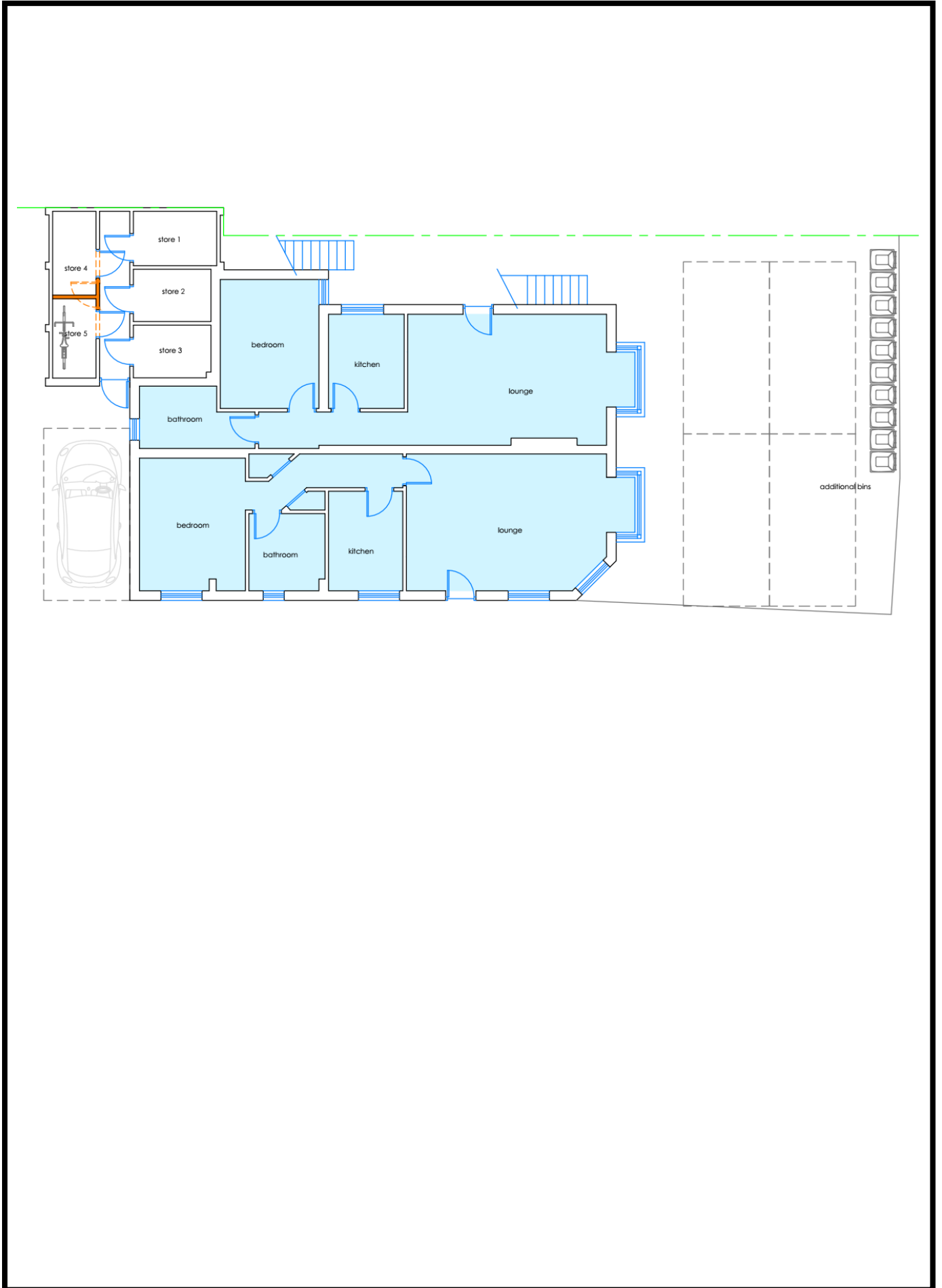


First Floor



Second Floor

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Technical Note 01

Project:	157c London Road, Havant	Office:	Southampton
Project No:	784-B032156	Prepared by:	GS
Client:	Mr Gary Robinson	Approved by:	NW
Date:	September 2021	Status:	For Information
Subject:	Parking Review		

1 INTRODUCTION

- 1.1 Tetra Tech has been commissioned by Mr Gary Robinson (the 'Client') to provide transport and highways consultancy services, and to prepare a parking appraisal for the proposed development at 157c London Road, Havant.
- 1.2 The development proposal (LPA ref: APP/21/00680) consists of the addition of one residential flat to the building, to provide a total of five flats. Parking will remain unchanged, with a total of five spaces provided.

2 PARKING STANDARDS

Havant Borough Council Parking Supplementary Planning Document (2016)

- 2.1 The Havant Borough Council Parking Supplementary Planning Document (SPD) sets out the parking standards for new developments. Table 2.1 sets out the vehicle standards applicable to the development proposals.

Table 2.1 Summary of Parking Standards

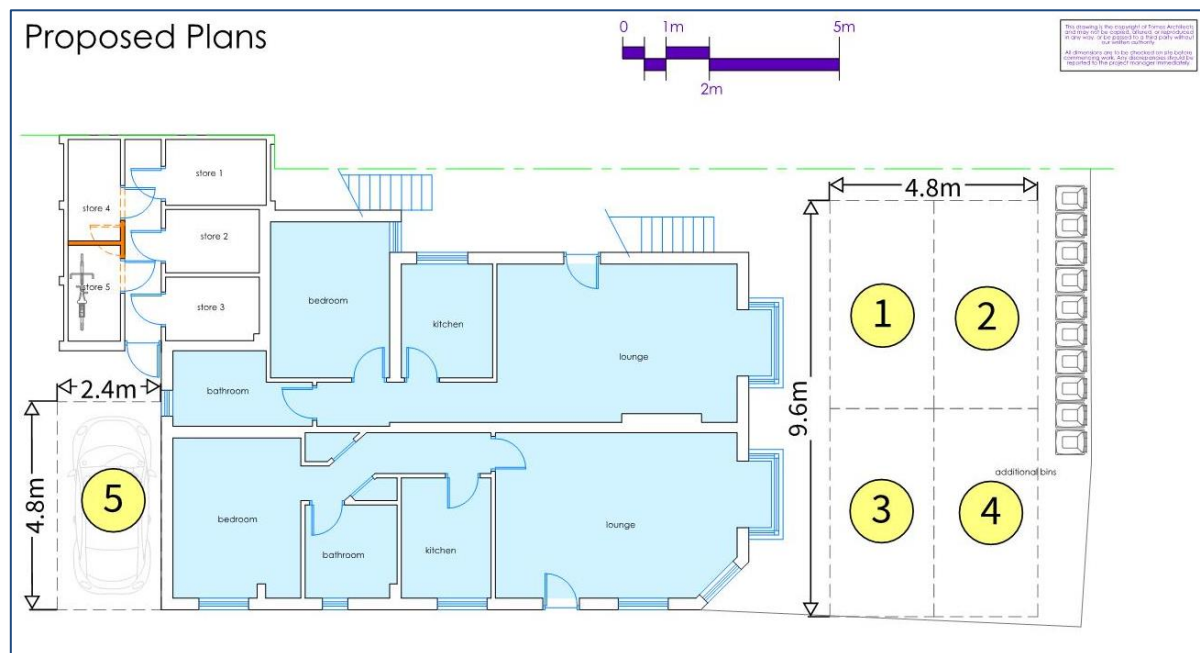
Size of Unit	Minimum Car Parking Requirement (Outside Havant/Waterlooville Town Centres)
1 bedroom	1 space
2 bedrooms	2 spaces
3 bedrooms	2 spaces
4+ bedrooms	3 spaces

- 2.2 The site currently benefits from five spaces for four dwellings, in excess of the minimum parking standards. With the additional dwelling, a total of five spaces will be provided for five dwellings, which is compliant with the minimum requirements.
- 2.3 Parking spaces for cars should measure a minimum of 2.4m x 4.8m.

3 PARKING PROVISION AND OPERATION

- 3.1 Of the five spaces on site, four are to the front of the property, adjacent to London Road, and one is in the rear courtyard. All spaces are accessed from Jubilee Road.
- 3.2 Figure 3.1 below shows the location of the five spaces, as well as the dimensions; each space is 2.4m x 4.8m, which is compliant with the Havant Borough Council Parking Standards SPD.

Figure 3.1 Parking Layout



- 3.3 The four parking spaces at the front of the property (1-4 on **Figure 3.1**) are currently used by residents of the existing four units. Their use will remain unchanged, with residents co-operating to use the spaces efficiently.
- 3.4 The additional space, to the rear of the property, will not conflict with any other spaces or vehicular movements, and therefore will not have any material impact on the highway network, or lead to overspill parking.

4 PARKING DEMAND

- 4.1 2011 Census data has been used to determine existing car ownership levels for social rented accommodation in Havant. All five dwellings are to be occupied by tenants on Universal Credit; therefore this is considered to be the most appropriate proxy for the likely car ownership.
- 4.2 The data indicates that average car ownership is 0.61 vehicles per dwelling across all dwellings, with the average for one-adult households being 0.35, and 0.90 for households with two or more adults.
- 4.3 On this basis, it is expected that there would be around three vehicles owned by residents of the five dwellings, with spare capacity of two spaces.

- 4.4 It is noted that for private rented accommodation, car ownership within Havant is 0.96 vehicles per dwelling, and therefore there is sufficient parking provision for the five dwellings should this criterion be used to determine parking demand.

5 CONCLUSIONS

- 5.1 Paragraph 109 of the National Planning Policy Framework states that:
- “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 5.2 It is not considered that the one additional dwelling, with parking to the rear and no changes to the tandem parking, would have an unacceptable impact on highway safety or severe residual cumulative impacts on the highway network. Parking demand for five social rented dwellings is expected to be around three vehicles, based on car ownership data in Havant.
- 5.3 Consequently, it is not considered that there are any reasons why the planning application should be refused on highway grounds.



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