

DRAFT ADDENDUM

DEVELOPMENT MANAGEMENT COMMITTEE
DATE 29th October 2020

Item 4 (1)

Land North of Sinah lane Hayling Island.

Updated 28th October 2020.

Updates

(A) The Officer Report produced for this item is updated/corrected as follows:

Section 5- Consultee responses.

Coastal Team

Thank you for consulting with Coastal Partners on this application, I can confirm that we have no further comments to add, following on from our response sent on 18/03/2020. We are satisfied that the submitted FRA sufficiently outlines how coastal flood and erosion risk at the site will be mitigated throughout its lifetime, and concur with advice given by the Environment Agency.

In relation to matters concerning water quality, Coastal Partners concur with Natural England's comments made on 27/10/2020.

Section 6 representations

Since writing the committee report, 18 further representations have been received, taking the total to 568. A number of these have been in response to the notification of the Site View Briefing and the Committee date. In addition to the comments set out in the Committee Report comprising 550 representations - 546 objections, 3 neutral and 1 in support, the following objections have been raised:

Highways

The extra traffic will adversely impact Station Road which is already dangerous. The contribution to infrastructure should include funding of traffic calming in Station Road.

Officer comment: The impact of the extra traffic has been assessed by Hampshire Highways and a contribution is proposed to provide improvements, but Station Road has not been identified as requiring any works.

Residential amenity

The 3 storey houses will result in loss of privacy.

Bungalows would be more appropriate

No account has been taken of the tree wardens comments – houses too close to boundary and existing trees.

In the absence of a site visit it is not possible to assess the full impact of the development on outlook and privacy.

Officer comments: The 3-storey housing is sited so as to provide appropriate separation from neighbouring properties. The HBC Arboriculturalist has assessed the proposal and does not raise objection. The Site Briefing was informed by a video and photographs.

Ecology/conservation

The impact on the local bat population and their roosts has not been fully assessed and updated.

The proposed site north of Sinah Lane has lain fallow this year with a notable increase in wildlife.

This noticeable overall increase in local bat activity compared with previous years may be due to the ground and airborne insect life in the “wild” field. This would provide the bats with additional foraging opportunities along their recognised commuting corridor towards Sinah Lane and North Shore Road.

The surveys are only valid for **two years** from the date of the survey”, i.e. from July 2017. March 2020 WYG updated the 2018 EMMP. There is no mention of a full survey of the site area being carried out as the previous surveys are now invalid.

The HRA focus on the Brent Geese issue but make no mention of other habitats for mammals including bats.

Measures addressing the out of date bat survey, street lighting plan should be provided prior to a decision, construction impacts should be managed on site, HRA amended to include mammals, including bats. The Planning Inspectorate be updated.

The field where housing development is planned has been left fallow for a year and has become something of a nature reserve! My pics show hedgehog, and kestrel from that field. Other wildlife spotted there include stag beetles, slow worms, deer, foxes, buzzards, sparrow hawk, newts, two varieties of bats and a big increase in birds enjoying thistles and rodents etc..

Officer comments:

The HBC Ecologist has been consulted on these comments and advises that :

the site has demonstrably become more suitable for bats but this is due to an exceptional change in activity: had the site remained in arable cultivation it would not provide such a well-used resource. Perhaps the only logical way forward is to request a more-detailed lighting strategy that takes account of bat activity, plus the provision of bat enhancement features within the built development.

A further HRA and AA has been completed and whilst this was done in respect to the revised Nutrient Calculator (HRA does not consider the impact on protected species but the internationally protected sites which are set out in the assessment itself) Natural England have been consulted and raised no objection.

In order to address the Ecologist's comments the current lighting condition 9 is proposed to be amended as follows (amended wording in italics) which states:

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

An additional Condition (26) is also recommended to secure the provision of bat enhancement features within the built development.

(B) Additional Information requested by the Site Viewing Working Party

A) further details of proposed highway changes;

The major scheme proposals (not yet at feasibility stage, but tested as 'a do something' solution in response to the 'do minimum' modelling outputs) are contained in chapter 4 of the Hayling Island Transport Assessment Addendum. The Hayling Island Transport Assessment was approved and published on 16 March 2020.

The financial contribution (S106) agreed with the highway authority is for a sum of money (£679k) equivalent to the friction reduction measures grouped together into 'Mitigation Package 1A' from para 4.10 – 4.15 as per the table below:

A3023 NB and SB Queues	New NB and SB bus stop pull-ins at the Oven Campsite	12	£165,000
A3023 NB and SB Queues	New pedestrian refuge and carriageway widening at Bright's Lane	13	£170,000
A3023 NB Queues	New northbound bus stop pull-in close to Gilbert Mead	14	£79,000
A3023 SB Queues	New right turn lane for Newtown Lane	15	£265,000
Subtotal of schemes south of Mill Rythe			£679,000

However, the way HCC has negotiated the S106 highways contribution is that although the sum of money is traceable back to specific schemes as the table above, the money itself can be spent on any of the A3023 schemes in the Hayling Island Transport Assessment Addendum, including the major schemes.

Nonetheless, it is notable that the scheme would be providing a substantial amount of Community Infrastructure Levy (CIL) totalling £1,706,186 (net) in addition to this Section 106 contribution. The schemes set out in the Hayling Island Transport Assessment Addendum would be in line with the Council's approach to the spending of CIL. These schemes aid in the elimination of the severe impact that multiple developments collectively on the island would have had on the transport network. As such, and also given the size of some of the schemes, CIL represents the logical source of development funding for these schemes.

In summary, the local highway authority concluded the following: *"Whilst the Highway Authority has reviewed the mitigation measures identified within the emerging Hayling Island Transport Assessment and considered them sufficient to agree the mitigation required for this development, the planning authority should satisfy itself that the approach is in accordance with the local plan process. Subject to the LPA considering the above acceptable, the Highway Authority raises no objection the application, subject to the following conditions and obligations"*.

B) further details of the surface water drainage system;

The Environment Agency and the Lead Local Flood Authority have been consulted on the application and do not raise objection. The submitted drainage system on site has been designed to the 1:100 + 40% climate change storm with a discharge of 9.9l/s. This is in accordance with best practise

The proposals use a pumped system to take flows from the underground pipe and storage network to an attenuation basin prior to discharge into an ordinary watercourse.

With the systems proposed, there is no infiltration so there should be no interaction with the high groundwater table.

Detailed calculations show that the system can cope with a full range of storms up to and including the 1:100 + 40%. This should prevent uncontrolled flows entering the watercourse and tidal areas. However, please see response below to question on Tidal Lock.

There will be no discharge to the ancient pond from the SuDS. At present there is no control of potential sedimentation and fertiliser leachate through surface water from the arable fields and surface quality water as a whole should benefit from the development. Any effects from the housing site (hydrocarbons, sediment washed from hard surfaces etc.) will be treated by the SuDS system before infiltration. As a result, there should be an overall improvement in the quality of any surface water runoff from the field to the north (which will still be at greenfield rates).

The drainage system will require a formal maintenance plan and a designated body to be responsible for its maintenance. This would be a Section 106 requirement and it is

proposed that management and maintenance would be the responsibility of the management company.

C) the grade of the agricultural land;

The agricultural land classification is grade 3a.

D) details of tidal lock and how it would affect this proposal;

Tidal lock can occur when persistent rainfall and the natural tide locking effect of high tidal waters restrict the normal drainage out to sea. Whilst it is usually associated with a spring high tide it can happen if the tide is not very low or winds are keeping water in the Harbour.

The proposed drainage scheme has been designed for a worst-case scenario of a 1 in 100 year +40% onsite design storm event modelled with a surcharged outfall of 4.4mAOD to replicate a peak 1 in 200-year tidal event in the year 2115. It should be noted that this joint probability event has a very low risk of occurring, ie. A peak design storm event correlating with a peak tidal event at the same time, so what is proposed is a worst case scenario with a very low probability of occurring.

The outcomes of the assessment and as shown on the submitted MicroDrainage results is that the surface water drainage system including onsite attenuation can still function as designed with the effect of a surcharge/tide lock event and retains the surface water within the site.

When the water in the harbour is at a higher level than the outfall the coastal tide flap valve on the shore will prevent water entering the ditch system from the Harbour. This means that any water in the ditch will only be generated from rainwater or rising groundwater and this will apply for the limited duration that the tide is higher than the coastal outfall. This will come from both the site and the areas around it, and happens now. Nothing has changed to the geographical extent of the drainage catchment

The attenuation pond has water from the on-site SuDs system pumped into it, and it then flows into the ditch. If the ditch system downstream is full there is a valve that prevents water from the ditch backfilling into the attenuation pond. The attenuation pond is sized for 1 in 100 year event +40% climate change; in other words, the capacity of the pond is enough to take the outflow from the site and store it for the duration that the ditch cannot accept it. Once levels of tide fall, the whole system unlocks and the pond and ditch can drain into the Harbour under gravity.

Any flooding observed today is due to poor maintenance of the ditch system and tide flap, which is a landowner responsibility. This will not change going forward (except as specified in the S106 with the appointment of a management company with responsibility for the SuDs system) which will thereby benefit the wider community by raising the profile of the need for correct maintenance.

The current recommended condition on drainage matters states:

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Notwithstanding the submitted details construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning

Authority in consultation with Southern Water. The design of drainage shall ensure that no land drainage or ground water is to enter the public sewers network.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce 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.

E) the density of existing buildings in relation to the development;

The density at North Shore Road and Sinah Lane varies but is 20 dph or less, whereas the Oysters Design and Access Statement refers to 34 dph.

It should be noted that residential density is addressed through Policy CS9 (Housing) of the Havant Borough Local Plan (Core Strategy). It is also addressed in paragraphs 122 and 123 of the NPPF and Policy H3 of the emerging Havant Borough Local Plan.

The NPPF sets out a clear direction of travel in paragraph 122 that “planning...decisions should support development that makes efficient use of land”. Policy H9 in the emerging Local Plan takes this forward with a minimum net density on sites such as this of 40 dwellings per hectare and specifically stating that “Development providing an artificially lowered density will be refused”. The proposed development achieves a net density of 41 dph and so complies with Policy H9.

F) further information on the sustainability proposals of the development.

Para 7.27 identifies that:

- The nearest collection of retail facilities is at West Town, which is a designated local centre, a 500 metre walk east from the site. This includes a supermarket and pharmacy. There are also two public houses in this area, as well as a church, community centre and park. A wider collection of retail facilities is available at Mengham District Centre, a 1.7km walk east of the site. In this area there are two supermarkets, two pharmacies, a post office, a church, a health centre and dentist.
- Educational Facilities are at located Mengham Infant School (1.8Km), and Hayling Island Library is a 1.5 km walk east from the site. Mengham Junior School sits further to the east, at a walk of 2.0 km from the site. The nearest secondary school is Hayling College, which is a walk of 2 km
- The Hayling Billy Trail is a north-south coastal route on Hayling Island which acts as a leisure route directly from the site. Running along the west coast of Hayling Island, the Trail runs near to the coastline and therefore acts as an attractive walking and cycle route from the development and would be accessible directly from the development.
- The nearest bus stops to the site are circa 110m and 310m away, comprising a simple flagpole and timetable. The 30/31 bus service operating from these stops occurs half hourly and provides access to Langstone and Havant along with other

destinations on Hayling Island.

- Hayling Island does not benefit from a train station. The nearest station is Havant Rail Station 7 kilometres north from the site, which can be accessed via the 30/31 bus service or an approx. 30-minute cycle journey with the Hayling Billy Trail directly linking to Havant Rail Station.

In accessibility terms, the site is considered to be in a sustainable location, and has realistic alternatives to the use of the car, which weighs in support of the scheme.

In respect to emerging Policy E12 – Low Carbon Design to increase energy efficiency, reduce carbon emissions and lower energy costs for future occupiers the application proposes to follow a ‘fabric first’ approach to building design which maximises the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. A ‘fabric first’ approach includes higher levels of insulation, higher performing windows and doors, increased air tightness and maximising passive solar gains. New technologies are reviewed and applied that help deliver energy efficiency such as waste water heat recovery, improved insulation around windows and doors and energy efficient boilers. As a result, 98% of the house types are designed with the intention to meet an Energy Performance Rating (EPC rating) of ‘B’ or above when constructed. Whilst the application does not accord with the requirements of Policy E12 the proposed approach which is the 2nd highest EPC rating assists in lowering the carbon footprint of the development. It must also be borne in mind that this emerging policy has only limited weight at this time.

9 REVISED RECOMMENDATION

In order to take into account the amendments outlined above, the recommendation set out in the officers’ report is proposed to be varied as follows:

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

(A) a Section 106 Agreement as set out in paragraph 7.101 above; and

(B) The conditions as set out in the Committee report amended and supplemented as follows (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

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

Condition 9 be amended to read:

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources, intensity of illumination and measures to take account of bat activity. Any lighting scheme agreed in writing by the Local Planning Authority shall not

thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties, on and off site, from light disturbance / pollution and having regard to Policies CS 11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Condition 26 be added as follows:

No above ground construction shall commence until details of the provision of bat enhancement features within the built development have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the enhancement features shall be implemented in accordance with the approved details prior to occupation of any building on which they are installed. **Reason:** To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) 2011.