
Site Address: Land at Sinah Lane, Hayling Island
Proposal: Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area (Resubmission of APP/18/00724)
Application No: APP/20/01093 Expiry Date: 02/03/2021
Applicant: Barratt Homes
Agent: N/A Case Officer: Daphney Haywood
Ward: Hayling West

Reason for Committee Consideration: The application is contrary to the provisions of the adopted development plan.

Density: 41 dwellings per hectare(dph)

HPS Recommendation **GRANT PLANNING PERMISSION**

Executive Summary

This application is a resubmission of APP/18/00724 with minor changes and is for the Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane; and change of use of land from agricultural to a Wader and Brent Geese Refuge Area.

Application APP/18/00724 was originally scheduled for consideration at the Development Management Committee meeting of the 26 March 2020 which was cancelled owing to Covid 19 restrictions. Following that cancellation the applicants, Barratt Homes, lodged an appeal with the Planning Inspectorate stating the statutory period in which to decide the planning application had not been met by the Council.

With a valid appeal in progress, the Development Management Committee needed to resolve what its decision would have been, if it were able to have determined the application itself, as this will form the basis of the Council's case in the appeal proceedings.

When the application was considered by the Development Management Committee (DMC) on the 29 October 2020 the DMC resolved 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 Section 106 Agreement.

The current application involves a similar proposal to the application now at appeal with only small changes to the scheme comprising;

- Adjustments to the internal layout and elevations on some of the homes involving the use of a the Ellerton house type instead of the Maidstone, the Denford instead of the Kenley and the Kingley instead of the Chester. In all cases the replacement house types have a similar footprint, bulk and character as the ones to be replace, but the internal layout and resulting elevations in respect to window and door detailing is different.
- Additionally Plots 112, 113, 114, 115 have been brought slightly forward, further away from the site boundary and trees T18 and T16. This in response to considerations of the existing trees which was an issue raised by the 'Tree Wardens' on the previous application .

- Plots 170-171 and 172-3 have similarly been brought slightly forward away from the boundaries and trees T31-T35, again in response to feedback on the previous application.
- Further design work has resulted in the SuDs basin in the field to the north having a slightly more elongated shape.

The proposal is for a development of 195 new homes (68 no. 2 bed, 100 no. 3 bed and 27 no. 4 bed) with 0.72 hectares (0.72 ha) of open space, and 6.7ha Wader and Brent Geese Refuge Area on greenfield Grade 3a agricultural land of 12.64 ha. The proposed density is approximately 41 dwellings to the hectare (dph). The site is located to the north of Sinah Lane, to the east lies the Hayling Billy coastal route (a former railway line), and to the south the existing properties fronting Sinah Lane, with a gap between Nos 6 and 10 providing access. The southern portion of the site is bounded to the west by the rear gardens of existing residential properties on North Shore Road. The northern portion of the site is bounded to the west by the top of a bank along the adjacent coastline. To the north-east the site is bounded by a hedge line and tree planting.

The housing development comprises dwellings of traditional design, ranging in size from 2 bed to 4 bed and in height from 2 to 3 stories. 30% of the dwellings would be affordable. Vehicular access would be off Sinah Lane and would take the form of a single vehicular access. Pedestrian and cycle links are proposed to connect the site to Sinah Lane and to the Hayling Billy trail plus a proposed connection around the communal open space, which would provide a community orchard, and opportunities for outdoor activity.

The key matter of principle in dealing with this application is whether it should be considered prior to the examination and adoption of the emerging Havant Borough Local Plan and if so whether the proposal represents sustainable development.

In terms of the principle of development, the site is not allocated in the development plan. As such, it is advertised as a departure from the development plan. However, since the Havant Borough Local Plan (Core Strategy) and the Havant Borough Local Plan (Allocations Plan) were adopted an assessment of the housing need for the borough now shows that significantly more homes are needed and therefore all possible sites must be re-assessed and considered as to whether their development would be sustainable. An initial re-assessment of all potential housing sites was undertaken through the now revoked Local Plan Housing Statement and evolved as the new local plan emerged. The site is proposed for allocation in the submitted Havant Borough Local Plan under Policy H29.

It is accepted that elements of the proposal do not fully comply with elements of emerging policies in the emerging Local Plan, with specific regard to provision of a fully compliant scheme in relation to technical housing standards, carbon reduction and infrastructure for electrical vehicle charging. However, the scheme does provide elements which satisfy or exceed emerging policies, particularly with regard to generous open space provision for existing and future residents. The NPPF (paragraph 48) sets out that weight can be given to relevant policies in emerging plans depending on, amongst other things, the stage of preparation of the emerging plan and the extent of unresolved objection to individual policies. At the current stage where the Local Plan has been published and submitted to the Secretary of State for Housing Communities and Local Government for examination, and in combination with the level of objection to these 'standards' policies, they can be afforded only limited weight at this time.

Whilst the scheme is contrary to the development plan, national policy is a material consideration. This includes the Borough's performance against the NPPF's requirement to demonstrate a five year supply of deliverable land for housing. The Borough's housing land supply was updated in February 2021. This shows that the Borough now has a 4.2-year

housing land supply with a 20% buffer applied. This represents a materially changed position relative to the previous application when the Council had a 5.4-year housing land supply and the supply now falls below the Government's five year supply threshold. It also means that as a result of paragraph 11,d,ii coming into effect, that planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the (NPPF) as a whole".

The development proposed by this planning application is included within the housing land supply calculations and is equivalent to 0.36% of that supply. As such, without the proposed development at Sinah Lane, the Borough would have a 3.84-year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application.

The proposal has been the subject of a high level of public interest with 579 representations received in respect to the planning application, comprising 578 objections, and 1 in support. Additionally, the proposal has been subject to extensive review and consultation. Under the previous application APP/18/00724 the plans were amended to address concerns raised by consultees; revising the design, layout and improving landscaping, which has improved the relationship of the development in respect to the surrounding area and neighbouring residential properties. The application is supported by an Infrastructure Delivery Statement (IDS) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. Full publicity has been undertaken on the proposal including consultation, notification of neighbours, site notices and advert in the press.

Under the previous application in respect to vehicle, pedestrian and cycle access to the site, and having regard to the Hayling Island Transport Assessment (HITA) the submitted details were amended in agreement with the Highway Authority. In accordance with the previous proposal the current proposal provides for a contribution towards the implementation of the HITA mitigation package. The HITA mitigation package includes junction improvements at the following locations: -

- Northney Road/A3023;
- Langstone Road/Woodbury Avenue/Technology Park;
- West Lane/A3023;
- Mill Rythe Roundabout; and
- Friction Reduction' Schemes along the A3023.

Subject to conditions and obligations the Highway Authority raises no objection to the application.

The site is identified under the Solent Wader and Brent Geese Strategy as Primary Support habitat. Mitigation is identified under the submitted Winter Bird Mitigation Strategy which proposes a refuge on the north of the proposed housing development adjacent to the Hayling Island Brent Goose Refuge (E26). The developer is currently at an advanced stage of negotiations with the RSPB to take on ownership of this area to provide permanent foraging for Brent Geese and other waders during the winter. A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

The site is in flood zone 1 (lowest type of risk) and the Environment Agency and Local Lead Flood Authority have raised no objection to this development, and are satisfied, subject to conditions with the measures in place to ensure that the development is free from the risk of

flooding and that the site is sustainably drained.

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), Ramsar, Solent Maritime SAC and Solent and Dorset coast 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 European Sites which would otherwise have been likely to occur. 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 it concurs with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

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

1 Site Description

- 1.1 The site is located on Hayling Island, within the southern area of the island, known as South Hayling; the site is located in the western part of the settlement known as West Town. Adjacent to the site is the former terminus of a railway line which once linked Havant with Hayling Island. This route now forms the Hayling Billy Trail. The site comprises a 12.64-hectare area of undeveloped agricultural land which is irregularly shaped and elongated along a north-south axis. The southern part of the site is transversed by an overhead power line. A second overhead power line crosses the central portion of the site on an east-west axis. There are no trees within the site, except for an area at the northernmost extent of the site.
- 1.2 The site, the southern part of which is currently in agricultural use and the northern part which provides over wintering for birds including Brent Geese, is relatively flat. The site lies in proximity to a number of identified environmentally sensitive sites including a SSSI and Langstone Harbour.
- 1.3 The southern boundary of the site borders residential development in Sinah Lane and the western boundary comprises the rear gardens of properties in North Shore Road with the northern section comprising a bank along the adjacent coastline. The Hayling Billy Trail (a former railway line) lies to the east. The northernmost extent of the site is bounded to the north by a stream.
- 1.4 The nearest collection of retail facilities is at West Town, a 500 metre walk 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, a 1.7km walk from the site. In this area there are two supermarkets, two pharmacies, a post office, a church, a health centre and dentist. Educational Facilities are located at Mengham Infant School and Hayling Island Library which are a 1.5 km walk from the site. Mengham Junior School sits at a walk of 1.7 km from the site. The nearest secondary school is Hayling College, which is a walk of 2 km from the site.

2 Planning History

- 2.1 The site was the subject of a Development Consultation Forum (DCF) on 14 November 2017 in respect to a residential proposal for 162 new homes on a smaller site.
- 2.2 APP/18/00724 - Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.

Appeal against non-determination. Not yet determined and but start date now confirmed.

Committee resolution at the DMC of the 29 October 2020 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 conditions and a Section 106 Agreement in respect of the following matters: -

1. Affordable Housing (30%)
2. Provision of Bird refuge
3. Provision of Open Space, including orchards, play area and associated infrastructure and arrangements for management including measures to ensure that the open space is managed in a Nutrient Neutral manner
4. Solent Recreation Mitigation Strategy contribution currently £125,774.40 (subject to appropriate increase in the event that the decision is made on or after 1st April 2020)
5. SUDS maintenance and bond
6. A contribution towards Health of £31,2000
7. Permissive paths
8. A contribution towards a Community worker of £48,750
9. Delivery of site access works via a S278 agreement, prior to commencement of development
10. Off site Highways contribution of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout

3 Proposal

- 3.1 Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.
- 3.2 The proposed residential development is for the erection of 195 dwellings (including a 30% provision of affordable homes i.e. 58 units), associated open space, pumping station, substation with vehicular access via Sinah Lane on the southern section of the site and on the northern part a change of use of land from agricultural to a permanent Wader and Brent Geese refuge. This area is currently used by these birds when the crop provides a suitable food source as required under a S106 agreement in respect to the nearby Oyster development.
- 3.3 The development will provide a variety of dwellings ranging from 2 to 4 bedrooms in size. The majority of the development will consist of 2 storey houses or maisonettes, with some 2.5 storey house and 3 storey flats.
- 3.4 Public Space provision is in the form of a community orchard, Locally Equipped Play Area, wild flower meadow and additional recreation areas providing for green corridors through the site and along the northern part of the eastern boundary. To the north of the proposed housing development the plans provide for drainage infrastructure including a SUDS pond.

- 3.5 The materials for the proposed development would comprise a mix of stock bricks, grey cladding and red and grey tile hanging with concrete grey and red roof tiles. Garden sheds would be provided for bike storage.
- 3.6 Vehicle access to the housing development would be taken off Sinah Lane between 6 and 10 Sinah Lane. Additionally, the proposal allows for a northern and southern link to the Hayling Billy Trail for pedestrians and cyclists.
- 3.7 Parking would be provided for 484 vehicles comprising 445 allocated spaces (on plot and off plot) and 39 visitor spaces, plus 2 service spaces adjacent the proposed sub station on the south-eastern part of the site.
- 3.8 The northern part of the site would be safeguarded for a Bird Refuge to provide and secure enhanced habitat for this use. - Circa 4.3 hectares is already within the ownership of the RSPB (land immediately adjacent to the shoreline continuing on from North Shore Road) - Circa 1.8 hectares will be transferred to the RSPB - Circa 0.6 hectares is occupied by the suds feature which (whilst not strictly foraging habitat) is complementary to the foraging habitat and contributes to the openness of the area. The developer is currently negotiating with the RSPB to take on ownership of this area to provide permanent foraging for Brent Geese and other waders during the winter. A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity

4 Policy Considerations

National Planning Policy Framework 2019

The National Planning Policy Framework (the 'NPPF') 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 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). 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 Development Plan.

Havant Borough Local Plan (Core Strategy) March 2011

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

CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)

- 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)
- DM1 (Recreation and Open Space)
- DM6 (Coordination of Development)
- DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
- DM10 (Pollution)
- DM13 (Car and Cycle Parking on Residential Development)

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 Borough Local Plan

In 2019, the Council consulted on a Pre-Submission Local Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). However, there has been a near 18-month delay to submitting the Plan due to the need to respond to the Dutch Case and ensure that all new development can be nutrient neutral.

The Council subsequently consulted on the proposed changes to the Pre-Submission Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 3 November 2020 to 17 December 2020. The proposed changes include a strategic mitigation solution for addressing nutrient neutrality.

The Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. Inspectors have been appointed on behalf of the Secretary of State to undertake an examination of the plan.

The emerging Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF. This confirms that weight may be given to policies in emerging plans depending on a number of factors. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the emerging Local Plan referenced below are currently afforded limited weight, dependent on the extent to which there are unresolved objections to relevant policies.

The relevant planning policies of the emerging Local Plan are:

- DR1 – Delivery of Sustainable Development
- DR2 - Regeneration
- IN1 - Effective Provision of Infrastructure
- IN2 – Improving Transport Infrastructure
- IN3 – Transport and Parking in new development

IN5 – Future management and management plans
E1 – High Quality Design
E2 - Health and wellbeing
E3 – Landscape and settlement boundaries
E6 – Best and most versatile agricultural land
E9 - Provision of public open space in new development
E12 – Low Carbon Design
E13 – Historic Environment and heritage assets
E14 – The Local Ecological Network
E15 – Protected Species
E16 – Solent Special Protection Areas
E17 – Solent wader and Brent Goose feeding and roosting sites
E18 – Trees, hedgerows and woodland
E19 – Managing flood risk in new development
E20 – Drainage infrastructure in new development
E22 – Amenity and pollution
H1- High Quality Homes
H2 – Affordable Housing
H3 – Housing Density
H4 – Housing mix
H29 - Land north of Sinah Lane

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
Housing SPD

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

5 Statutory and Non Statutory Consultations

NB At the time of drafting this report a number of statutory and non-statutory consultation responses are outstanding, and members will be advised of any updates prior to, or at the Committee meeting. Given the fact that the application site and quantum of development of this revised application accords with that the subject of previous Application APP/18/00724, the final comments of any outstanding consultees on that earlier scheme are included here for information, prefaced "Final comments made in respect of APP/18/00724".

Arboriculturalist

From the ACD plan provided, tree Protection appears to be adequate for the site and should ensure the trees identified for retention are afforded measures to ensure they are not damaged during the construction phase. If permission is given a full AIA to include the AMS and this TPP must be conditioned ensure that the tree protection is in place prior to any works (to include exploratory tasks such as archaeological survey digs etc) and signed off by their Arb consultant with submitted photographic records.

Chichester Harbour Conservancy

Recommendation

Provided that an appropriate assessment by the Council, including whether the development is sustainable given the additional travel demands to be placed on Hayling Island's highway network, concludes no significant environmental effects being likely to result from the development, no objection, subject to –

- (1) Planning obligations to -
- (a) Mitigate recreational disturbance impact to the North Solent SPA, within Langstone Harbour and Chichester Harbour, in accordance with the Solent Bird Aware schedule of developer contributions and proposed open space provision providing an alternative area to dog walkers;
 - (b) Deliver the bird refuge area and provide for its future maintenance;
 - (c) Deliver the measures/land management to ensure the nitrogen budget is effective; and,
- (2) Planning conditions related to –
- (i) adherence to the submitted phasing plan;
 - (ii) works of ecological mitigation, including bat enhancement measures and slow worm translocation, set out in the submitted reports to be implemented before commencement of works in respect of slow worms and prior first occupation of each respective dwelling in the case of bat enhancement measures;
 - (iii) any approved tree/hedgerow removal takes place outside of the bird nesting/breeding season which runs March to September;
 - (iv) safeguarding and protection of retained trees during the build process in accordance with the submitted arboricultural method statement;
 - (v) a construction environment management plan to ensure no pollution of the natural environment results from the build process and detailing how the build processes - (particularly piling and dust generation during construction) - will be mitigated during winter months to limit impact to birds using the nearby SPA designations;
 - (vi) that the site's archaeology be investigated and finds recorded/archived; and,
 - (vii) that any new soft planting be implemented before the end of each phase or the next planting season following that and any planting that dies, becomes diseased or fails within a 5 year period of first being planted to be replaced with similar species to the original approved planting specification.

Additional comment

Concern over the availability of connectivity to the main sewer considering new housing approvals already made.

Discharge of untreated sewage into the harbour

Building Control

No comments.

Community Infrastructure

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/H%20BC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

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

The applicant will need to submit CIL Form 10 to obtain mandatory social housing relief. If this is not submitted prior to decision/issue of the CIL Liability Notice then the notice will show the gross amount of CIL due.

Should the applicant wish to phase their CIL payments this must be 'must be expressly set out in the planning permission'

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. HBC Monitoring Fees

3. Management Company
4. Management Plan
5. Solent Recreation Mitigation Strategy
6. Nutrient Neutrality: www.havant.gov.uk/nitrogen
7. SUDS/SUDS Bond (Bond not necessary if Southern Water have agreed to adopt SUDS once installed)
8. Community Worker
9. HCC Monitoring Fees (£500 per HCC Head of Term, capped at £10K)
10. Education (HCC)
11. Travel Plan (HCC)
12. Highway Works (HCC)
13. Site Specific Transport Improvements (HCC)
14. Employment and Skills Plan
15. Others/relating to Brent Geese Refuge/Open Space areas

Community Officer

Final comments made in respect of APP/18/00724

Contribution under Policy CR2 towards a community officer to help new residents in the development integrate into existing communities is required and would be £48,750, with 40% upon commencement and 2 x 30% upon occupation of 50 units each.

Countryside Access Team

Final comments made in respect of APP/18/00724

The Hayling Billy Local Nature Reserve and shoreline bridleway is located adjacent to the eastern boundary of the development site. The path forms part of the Shipwrights Way, a 50mile multi- user route that leads from Hayling Island to Bentley to the north of the county.

In our response to the Havant Local Plan submission we had identified that if the site came forward that a developer obligation providing a contribution towards the maintenance and upgrade of the Hayling Billy Trail would be necessary. We have also been working with Havant Borough Council on a project to ensure that this access provision is maintained due to coastal erosion.

We understand that our colleagues in the Highways are currently holding discussions with the developer and will bring our request forward as part of the sustainable transport obligation once the full transport impact has been assessed. We therefore subject to securing the contribution raise no objection to the application.

Further comments

In our previous response dated 28/08/2018 we raised no objection subject to a contribution towards the maintenance and upgrade of the Hayling Billy Trail. We understand our colleagues in Highways are awaiting a Transport Assessment and necessary mitigation before sending their response.

Officer comment: A contribution of £8800 to be the subject of a legal agreement, is proposed towards maintenance and upgrade of the Hayling Billy Trail.

County Archaeologist, Strategic Environmental Delivery Group, HCC

Thank you for your consultation. I note that it is a resubmission of a previous application, 18/00724. I would draw your attention to the Planning statement addendum submitted, and to section 3 which states the changes in the present application from the original application. These changes do not materially alter the impact of the

development on archaeological remains, therefore I would reiterate the archaeological advice provided in relation to the previous application.

I note that the archaeological desk based assessment is also resubmitted and references previously made remain applicable. This DBA concludes that:

'6.3 There are no designated archaeological assets on or particularly near to the study site. The study site has remained undeveloped agricultural land throughout the historic periods.

6.4 A review of available archaeological and historical sources indicates that the site has a moderate archaeological potential for the Roman periods and a low to moderate potential for the later Prehistoric. A low archaeological potential is identified for evidence from all other past periods of human activity.

6.5 Based on the results of the recent archaeological evaluation a short distance to the east of the site, it is considered that the proposed development of the site is unlikely to have a widespread or significant archaeological impact upon any undiscovered archaeological heritage assets within the site boundary.

6.6 However, due to the size of the study site and the low to moderate archaeological potential for later Prehistoric and Roman evidence, it is considered likely that the Hampshire County Council Archaeological Officer will take a precautionary approach and seek field evaluation of the site.

6.7 On the basis of all the available evidence we would suggest that any requirement for further archaeological evaluation could follow planning consent secured by an archaeological planning condition.'

I would concur with these conclusions and therefore while there is no indication that archaeology presents an overriding concern I would advise that the assessment, recording and reporting of any archaeological features affected by construction be secured through the attachment of suitable conditions to any planning consent that might be granted. For instance:

1) That no development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

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

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

3) Following completion of archaeological fieldwork 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.

Council's Ecologist

I have reviewed the various submitted ecological reports, including the Habitats Regulations Assessment, Ecological Mitigation and Management Plan, Biodiversity Action Plan and the Winter Bird Mitigation Strategy (all WYG, November 2020). I have previously commented on the general ecological conditions at the site as detailed within several species-specific documents – I note that these have been updated and I am satisfied that the general ecological value of the site is understood and remains the same as previously. Being predominantly an arable field, the site is generally unremarkable in terms of ecological value, with the chief interest being its use by bird species associated with the nearby SPA/Ramsar. The woodland and hedgerows at the eastern edge of the application site are also of ecological importance and this is acknowledged.

The ecological mitigation, compensation and enhancement measures for the development site are acceptable. Trees and hedgerow habitat at the site boundaries will be largely retained intact and protected during construction. New landscaping includes areas of native scrub and hedgerow as well as areas of wildflower grassland. The proposed SuDS basin and swales will be able to provide a valuable wetland element and some wetland plantings are proposed. In terms of protected and notable species the proposed mix of avoidance measures (e.g. timing or certain works, protection of retained features, no use of night-time lighting etc.), new habitat plantings and features such as bat and bird boxes are acceptable. The inclusion of nest boxes for common swifts is welcome, as is the use of ten bat roosting boxes. The success of retained and new habitat areas for nocturnal species such as bats will be largely dependent on the strategy for artificial lighting. Details of lighting can be secured by condition, and the strategy must ensure that retained and new habitats are not subject to levels of lighting that would deter bats.

As previously discussed, one of the principles of the published mitigation guidance for impacts to SPA supporting habitat (as defined by the Solent Waders & Brent Goose Strategy) is that impacts to Core or Primary SWBGS sites would be deemed acceptable if an alternative site can be found that fulfils at least the same function to the same population of birds. This approach has been adopted within the context of the requirement for new dwellings as set out in the upcoming Havant Local Plan 2036 (but also across the wider Solent region) and as a direct response to the continued unmitigated loss of SWBGS sites over many years. In practice, this requirement for mitigation/compensation places considerable difficulties for proposers in terms of finding an alternative compensatory area that is of sufficient size and condition to provide the same function to birds. For Core or Primary sites, compensatory areas must be large and close by the site being lost, and suitable options are few.

One of the inherent traits of the SWBGS network is that there is no mechanism for ensuring the presence of suitable habitat, even where a site is important for birds, as most sites are in private ownership and used for agricultural purposes. There is no guarantee that even the most well-used and important Core and Primary sites will be placed in suitable cropping/management in any one year. Therefore, a guiding principle of the latest SWBGS is securing areas of permanent habitat, managed solely for the birds. The loss of part of a large/important SWBGS site that may only be in suitable condition every few years is deemed acceptable if a comparable area (in size or function) of permanent habitat can be secured in its stead. This is the situation at this application site: a permanently-available grassland site with scrapes and secure fencing, managed by a suitable organisation, is a better site for birds than an arable field which may only be suitable every few years. Whilst there have been bird records throughout the entire site over many years, the survey data submitted both for the Oysters development and the current application have indicated that the northernmost section of the field has been

used most consistently by the greatest number of birds. Many factors are likely to influence the birds' use of a site: cropping, disturbance, proximity to housing, sight lines will all play a role. Records in recent years (for the SWBGS and development-related surveys) show that the northern area is used most often and has supported not only brent geese but wader species also. The lack of records in the central and southern areas (i.e. the application site) in recent years is likely explained by the lack of suitable habitat e.g. bare plough during winter 2016/17. This again highlights the reliance on suitable cropping to make each site suitable for birds. The evidence of very recent records of brent geese within the central and southern sections is not surprising – if habitat is available the birds will use it. Birds may use a site for feeding e.g. if there is a suitable crop such as winter cereals or just for resting e.g. if regular sites are unavailable.

The relationship with the permitted Oysters development has been discussed before. The mitigation for that development was supposed to include secure fencing along the eastern boundary of the Sinah Lane H34C site (to prevent informal access across H34C) as well as management of a small area of pasture to the north. There was no condition relating to the ongoing management of land within H34C and management was therefore subject to usual cropping as determined by the landowner in response to commercial necessity. There were clearly implementation issues with the secure fencing, which is highly regrettable. I understand that this has been addressed and it is hoped that the addition of new hedging as a result of the current proposal will further secure this boundary.

The main mitigation measure – the permanent bird refuge site – is accepted and I understand that the RSPB are essentially satisfied that all matters are resolved in terms of ownership and ongoing management. Confirmation of this will be required before the LPA can determine that the mitigation is deliverable. On the basis of the submitted information I am satisfied that the refuge will be suitable compensatory habitat.

In terms of construction-phase impacts, there is clearly potential for noise and visual disturbance of wintering bird species. The HRA includes outline details relating to the avoidance of construction works within the wintering bird season. This is unlikely to be practicable and therefore alternative measures such as acoustic fencing and noise reduction and monitoring are highly likely to be necessary, especially as construction moves into the northernmost sections adjacent to the refuge. A fully detailed Construction Environment Management Plan (CEMP) can be secured by condition.

If you are minded to grant permission can I suggest that all ecological mitigation, compensation and enhancement measures are secured by condition.

Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Mitigation and Management Plan, Biodiversity Action Plan and Winter Bird Mitigation Strategy (all WYG, November 2020). Ecological enhancement features shall be installed as per ecologists instructions and retained in perpetuity in a location and condition suited to their intended function. 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.

In addition, I would recommend that a CEMP and Lighting Plan are secured by condition.

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 CEMP shall include (but not be restricted to): specifications for construction timing and logistics; pollution prevention measures; measures to control surface water run-off and the emission of dust and noise; and specific measures to

avoid or mitigate damage and disturbance to species and habitats. The CEMP should clearly detail the roles and responsibilities associated with the protection of the natural environment during construction, and mechanisms for monitoring and reporting.

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.

Prior to the commencement of development activities a Lighting Plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall include lighting contour modelling and lighting specifications and shall be in accordance with the outline recommendations detailed within the Ecological Mitigation and Management Plan (WYG, 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.

Officer comment:

The developer is currently negotiating with the RSPB to take on ownership of this area to provide permanent foraging for Brent Geese and other waders during the winter. A legal agreement will be necessary to secure this avoidance and mitigation package in respect to permanent habitat in perpetuity. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

County Minerals

Final comments made in respect of APP/18/00724

No comments received

Crime Prevention -Major Apps

Final comments made in respect of APP/18/00724

The northern most access from the Hayling Billy Coastal Path gives access to the rear of plot numbers 76 to 87, there is very little natural surveillance of this access route, which increases the opportunities for crime and anti-social behaviour. Planning guidance advises, “In general urban block layouts provide an efficient template with building fronts and entrances to public spaces and their more private back to private spaces. Such layouts minimise the creation of unsupervised and unsafe public spaces and unsafe access routes.” To reduce the opportunities for crime and anti-social behaviour greater natural surveillance of the access route needs to be provided from the nearby dwellings.

The external rear garden access for some dwellings is provided via a communal rear access footpath, this increases the opportunities for crime and anti-social behaviour. Some acquisitive crimes such as burglary and theft are often facilitated by easy access to the rear garden of the property. Planning guidance advises, “Planning should promote appropriate security measures”, it continues, “Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits.” To reduce the opportunities for crime and anti-social behaviour all rear garden access should be in curtilage. If this is not desirable all rear garden gates should be fitted with key operated locks that can be operated from both sides of the gate.

The southern boundary treatment Plot number 1, is located half way along the southern flank wall, this has created a deep recess which can be easily accessed from the public realm, which increases the opportunities for crime. To reduce these opportunities the boundary wall should be moved much closer to the front building line.

From the plans it appears that plots number 73 and 71 have a flank wall that can be easily accessed from the public realm, this increases the opportunities for crime and anti-social behaviour. Planning guidance advises, "There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security." To reduce the opportunities for crime and anti-social behaviour a private garden at least 1.5m wide should be provided along these elevations. The garden should be enclosed within a robust boundary treatment at least 1.8m high.

To the north of the development site is a large area of open space, it appears possible to access this space from roads within the development; this increases the opportunities for crime and anti-social behaviour. To reduce the opportunities for crime and anti-social behaviour appropriate measures should be put in place to prevent unauthorised vehicles (including motor cycles) accessing this space. One of the boundary treatments is shown as 1800mm high brick wall with timber fence panel. Care needs to be taken with the construction of these boundary treatments to ensure that a person cannot easily gain access to the top of the low wall and standing on the wall climb over the fence.

To provide for the safety and security of residents and visitors, lighting throughout the development should conform to the relevant sections of BS 5489:2013.

Officer comment: *The plans have been amended to improve natural surveillance, security, prevent deep recesses, provide definition to private and public spaces, and prevent access to unauthorised vehicles (including motor cycles). The lighting would be the subject of a condition to ensure a balance between the need for appropriate security and the lighting impacts on ecology and nearby properties. As such the concerns of the consultee have been appropriately addressed.*

Developer Services, Southern Water

Our investigations indicate that Southern Water can provide foul sewage 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.

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 planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Eastern Solent Coastal Partnership

Initial comment

Thank you for your consultation on the above application. I can confirm that Coastal Partners, formerly known as the Eastern Solent Coastal Partnership, have no objection in principle to the proposed development.

Coastal Partners provided comments on the previous application; APP/18/00724 and these still stand. We are satisfied that the applicant has sufficiently demonstrated how flood risk at the site will be mitigated and have no further comments to make on this re-submission.

Further comment

Whilst Coastal Partners still stand by all previous comments made in relation to the above application, we would like to emphasise that our comments on flood risk at the site relate exclusively to tidal flood risk. We instead defer to the relevant statutory consultees for matters concerning surface water, groundwater or fluvial flooding and drainage considerations.

Education Department

The proposed development of 195 dwellings would usually be expected to generate a total of 59 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments.

The development site is served by Mill Rythe Infant and Junior Schools but there is pupil movement between these schools and Mengham Infant and Junior Schools. The schools are forecast to be at capacity by the start of the 2021 academic year and forecast to remain full after that date without this proposed housing being taken into account. Consequently, additional primary school places will be needed to cater for the additional 59 pupils and a contribution is sought from the developer to pay for this expansion. Details of the forecasting methodology used, along with the current pupil numbers in the Hayling Island primary schools can be found at Appendix A.

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

The County Council has used previous extension projects to derive a cost for the proposed expansion, and this is estimated at £860,550. This is based on the provision of two additional classrooms to accommodate the pupils from this development. Details of how these costs were derived can be found in Appendix B. This will go towards any expansion to Mengham Infant and Junior Schools.

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

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

Recommendation

Without the provision of a contribution towards the provision of additional school places the County Council, as Local Education Authority, would object to the proposal on the grounds that the impact on the existing infrastructure cannot be sufficiently mitigated and therefore the development is unacceptable in planning terms.

Environment Agency

We have reviewed the application and have **no objection** to the proposal as submitted.

Environmental Health Manager

Noise

I have reviewed the application and as I am aware of the earlier assessment of the substation and am satisfied that it won't cause a noise problem, I don't need to raise that again.

However I cannot see a Construction Environmental Management plan so if you are minded to grant consent please can I recommend the following condition be attached to any consent granted:

1) CONSTRUCTION METHOD STATEMENT REQUIRED

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- A programme of and phasing of demolition (if any) and construction work;
- The provision of long term facilities for contractor parking;
- The arrangements for deliveries associated with all construction works;
- Methods and phasing of construction works;
- Access and egress for plant and machinery;
- Protection of pedestrian routes during construction;
- Location of temporary site buildings, compounds, construction material, and plant storage areas;
- Provision for storage, collection, and disposal of rubbish from the development during construction period; and
- Re-use of on site material and spoil arising from any site clearance or demolition work.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

Contamination Assessment, Transport Assessment / Travel Plan / Air Quality assessment, air quality / sustainability, pollution and public health (SuDS / Drainage)

As outlined within the Addendum Planning Statement, it would appear that alterations to the scheme (unit changes, housing mix, landscaping, Drainage, SuDS & internal road layout & parking-) are essentially non-material to comments made under the 2018 application.

As a result, I have no adverse comments to make, and raise no objections. Please refer to previous comments for context & factors upon which the above conclusion relies.

For ease of reference, the documents containing prior comments are listed below, alongside a summary of the salient points.

- APP/18/00724; CONS/18/01583, 20/08/2018 (Jonathan Driver)
- APP/18/00724; CONS/19/01363, 07/08/2019 (Jonathan Driver)
- APP/18/00724; CONS/19/02228, 08/11/2019 (Jonathan Driver)

(Summary Follows)

Contamination:

- *J16123/DB/c03 report... The conclusions of that report are accepted"*
- *"I have no adverse comments to make, and I propose no conditions"*

Drainage/SuDS:

"the justification given within the cover letter dated BDW 11/09/2019 for omitting a Pollution Valve is accepted"

• *"Assuming that adoption [of pumping stations] is not prejudiced [by downstream discharge via SuDS) - I have no adverse comment to make about ...the preventative maintenance outlined in the owners manual for elements of the system which are expected to be adopted. Southern Water has a robust reactionary resources which it is reasonable to assume will function effectively in the long term."*

- the schedule [of preventative maintenance for SuDS] is appropriate in all other respects."

Air Quality:

• *"...I do not dispute the favourable conclusions of the air quality assessment... However, with specific reference to the transport assessment upon which the Air Quality assessment was based, ...I would equally not consider the Air Quality assessment to be sufficient to dismiss the possibility that further consideration of air quality impacts may be necessary. This was in particular in response to the right-hand-turn traffic conflict associated with the West Land / Havant Road A3023 junction implied by the PB Transport Assessment 041.0031/TA/2. See previous comments for detailed rationale."*

- Policy IN3 j)(i) - Plan PL-13.P[Latest] : does not go as far as the policy envisages, given the current status of the policy *this is considered to be a reasonable response which serves to contribute toward mitigating the transport emissions of the development* in the medium term.
- Policy E1 - notably absent from the compliance statement is any response to E1 g). Amended elevations retain the text "*Solar Panels Type, Size, and Orientation to be agreed. Plot specific*", but there remains no specific reference to a local LZC provision in any of the planning to design statements.

- Policy E1 k) – Issues previously raised have been resolved.

• Policy E12 - Specifically as regards air quality, and the public health impact of air pollutants; I would point out that a fabric first approach to E12 which does not address heat loss through ventilation, or facilitates occupants reducing ventilation rates to sub-optimal levels-, would tend to increase the health risks associated with indoor air pollutants, known to represent a substantial component of personal exposure. This comment is intended to provide context to the planning decision against the applicant's response to policy E12. *I do not make any specific recommendations or requirements, as the Council's regulatory duties for air quality do not extend to the indoor environment.*

• Policy E23 - Given the relatively low background levels of air pollution at this location - and assuming that the cycle storage provisions are brought into line with the cycle parking standards contained within the 2016 SPD; *taken together* [the features listed on CONS/19/02228] *may be taken to amount to a reasonably robust response to the mitigation of the contribution of the development to local emissions.*

• *Traffic & Transport Assessment (Junction Capacity & Mitigation); Environmental Health's previous comments were reviewed by the applicant, and an enhanced strategic highway contribution to account for concerns about the impact at West Ln. / Havant Rd. is proposed to support HBC & HCC plans for improvements at this*

junction... discussions are ongoing with HCC to agree the appropriate level of contribution. *This is agreed to be an appropriate response to the concerns raised, [and will assist to] maintain compliant air quality at residential property adjacent. ...I am content to agree the principle of the contribution, and to defer the details ...to the Highways Authority [amount & use of funds].*

Hampshire Fire & Rescue

HFRS understands that the project involves erection of 195No. dwellings, associated open space, pumping station sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.

I confirm that Hampshire Fire and Rescue Service (HFRS) has received your application, dated 02 December 2020. The inspector named above has considered the information provided and has made the following 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

Advisory recommendations provided on access for firefighting, water supplies, fire protection, fire safety systems, and timber framed buildings.

Hampshire Highways

The Highway Authority previously responded to an identical planning application under reference APP/18/00724, recommending no reasons for refusal (subject to S106 and conditions).

Having reviewed the highways information submitted in support of the new planning application, the Highway Authority notes that no additional information has been provided. The recommendation provided in the response dated 31st January 2020 therefore remains valid. The recommendation is made on the basis that the planning authority are satisfied that the approach taken towards agreeing mitigation for the development is in accordance with the local plan process.

The Highway Authority raises no objection to the application, subject to the following conditions and obligations:

S106 Obligations

- Contribution payment of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout;
- Contribution payment of £35,000 towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School;
- Delivery of the site access works via a S278 agreement with the Highway Authority as detailed in drawing number 041.0031.003 Rev J;
- Payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan prior to commencement; and

- Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan.

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 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.

Officer comment: *The detailed comments from Hampshire Highways in respect to Application APP/18/00724 are at appendix E..*

Hampshire and Isle of Wight Wildlife Trust

Final comments made in respect of APP/18/00724:

We are pleased to see that the proposals include provision of a Wintering Bird Mitigation Strategy (WYG, June 2018). The field subject to this application ~ H34C. has been classified as a primary support area in the revised Waders and Brent Goose Strategy 2019, with up to 800 dark-bellied brent geese recorded using the site during the winter 2015/16. Whilst the site outside of the designated area forming the Chichester & Langstone Harbours SPA, the use of the site by large numbers of dark-bellied brent geese demonstrates that the area is evidently functionally linked to it. Therefore, it will be necessary for the applicant to demonstrate that the proposals do not adversely affect the integrity of SPA.

We welcome the inclusion of a Biodiversity Net Gain Assessment (WYG, June 2018) which whilst in some cases there may be some subjectivity regarding the condition of habitats, the document demonstrates that if the target habitat conditions are achieved these development proposals could deliver net gains in biodiversity.

We are aware that the RSPB owns the freehold of land to the north of this application site (referred to as Area A in the Wintering Bird Mitigation Strategy) and we have been informed of their discussions with the applicant regarding the 'long term management of the mitigation area. As such we have not reviewed the document in detail. However, through correspondence with the RSPB we understand that negotiations with the applicant with regard to the long term management of the mitigation area have not yet been concluded. Therefore, in the absence of a binding agreement it will not be possible to conclude that there will not be an adverse impact on the qualifying features of the SPA. As such this application should be refused.

Officer comment: *Binding arrangements for the 'long term management of the mitigation area' would need to be the subject of a S106 agreement.*

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 Pre-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 30% affordable housing on sites resulting in a net gain of 10 or more dwellings.

The proposals comprise of residential development that will include 195 dwelling units:

The applicants have confirmed their intention to provide 30% affordable Housing; 58 new homes, 40 Affordable Rent/ 18 Shared Ownership which represents a 69/31% tenure split.

Home Type	Number
2BF, M,	39
&H	
3B5P H	18
4B6P H	1
TOTAL	58

Emerging policy H1 /High Quality Homes, at para 6.3 confirms that the Council will require all residential development to meet the nationally described space standard (or any subsequent Government standard). At this stage this emerging policy carries only limited weight. The applicant's proposals for the affordable homes are the following sizes:

Type of Home	Barratt/DWH internal areas sqm
2B3P F	55
2B4P F	64
2B4P H	78
3B5P H	86
4B6P H	102

Within the latest submissions the applicants have included a table detailing the unit sizes (both market and affordable) set against the requirements of the NDSS (see NDSS table below)

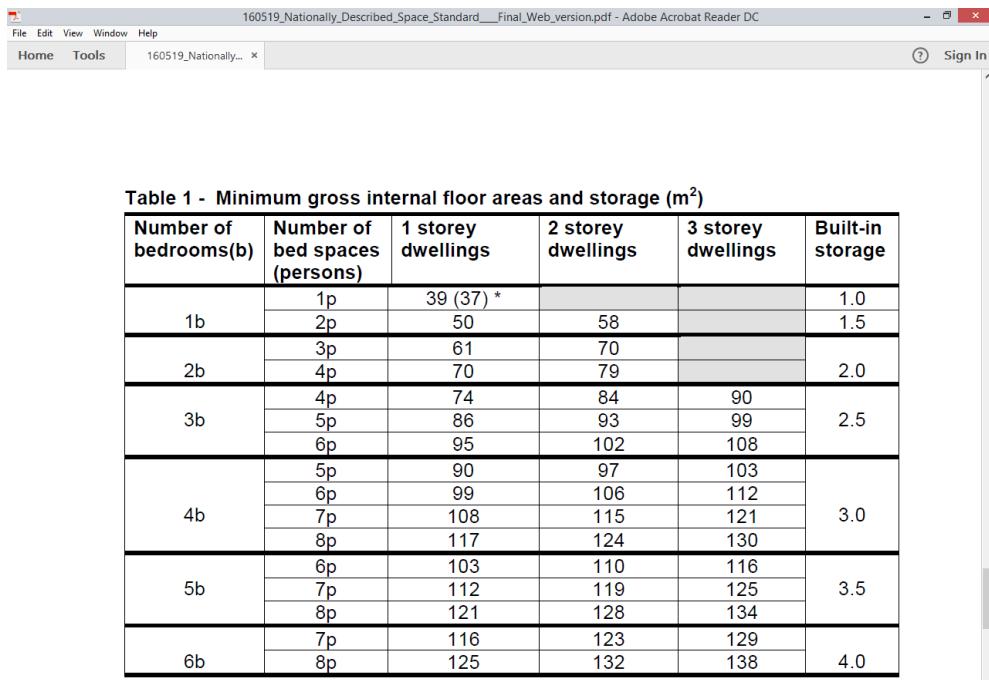


Table 1 - Minimum gross internal floor areas and storage (m ²)					
Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		
	4p	70	79		2.0
3b	4p	74	84	90	
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	
	8p	125	132	138	4.0

The new homes proposed do fall slightly short of the NDSS, however the majority do fall within the ranges of sizes within the adopted Havant Borough Council Housing SPD July 2011. In addition, the size of these new homes does exceed 85% of the NDSS which is the benchmark for Homes England funding. For this reason, the proposed sizes are accepted.

The demand for affordable housing remains high within Havant borough; as at 23rd December 2020 there are 1649 households registered on Hampshire Home Choice (HHC) seeking accommodation in our area and of these 539 are waiting for a two bed, 275 for a 3 bed, and 74 for a 4+ bedroom home. Unfortunately waiting times for an offer of accommodation remain consistently long, up to 5-6 years, for all sizes of new home.

To address locally identified need the HBLP 2036 states that, as this site is 50 dwellings, 2% of the overall housing provision should be designed to meet the wheelchair accessible homes standard. This would equate to 2 of the affordable homes proposed so I would expect to see some units designated in this way.

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

The Shared Ownership homes will be marketed through Help to Buy 3, our local Help to Buy Agent, and will be available to those applicants registered as being eligible for this type of low cost home ownership product.

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

Moving forward Housing would support this development proposal in principle.

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

Landscape Team

Having reviewed the submitted documents the application predominately mirrors the layout and landscape proposals which had been previously been submitted for Land at Sinah Lane, as such we have the following comments:

- We require the boundary treatments to on plots no. 126 and 133 to be 1800mm high brick wall with timber fence panel due to its prominence in the streetscape.
- We require all rear garden boundary treatments to be a minimum height of 1800mm.
- The additional northern access point onto the Hayling Bill Tack will cross over existing root protection areas. Construction details of the proposed surface treatment are required to ensure an appropriate mitigation strategy is applied to removed impact on the tree roots.
- The soft landscaping proposed as part of planning APP/18/00724 (documents BDWS20660 11R SHEET 1, BDWS20660 11R SHEET 2, BDWS20660 11R SHEET 3, BDWS20660 11R SHEET 4, BDWS20660 11R SHEET 5, BDWS20660 11R SHEET 6) had been worked in cohesion with HBC landscape architects and is deemed to be of

better quality than the submitted revision for APP/20/01093. The number of trees and planting spec is considered to be inferior and as such we want to see the soft landscape proposals as submitted in planning APP/18/00724.

Officer comment: A condition requiring further details is proposed and has been agreed by the applicant.

Langstone Harbour Board

The Board's Planning Sub Committee has considered this application and has decided to **object** to the proposals. The committee wish to make the following points which derive from the Langstone Harbour Board Management Plan that detail the reasoning behind the objection to the proposal:

1. The overall goal of the Langstone Harbour management plan is to promote the sustainable use of Langstone Harbour by managing human activity in and around the Harbour so as to maintain the value of its natural resources, especially those identified as of national and international significance.
2. Two of the Management Plan objectives are; to conserve and seek to enhance the nature conservation value of the harbour and its surroundings, and to encourage land use practices on land around the Harbour that will maintain and enhance its value to nature conservation and the quality of its landscape.
3. The Management Plan recommends 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.
4. The plan states that the water, mud and shore of Langstone Harbour are vital elements in the landscape and recreational structure of south east Hampshire. Collectively, the landscape and recreational resources of Langstone, Portsmouth and Chichester Harbours are of national importance.
5. The plan states that although the natural extent of Langstone Harbour has been reduced by land claim, encroaching urban development and the construction of sea defences, the remaining area of open land around the harbour is a key element in its character, enhancing its value for nature conservation, landscape and recreation. As this proposal is for building upon green field land currently used by Brent Geese and wading birds, the committee believe the proposal to be in conflict with the recommendations and objectives of the Langstone Harbour Management Plan.

Officer comment: See section 7

Local Lead Flood Authority HCC

Hampshire County Council as Lead Local Flood Authority has provided comments in relation to the above application in our role as statutory consultee on surface water drainage for major developments.

In order to assist applicants in providing the correct information to their Local Planning Authority for planning permission, Hampshire County Council has set out the information it requires to provide a substantive response at
<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning>

The County Council has reviewed the following documents relating to the above application:

- Surface Water Drainage Owners Manual
- Emails from consultants dated 25/01/21 and 02/02/21

- Outline Site Levels ref: 10162/101 P1
- Flood Exceedance Plan 1 of 2 ref: BSO/E4513/026 D
- Flood Exceedance Plan 2 of 2 ref: BSO/E4513/027 E
- Drainage Strategy 1 of 2 ref: BSO/E4513/012 D
- Drainage Strategy 2 of 2 ref: BSO/E4513/013 F
- Flood Risk Assessment rev C
- Microdrainage calculations – surcharged outfall

The proposed drainage uses pipes and gullies to collect and carry the water utilising storage areas prior to reaching the pumping station. The pumping station transfers surface water into the attenuation pond before it outfalls at greenfield rates into the ditch network and into Langstone Harbour.

Detailed hydraulic calculations have been provided which show that the drainage network is sufficient to hold a 1:100 + 40% climate change storm without flooding and even if the outfall is blocked, the flooding is minimal and contained within safe areas.

The pumps have been designed with a dual system to provide redundancy and have also been designed to adoptable standard so that Southern Water would take on the maintenance responsibility.

Concerns have been raised over groundwater and impacts due to the tidal influences. The drainage and storage features will be sealed systems so providing they are constructed and maintained appropriately, there should not be any interaction with the groundwater. The pond is currently unlined and it has been stated that this will be above the groundwater levels with ground investigation reports provided to substantiate this.

There is still some concern that the low flow channel will be at risk from groundwater ingress however lining could be included at a later date so this could be an element that could be conditioned as it is straightforward change.

There is limited information available detailing the levels between the existing and proposed properties. If the natural flow heads towards the development, this must not be obstructed. It may be necessary to provide a boundary feature such as a shallow swale / filter drain so that there is a suitable flow route for the water to flow away from existing areas without affecting the proposed development.

Future maintenance is stated as being with either Southern Water or a management company with the former taking on responsibility for the pipes, chambers and pumping station as set out in the Owners Manual. No correspondence has been provided from Southern Water indicating their approval to this although the developer has stated that these features have been designed to adoptable standards and will be acceptable. The attenuation tanks, swales and pond are to be the responsibility of a management company.

While we appreciate the concerns in relation to this development, we have to comment based on our remit for Surface Water drainage and the requirements set out in national planning guidance. The majority of the proposals are in line with this guidance with two points remaining outstanding, namely overland flows and maintenance, and on this basis we do not feel that we can object to the development under our surface water remit and the points highlighted can be addressed by condition.

1. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the approved documentation, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a. Confirmation that the attenuation basin low flow channel will not be affected by groundwater either through lining or the provision of groundwater monitoring information.
- b. Confirmation of any boundary drainage features to ensure existing flow paths are not obstructed.
- c. Details for the long term maintenance arrangements for the surface water drainage system including confirmation that the proposals identified for adoption by Southern Water are acceptable.

Natural England Government Team

Thank you for consulting Natural England on the updated Habitats Regulations Assessment and Appropriate Assessment for the above application.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Please find comments on the mitigation below.

Construction impacts

The HRA /AA refers to H05A and designated sites to the south of the development site. We advise that this is corrected to the designated sites to the north-west of the residential development area and the remaining area H34C, which will be secured as a Wintering Bird Mitigation Area.

It is noted that a CEMP will be secured with any planning permission, with some mitigation measures included in the Appropriate Assessment. Provided the CEMP includes measures for dust control, pollution and surface water drainage measures during construction and measures to prevent noise, lighting and visual disturbance on the designated sites and supporting habitat, Natural England raises no further comments.

It is recommended that the following condition is attached to any planning permission:

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site)

We advise that you may want to seek your own legal advice on the implications of the Sweetman II ruling and the level of detail that should be included within an Appropriate Assessment.

Loss of Supporting Habitat

We note that the AA states that the submitted Winter Bird Mitigation Strategy proposes a refuge on the north of the proposed housing development adjacent to the Hayling Island Brent Goose Refuge (E26). The area would be actively managed to provide permanent foraging for Brent Geese and other waders during the winter by the RSPB.

Provided any planning permission secures that the Wintering Bird Mitigation Area is operational at the time it is required to offset the adverse effects which are being addressed, Natural England raises no further comments. Natural England recommends that the planning permission secures that the infrastructure works for the Wintering Bird Mitigation Area are progressed at the earliest opportunity and prior to commencement of construction.

Deterioration of the water environment

The nutrient budget has been calculated in line with Natural England's Advice on Achieving Nutrient Neutrality in the Solent (version 5 June 2020). The competent authority should be assured and satisfied that the site areas used in the calculation are correct and that the existing land uses are appropriately precautionary. This is dependent on 7.33ha of retained woodland/public open space as future land use. We note that the Wintering Bird Mitigation Strategy proposes that default future management will be through cutting with low intensity grazing as an alternative. The 5 kg/TN/ha open space figure assumes there is no grazing or a very low density - 1 livestock unit per 10 ha per year. We advised that if grazing levels are likely to be higher than this level then it may be more appropriate to use an alternative figure in the calculation.

The purpose of the mitigation is to avoid the impacts by neutralising the additional nutrient burden that will arise from the proposed development, achieving a net zero change at the designated sites in a timely manner. It is for the competent authority to determine the importance of timing issues for each development, depending on location and form of mitigation applied. In considering the significance of timing issues within an appropriate assessment competent authorities should take account of the average time taken from the removal of agricultural activities to first occupation and rate of completions for each development.

Provided 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.

Sustainable urban Drainage System (SuDS)

Provided the SuDS is designed, installed with appropriate management in accordance with the requirements in the CIRIA SuDS Manual (C753) and is secured with any planning permission, Natural England raise no further concerns. The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that 'an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance'.

Solent Recreation Mitigation Strategy

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.

Please contact me if you have any queries relating to this advice

Open Space Society

No comments received

Planning Policy

Consolidated comments

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 [Pre-Submission Havant Borough Local Plan 2036](#) (HBLP 2036) was approved by the Council on 30 January 2019 and must be afforded limited weight.

The following Adopted Local Plan policies are of particular relevance:

- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

In the Pre-submission Plan the following policies are of particular relevance:

- DR1 | Delivery of Sustainable Development
- DR2 | Regeneration
- IN1 | Effective provision of infrastructure
- 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
- E3 | Landscape and settlement boundaries
- E9 | Provision of public open space in new development
- E12 | Low carbon design
- E16 | Solent Special Protection Areas
- E17 | Solent Wader and Brent Goose feeding and roosting sites
- E22 | Amenity and pollution

- H29 | Land north of Sinah Lane

Principle of Development:

In the adopted local plan, the site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. These policies seek to restrict development in these locations, except in exceptional circumstances. None of the exceptions in the policy apply here, the proposal being a housing development on greenfield land.

The site is however, identified as a proposed allocation in the Pre-Submission Local Plan under Policy H29 which can be afforded limited weight at this stage.

Whilst the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle subject to more detailed transport work and other matters related to the quality of the development.

Five Year Housing Land Year Supply

The Council's Five Year Housing Land Supply Update (December 2020) indicates the Borough has a housing supply position of 4.8 years with a 5% buffer applied. This is below the five year supply threshold.

Hayling Island Transport Assessment

The Hayling Island Transport Assessment was published in January 2019 alongside the Pre-Submission Havant Borough Local Plan. The Council determined in January 2019, as part of the consideration of the Pre-Submission Havant Borough Local Plan that further work on the Transport Assessment was necessary. This has taken the form of an addendum to the Hayling Island Transport Assessment.

The addendum to the Hayling Island Transport Assessment was published on 16 March 2020. It sets out the mitigation package needed to ensure that a cumulatively severe impact on the highway network can be avoided in line with paragraph 109 of the NPPF.

Hampshire County Council's response from the Highways Development Planning Team is noted, following the extensive discussions which have taken place with the applicant. It is also noted that the applicant would provide a direct contribution to the implementation of the TA mitigation package which will supplement the development's contribution through CIL.

Development Requirements

Development proposals should be designed to meet the requirements in the Pre-Submission Havant Borough Local Plan which can be afforded limited weight.

The full set of developer considerations can be found in the emerging allocation policy; please see Policy H29 in the Pre-Submission Draft Local Plan.

Analysis of the scheme's compliance with various emerging policies is set out in the table below:

Policy	Requirement	Comment
Regeneration (Policy DR2)	A requirement for financial contributions towards accessing employment and skills training; and a community officer to help	The applicant agrees to a financial contribution towards a community officer and they will provide an Employment Skills Plan through a

	new residents integrate into existing communities.	S106 agreement in line with the requirements of the policy.
EV Charging Infrastructure (Policy IN3)	Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking.	A charging point would be provided for each dwelling with a garage. The Design and Access Statement indicates there would be 31 dwellings with on plot or integral garages, representing about 16.4% of the overall scheme.
Internal Space Standards (Policy H1)	A requirement for dwellings to meet the nationally described internal space standards	The applicant disputes the policy requirement, but refers to a schedule which highlights the proportion of dwellings which comply with NDSS. Only 10% (14 units) of the private dwellings comply with NDSS. Whilst 80% of affordable units comply with NDSS, around 21% (12 units) of the affordable units would fail to comply.
Enhanced Accessibility Standards (Policy H1)	30% of proposed dwellings to meet enhanced accessibility standards (M4(2)) and 2% of the total proposed dwellings to meet wheelchair accessible standards (M4 (3))	It is noted that the applicant's Compliance Statement does not address this particular requirement.
Private Amenity Space (Policy H1)	Requires sufficient private and/or communal outdoor amenity space to be provided. A minimum of 1.5 sqm of private amenity space per bedroom, or sqm of communal space per bedroom should be provided for flatted developments.	The submitted information indicates the applicant does not wish to include balconies for the flats above ground floor level. It is however noted that a number of the apartment blocks are closely located in relation to public open space within the site.
Housing Density (Policy H3)	Policy H3 in the Pre-Submission HBLP 2036 sets out that any residential development outside of the town centres and defined opportunity areas and provide for a minimum of 40 dph.	Based on a net developable area of 4.73ha (excluding the refuge), the development proposals would provide a density of 41 dph and so fully complies.
Housing Mix (Policy H4)	Development proposals should provide a range of dwelling types and sizes to meet identified housing.	Approximately 35% (68 units) of the overall housing mix would be provided as two-bedroom homes (both market and affordable) and so the scheme fully complies.
Low Carbon Design (Policy E12)	Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate.	The submitted information indicates that the applicant wishes to follow a 'fabric first' approach to building design. The submitted Energy Statement demonstrates that across the house types proposed for the site, these exceed the Target Emission Rate by between 0.67% and 9.68%. These improvements are achieved through fabric measures with the overall betterment against Target Fabric

		Energy Efficiency of between 3.53% and 15.53
Provision of open space in new developments (Policy E9)	Requires new open space to be provided to a standard of 1.5 ha per 1,000 population (equivalent to 15 sq. m per person), and where the open space requirement exceeds 0.5ha, an element of play.	Based on the proposed housing mix, the development would generate a population of 466 people. The submitted Open Space Plans indicate that a total of 0.72ha of open space would be provided, of which 0.25ha would form an orchard which would represent a slight over provision when compared to the emerging policy requirements (0.69ha for public open space, and 0.09ha for community growing provision) for 210 dwellings).
Management Plans (Policy IN5)	A management plan is likely to be required through a legal agreement to establish the whole life management and maintenance of the common parts within the development.	The submitted Highway Layout Review Plan(s) shows all sections of the site which are to be formally adopted and maintained by a Management Company. It is also noted that this will be secured through a S106 legal agreement as part of the application. Hampshire County Council will be able to advise further on whether the design and construction meets the adopting authority's standards. It is noted that there are other common parts e.g. SUDS, refuge, foul drainage systems, landscaping and trees and green open spaces which should be similarly covered by a legal agreement which provides for their sustainable management and maintenance.

Brent Geese and Waders:

The site is identified as a Primary Support Area for Solent Waders and Brent Geese (SWBG) under emerging policy E17 in the Pre-Submission HBLP 2036, and in the [Solent Waders and Brent Goose Strategy \(October 2018\) \(SWBGS\)](#).

The Solent's Special Protection Areas are designated¹ in part due to the assemblages of Brent Geese. As such, a project level Habitat Regulations Assessment (HRA) will need to be carried out² and inform any package of avoidance and mitigation measures for Solent Waders and Brent Geese, to determine levels of impact, alone and in combination with other plans and projects. In this respect, the applicant has submitted revised information to inform the Council's HRA.

Emerging policy E17 (Solent Wader and Brent Goose feeding and roosting sites) in the Pre-Submission HBLP 2036 indicates that development proposals at Land north of Sinah Lane

¹ Protected under Directive 2009/147/EC of the Conservation of Wild Birds

² Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017

(H29), will only be permitted where a suitable replacement habitat is provided, which:

- d. *Contributes to a biodiversity net gain to the SWBG network;*
- e. *Are suitable in terms of habitat type and quality for at least the number of SWBG recorded on the site being lost; and*
- f. *Is secured through a costed Habitat Management and Monitoring Plan.*

The submitted Planning Statement indicates that a mitigation area would be managed as grassland to provide a nutrient-rich food source for foraging geese, including the creation of six wader scrapes within the mitigation area to the north of the development.

Whilst the Council's Ecologist has raised concerns in relation to the deliverability and maintenance of the refuge, it is noted that the replacement habitat can be secured by legal agreement and its maintenance in perpetuity in line with Policy E17It is recommended a HRA is prepared on this basis.**Design and layout:**

Policy E2 (Health and wellbeing) of the Pre-Submission Local Plan requires development proposals to promote active and healthy lifestyles through good urban design through the provision of high quality pedestrian and cycle routes.

As previously highlighted, it is noted the submitted site layout shows the provision of a path adjacent to plots 83 and 87 to provide pedestrian and cyclist access to and from the development, as well as additional pedestrian and cycle connections throughout the site.

Affordable Housing:

Policy CS9 of the Core Strategy together with emerging policy H2 in the Pre-Submission HBLP2036 set out the affordable requirement for the site. Of particular relevance is the need for 10% of the total number of new homes (gross) should be provided as shared ownership (as part of the overall affordable home ownership).

A total of 58 units of affordable housing would be provided, of which 40 would be affordable rent, and 18 as shared ownership which would equate to 29.7% of the overall housing site. It is recommended that an off-site affordable housing contribution should be sought for the balance (0.3%). The Council's Housing Officer will be able to offer further advice on this matter.

Parking:

Policy DM13 and the [Havant Borough Parking SPD \(July 2016\)](#) set out the parking standards for new development in the Borough. The minimum standards for unallocated residential parking can be found in Table 4B of the SPD.

The revised Design and Access Statement indicates that a total of 445 parking spaces for general housing would be provided, with 406 spaces for residents, 39 spaces for visitors. However, based on the standards in the Parking SPD, the proposed development would generate the need for a minimum of 416 spaces, of which 83 spaces (20%) should be provided as unallocated visitors parking.

In this case the scheme is seeking to provide a greater proportion of residents' allocated spaces, and a reduced amount of visitors parking. However, given it would be possible for visitors to use residents' allocated parking, a policy objection could not be sustained on this basis.

The cycle parking/storage provision can be found in Table 4D of the SPD. The Planning Statement indicates that for every house provided with a garage, the dimensions would be at least 3m x 6m (internal) to accommodate the cycle parking requirements. All other

houses would be provided with a secure shed within the rear garden of the property. In this respect, it should be noted that 2 spaces per unit should be provided for all units with 2 Beds or more, and short-term visitor cycle parking will be expected at 20% of these standards.

Summary:

To reiterate, the principle of the development of this site is broadly supported in policy terms, based on the emerging policy position in the Pre-Submission HBLP which can only be afforded limited weight at this stage. The Adopted Local Plan does resist the principle of development in this location.

Nevertheless, there has been extensive transport discussions which means that the applicant would provide a direct contribution to the implementation of highways mitigation measures identified through the Hayling Island Transport Assessment AddendumWhilst the applicant is not proposing to address a number of the emerging requirements, it is noted that the development proposals do comply, and satisfy a number of the emerging plan requirements.

Officer comment: *The above comments from Planning Policy pre-date the Submission of the emerging Local Plan to the Planning Inspectorate and more recently as of February 2021 it has been confirmed that the 5 year housing supply is now 4.2 years with a 20% buffer applied. The extent to which the proposal complies with the requirements in the emerging plan in respect to Policy H1 High quality new homes will be part of the tilted planning balance. Whilst there is no allotment provision the site does provide for 2 orchard areas and an open space provision of 0.72Ha.*

Property Services Manager

As long as the site does not encroach onto HBC land, as it does not in the proposed site layout, then Estates has no comment.

Public Health Team

Final comments made in respect of APP/18/00724

1. Active Travel

We note and support the desire to promote and to develop the means to sustainable travel and encourage walking and cycling within the application. This includes the developer contributions to regenerate the Hayling Billy route which serves as a key aid to active travel as well as a boost to recreational activity. Active travel has multiple benefits for communities and individuals, including health benefits. As physical inactivity directly contributes to one in six deaths in the UK and costs the UK an estimated 7.4bn including impact on the NHS, social care, sickness absence etc, we welcome this as a feature of this development.

We note that pedestrian and cycle routes between the proposed development and existing local services and amenities (e.g. local schools and facilities in West Town and Mengham) have been investigated and that required improvements to infrastructure to support active travel are being provided as part of The Oysters development, which will benefit the proposed development at Sinah Lane (*Transport Assessment for Sinah Lane Development*). We are pleased to note that there are numerous facilities within close proximity which are within the preferred maximum walking distances that CIHT suggests, and that can also be reached in short cycle distances. We note that there is

a good cycle network between the proposed development and Beach Road, but less so between Beach Road to Mengham (*Transport Assessment for Sinhah Lane Development*, p19). We note that the walking time to Mengham is approximately 25 minutes, whereas the cycling time is approximately 6 minutes, suggesting that cycling may be the preferred method of active travel. We would like to see further assessment of this cycle journey and exploration of potential improvements to the route between Beach Road and Mengham, to safely link the proposed development to facilities in Mengham.

We also welcome the travel plan and its aims to encourage new residents into an active lifestyle and active travel. However, we would recommend considering walking and cycling independently within the travel plan, with separate goals for modal shift. This is because walking and cycling are distinctly different behaviours and therefore require different approaches to encouraging adoption. For example, walking requires no special equipment or clothing, and, for the most part, can use relatively safe pavements rather than sharing the highways with motorised vehicles. Cycling on the other hand does require the purchasing and maintenance of equipment and necessitates the sharing of the highways with motorised vehicles in many instances. This means that these two distinct behaviours have differing perceived and actual barriers to adoption and maintenance, which must also be considered and targeted separately in order to maximise the effectiveness of the travel plan. We would like these barriers further explored within the travel plan with appropriate methods for overcoming them identified and actions committed to. Without these changes, we feel the travel plan is insufficiently robust to bring about significant changes in resident behaviour.

We would also like to suggest that efforts to engage new residents in behaviour change must begin at first occupancy, as this is when behaviours are formed. Welcome packs should be distributed to all, including those who occupy in later phases.

Recommendation 1: Walking and cycling to be considered in the travel plan as separate behaviours, with separate goals for model shift.

Recommendation 2: Barriers to walking and cycling further explored with appropriate methods for overcoming them identified and actions committed to within the travel plan.

Recommendation 3: Efforts to engage new residents in behaviour change should begin at first occupancy.

Recommendation 4: Welcome packs should be distributed to all, including those who occupy in later phases.

Recommendation 5: Further assessment of cycle route between Beach Road and Mengham and exploration of potential improvements.

Other Health and Wellbeing Opportunities

We note that the Infrastructure Delivery Statement is still emerging and that the developer intends to consult regarding health and wellbeing opportunities that this development will present. We would welcome the opportunity to be part of the discussions to explore and detail the health and wellbeing opportunities.

We welcome the establishment of an orchard, providing an outdoor green space for residents and visitors to the site. We would suggest that the feasibility for the provision

of allotment space in explored, as gardening in an allotment setting can result in numerous positive physical and mental health-related impacts and outcomes. We also welcome the opportunity to provide outdoor green space for play, represented in the design statement. To maximise the benefit of this for children and young people, we recommend that proposals should be developed and made available for public consultation. We recommend the provision of any appropriate LAPs, LEAPs and NEAPs at this site should be in line with guidance from Fields in Trust.

Recommendation 6: That future discussions fully explore and detail all the health and wellbeing opportunities at this site.

Recommendation 7: That feasibility for the provision of allotment space in explored.

Recommendation 8: That proposals for the outdoor space at the site should be in line with guidance from Fields in Trust. We request that these are made available for public consultation prior to approval.

2. Affordable homes

Emerging Havant planning policy (H2) states that the tenure of the affordable housing is split 70% rented and 30% intermediate.

	Number of Affordable Rent	Number of Shared Ownership	GIA (M2)
2 Bed / 3 Person Maisonette	12	0	67.1 – 76.6
2 bedroom / 4 Person Terrace/Semi	19	7	78.3
3 bedroom / 5 Person Terrace/Semi	9	9	86
3 bedroom / 5 Person Semi	0	2	89
Total	40	18	

As required the tenure mix, size and layout of dwellings will be subject to an additional S106 agreement.

Affordable Housing		Market Sale Housing		Total
Type of dwelling	Affordable	Type of dwelling	Market Sale	
2 Bedroom	38	2 Bedroom	31	69
3 Bedroom	20	3 Bedroom	86	106
4+ Bedroom	0	4+ Bedroom	20	20
Total	58	Total	137	195

Table 5: Accommodation Schedule

We note and welcome the allocation of 58 homes as “affordable tenures”, as specified in the Affordable Housing Statement enclosed with the application for this

development. Truly affordable homes can help to address health inequalities, an important issue in Havant.

However, the number of 2 bedroom and 3 bedroom properties available via affordable rent varies from the numbers contained within Table 5 of the proposed Travel plan (please see Tables above).

Policy CS9 Housing of The Havant Borough Core Strategy 2011 states that, in relation to the tenure split of affordable housing, “65-70% of affordable homes should be social rented”. Emerging Havant planning policy states that tenure mix should be “split 70% rented and 30% intermediate.” We would recommend that the developers adopt a split to ensure there is maximum provision for social rented affordable housing.

In addition, we feel there is potential for improving the even distribution of affordable homes within the proposed dwelling distribution plan to ensure a balanced community and improved community cohesion. We note that there is a denser concentration of affordable homes to the west of the development with very few to the east of the development. Emerging policy within the draft Havant Local Plan states that “Affordable housing should be evenly spread across the site.”

Recommendation 9: That the developer confirms the number of proposed affordable housing properties at the site.

Recommendation 10: Of the affordable properties in this development, the tenure mix is in accordance with Havant planning policy.

Recommendation 11: Amend the planned affordable housing distribution to ensure a more evenly spread distribution across the site.

Ageing population

Havant Borough has an ageing population. The Small Area Population Forecast (SAPF) of 2016 indicated that the Total Dependency Ratio (TDR) in the Borough is forecast to reach 75.3 “dependents” per 100 people of working age by 2023 (up from 69.4 in 2016). The population aged 65-84 years is predicted to rise in Havant Borough by 2,700 people from 2016-2023. The population aged 85+ years is predicted to rise in Havant Borough by 1,200 people in the same time period.

In Hayling Island, those aged 65 years and over is predicted to increase and this, coupled with a decrease in residents of a working age, this will lead to a dependency ratio of 80% by 2021. This suggests that there will be a higher proportion of older people living on their own within fewer younger people to provide care and support. People of increasing age are more likely to live with multiple long term conditions and frailty is also more prevalent. Therefore, we would request that homes in this development are developed which can be adapted to meet the needs of an older population (i.e. [Lifetime Homes](#)).

Recommendation 12: Homes in this development are developed in line with “Lifetime Homes” so that they can be adapted to meet the needs of an older population.

Recommendation 13: Green and urban infrastructure related to this development is developed with the needs of older people in mind, ensuring it is accessible and supports inclusivity.

Healthcare Facilities

We note in the application documents the developer has consulted with NHS Choices concerning access to healthcare facilities. The appropriate NHS body to consult is South Eastern Hampshire Clinical Commissioning Group who will be able to advise accordingly.

Recommendation 13: That the developers consult with South Eastern Hampshire Clinical Commissioning Group regarding access to healthcare.

Officer comment: *The affordable housing provision is 70/30% rented/shared ownership and has been amended by replacing a number of the flats with 2 bed houses. The plans have been amended to address a number of the above recommendations including open space provision, footpath links (subject to S106) to the Hayling Billy Trail, and SEHCCG consulted- see their comments further below.*

Ramblers Association

Care needs to be taken to maintain the rural character of the Hayling Billy Coastal Path where it runs adjacent to the proposed development with additional tree planting as necessary.

The pathway between the north east of the proposed development and the Hayling Billy Coastal Path appears to be intended as a pedestrian path only. Given the emphasis that has been given to cycling in this proposal it seems ridiculous to pretend that this path will not be used by cyclists. Cyclists from the new development are unlikely to go south via Sinah Lane when traveling to or from the north. They are highly likely to take a shortcut via this north east connection. This path should be fully adopted as a public path and the surface materials chosen to blend appropriately with the Hayling Billy Coastal Path.

Officer comment: *The 2 links would be appropriately fenced and are proposed to prevent future residents forming unauthorised links.*

Royal Society for the Protection of Birds

Thank you for consulting the RSPB on the above application and for the extension to consider the reapplication. We responded in detail to the previous application APP/18/00724. As highlighted in our previous responses to APP/18/00724 we are increasingly concerned by the incremental loss of SPA/Ramsar supporting sites on Hayling Island and have engaged with this development to try to secure appropriate mitigation for the loss of the southern part of SPA/Ramsar supporting site H34C should planning permission be granted.

The application site lies within 150m of Langstone Harbour to the west, designated as a Site of Special Scientific Interest (SSSI), and forming part of the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site in recognition of its national and international importance for wildlife, including wintering waterfowl and breeding seabirds. A large part of Langstone Harbour is owned and managed by the RSPB. The field containing the application site is used by wintering brent geese (*Branta bernicla bernicla*), an interest feature of the designated sites. The preservation of these feeding sites is essential to the protection of the wintering population of brent geese in the harbours and in turn to ensuring that the designated sites are not damaged.

Whilst the RSPB notes the potential impacts of development on wider countryside features such as hedgerows and mature trees, and encourages the inclusion of measures to address any such impacts and enhance the wider biodiversity (eg. breeding birds, bats, reptiles, etc.), we have limited our response to the mitigation of the impacts that the proposed development could have on the adjacent Chichester

and Langstone Harbours SPA/Ramsar site, the RSPB Langstone Harbour serve and the associated populations of wintering birds.

Solent Waders & Brent Goose Strategy – brent goose feeding site (H34C)

The proposed development area is identified in the Solent Waders & Brent Goose Strategy (SWBGS) as a Primary Support site (H34C) for brent geese, with the northern area being particularly well used, with records of up to 1000 feeding brent geese. This is due in part to the site's location adjacent areas of eelgrass (*Zostera*) beds within the Harbour, as well as the regular presence of winter wheat crops within the application site itself, both of which brent geese feed on. However, we knowledge that the current agricultural regime in this location does not guarantee suitable foraging habitat for brent geese in every winter and the site suffers from recreational disturbance.

It should be noted that additional sightings has been received this winter 2020/2021) from local residents on the use of the southern (Area B and C in the Winter Bird Mitigation Strategy Nov 2020) by brent geese which is not reflected in the supporting information.

Winter Bird Mitigation Strategy – proposed refuge area

We are increasingly concerned by the incremental loss of SPA supporting sites on Hayling Island and across the Solent as a whole. We therefore support the SWBGS which has improved our understanding of the network of sites used by the brent geese and waders and has provided guidance on mitigation measures. The RSPB has worked with WYG, the environmental consultants for this proposal, to develop a sustainable mitigation strategy for brent geese and other wintering birds (Winter Bird Mitigation Strategy, November 2018) in line with the SWBGS. This strategy includes enabling the adjacent area of agricultural land owned by the RSPB (the western part of the proposed winter bird refuge), to be managed in perpetuity for the benefit of foraging brent geese and waders. The RSPB believes that the creation of a permanent winter bird refuge on the northern half of H34C is consistent with the SWBGS mitigation guidance. The mitigation proposal comprises the establishment of a suitable extent of permanent grassland (using a seed mix favoured by brent geese) and its ongoing management by grazing with livestock or mowing, the addition of a network of small freshwater scrapes and improved management of recreational use through provision of interpretation, additional fencing, hedgerow planting and defined access routes.

An updated Winter Bird Mitigation Strategy (November 2020) has been submitted with this application, much of which is the same as the November 2018 version but it is disappointing to note that this has not be updated to reflect the latest discussions and situation. For example, the commuted sum and some of the management details are not accurate. We urge that the Strategy is updated and we would welcome further discussion regarding the details of the capital works necessary to set up the refuge should planning permission be granted.

There is also inconsistencies within the supporting documentation as the Information to Inform Habitats Regulations Assessment (November 2020) refers to the 2018b Winter Bird Mitigation Strategy and also states that there will be two access points to the Refuge area (via a new gate at the end of North Shore Road and a further access gate from the northern extent of the housing development, pg24). It is our understanding that that there will only be one entrance, as shown in Figure 1 of the Winter Bird Mitigation Strategy. Additional hedgerow planting is proposed to screen the former entrance at the end of North Shore Road. Only one entrance is required, and more could lead to greater risk from recreational pressure.

To ensure the appropriate delivery of the mitigation, if the development proposals are consented the RSPB has agreed (subject to contract) to accept the freehold transfer of

the mitigation refuge area (not currently within our ownership), with an appropriate commuted sum of money to allow for the ongoing management and monitoring once the Refuge has been established.

For the Wader and Brent Goose Refuge to be relied upon the following agreements need to be prepared and agreed with the planning authority:

- i. Section 106 agreement.
- ii. Agreement relating to the transfer of the land.
- iii. Draft form of TR1 to be used transferring the land to the RSPB.

Progress has been made on the drafting of these documents, but these are yet to be finalised.

Timing and monitoring of Wader and Brent Goose Refuge

The Wader and Brent Goose Refuge must be established and operational before construction works start. This is to ensure that any adverse effects on the wintering birds (and therefore on the Chichester and Langstone Harbours SPA and Ramsar site), via the loss or damage of the existing feeding area within the proposed development site, are avoided.

Monitoring of the Refuge will be essential to ensure it is functioning effectively, and annual winter monitoring should be undertaken for the first 10 years. Following the confirmed establishment of the Refuge, winter monitoring should be at a minimum every 4 years (11-80 years).

Construction phase disturbance

Development of the southern part of H34C may also result in disturbance impacts during the construction phase. A condition should be imposed that a Construction Environmental Management Plan (CEMP) is drawn up and approved by Natural England and the Council before any works take place. This should specify that the main works are restricted to the summer months (April -September) and any inter work (October – March) is restricted and monitored to reduce noise and visual disturbance to the SPA/Ramsar birds.

Bird Aware Solent

In order to mitigate for the in-combination effects of increased recreational disturbance to the Solent SPAs/Ramsar sites, an appropriate contribution to the SRMP / Bird Aware Solent scheme must be provided in addition to the above mitigation.

Net Gain

A Biodiversity Net Gain (BNG) Document (November 2020) has been submitted in support of this application. We strongly disagree with this assessment, as it includes the Winter Bird Refuge in the assessment, which is necessary to meet the legal requirements under the Conservation of Habitats and Species Regulations (2017) (the Habitat Regulations). No additionality can be claimed for the Winter Bird Refuge and therefore additional biodiversity enhancement measures would be required to meet BNG.

Further comments

We responded in detail to this application on 25th January and I would refer you to this letter, as aside for the update below regarding Biodiversity Net Gain, all other comments and outstandings remain.

Net Gain

We note the submission of an updated Biodiversity Net Gain (BNG) assessment. We welcome that the BNG assessment now appropriately does not include the Winter Bird

Refuge as part of these calculations, which is necessary to meet the legal requirements under the Conservation of Habitats and Species Regulations (2017) (the Habitat Regulations).

Officer comment: *The RSPB are a party to the S106 wording to enable these matters to be satisfactorily addressed and in addition an update on the Winter Bird Mitigation Strategy (WBMS) Nov 2020 and Information to Inform Habitats Regulations Assessment are being prepared by the applicant to address these points.*

SE Hants Clinical Commissioning Group

Final comments made in respect of APP/18/00724

As a Clinical Commissioning Group we have a specific interest in new residential developments and how the increased population would directly affect local healthcare provision. We are especially interested in the types of residential properties being built to help us plan for the future.

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

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: 195 No. of dwellings x 2.4 divided by average list size (1800) x 16 (size of a consultation room (m_2) 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 £31,200 of planning gain for health.

South Eastern Hampshire CCG identifies multiple practices (The Elms Practice and Waterside Medical Centre) could be impacted by this development in our CCG area as all the following practice boundaries cover this area. However, it is likely that both practices 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 adaptions to facilitate this growth.

Officer comment: *This would be a S106 requirement.*

Southern Electric

No comments received

Southern Gas Networks - stage 1

Final comments made in respect of APP/18/00724.

Map provided and standard response regarding to building in proximity to pipe lines.

Officer comment: The plan shows no pipes indicated within the application site, although there is a low pressure pipe line in Sinah Lane, which the access would need to cross.

Traffic Management Team

The Traffic Team would make the comment that there appears to be a low allocation of parking for a site that comprises of 195 dwellings. We would expect to see a minimum of 417 spaces available for residents + 20% for visitors. Therefore should this development be given permission then we would request that provision is made for a sum no less than £5000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the new road layout or adjoining local highway network.

Officer comment: In this case, the scheme is overproviding on allocated spaces (445 vs a requirement of 416) and underproviding on visitor parking (39 vs a requirement of 83). Given that it would be possible for visitors to use residents' allocated parking then this is considered acceptable and a policy objection would be difficult to sustain on those grounds.

A TRO is being secured through the proposed S106 Agreement.

Tree Wardens

Final comments made in respect of APP/18/00724.

1. We are pleased to see confirmation that T13 (Hawthorn) will be retained, this shall be noted in Arb. Impact Assess. 3.5.2 to avoid mistakes. This tree is verified on the Woodland Trust Ancient Tree Inventory as a Veteran. As such it must be given an RPA of 15 times the diameter of the tree, or 5m from the canopy edge if that's greater.

We suggest a substantial fence is necessary to prevent access to the Billy Trail at this point; this will prevent soil compaction and accidental damage to this tree and hedgerow.

T58 is also on the ATI as a veteran, and though the plan shows adequate tree protection fencing during construction, it also needs a RPA of x15 its diameter. These 2 RPAs requirements shall also be noted in the Developers Tree Protection Plan, and Method Statement.

2. While we approve the minimal loss of trees given the scale of the development, we are not convinced that "the relationship between retained trees and buildings is sustainable" (Amended Arb. Impact Assessment 1:6).

We have found several instances where significant, mature trees are likely to be the subject of unreasonable pressure to requests for pruning from future occupants. We have seen several instances in other developments where the layout of proposed houses took little attention of the presence of existing mature trees.

The following plots shall be re-drawn to prevent damage and potential loss of adjacent trees, and that the boundary fence for the new properties be set at the RPA distance from the trees.:.

- Plots 112 and 113 place house and gardens too close to T16 and T18. These trees are south of the houses and it is likely their shade will cause complaint, particularly T18, an evergreen species.
The trees in North Shore Road gardens are mature and act as important visual

barriers. They should be assigned TPO status.

- Plots 170 - 171 and 172-173 have small gardens likely to be shaded by Ts 32-35. The root system of these trees extends beyond their canopies and will affect fertility in the garden. To avoid complaints about this and leaf/acorn drop these trees should be given TPO status.

- Plots 183 & 184 are likely to be shaded by T39 (Plot 183 has a particularly small constricted garden). The root system of these trees extends beyond their canopies and will affect fertility in the garden. To avoid complaints about this and leaf/acorn drop these trees should be given TPO status

3. We query the need to prune T14 in Arb. Impact Assess. 4.7.2 This tree has a main branch growing towards the light, and will have developed reaction wood to correct any tendency to imbalance. These natural habits of phototropism and self-optimisation are entirely normal, and no indication of preventative action.

We recommend the tree may suffer if this branch is removed. The object must be to promote tree longevity.

4. We support HBC's Landscape Architect's request for a better selection of Heritage species trees to be included in the future planting on site. This would support and enhance the existing landscape character of mature woodland, including ancient and veteran oaks and sycamore within woodland and historic hedgerows in the near vicinity.

Particular care shall be given to species that can withstand salt spray.

5. Experience of other developments in the Borough, where trees planted by developers have frequently died, leads us to request robust conditions are put in place to ensure effective and appropriate soft landscape and maintenance programmes are in place post development, and that new trees are planted by the developers and maintained to the highest standard.

6. A path through the HCC owned woodland to the Billy Trail is shown adjacent to and east of plots 83 and 87.

Damage to the woodland, its trees and Ancient Woodland Indicator plants, as well as its verified biodiversity, shall be restricted by the developer through the erection of an adequate fence or barrier.

Any proposed lighting must satisfy safeguards in the Bat Conservation Trust Guidance Note 08/18 "Bats and artificial lighting in the UK"
[ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf](#)

Footnote: We have used the word "shall" to mean a mandatory requirement in line with the recommendations in British Standard.

Officer comment: See Arboriculturalist comments, which raise no objection to the scheme.

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: 84

Number of site notices: 3

Statutory advertisement: Yes

Number of representations received: 579, comprising 578 objections, and 1 in support
These representations from residents, Langstone Residents' Association Hayling Sewage Watch, SW Hayling Group and Save Our Island Group, are summarised below.

Principle

- Country in the middle of a pandemic, normal routes of representation are not available, and no decision should be taken.
- No more housing on Hayling Island, it is excessive, new homes not needed, Island cannot cope, and development should be on the mainland.
- Not wanted by the local population. It is not the job of local planners and councillors to approve developments against the wishes of the local community.
- Issues of infrastructure on the Island and a plan for future developments such as this is unsustainable
- A petition was submitted to the Council with over 6000 names demanding that the infrastructure be improved
- The area from the homes north of Sinah Lane and east of North Shore Road is the start of open farmland all the way to the bridge. It provides a rural setting for residents and visitors. It provides a haven for wildlife. Development of this site will set off a chain of creeping urbanisation in a rural area.
- It should be refused on the grounds of unsustainable development, inadequate infrastructure, impact on highways, ecology, and use of agricultural land
- This location is outside of the defined urban area as defined by Policies CS17 and AL2 of the Local Plan.
- There is an access road showing into the bird sanctuary, which is a clear indication of future plans to develop the area being called a sanctuary, if there is no intent then why put it in. (the birds don't need it).
- Loss of agricultural land.
- The present commercial land use is poor in jobs, we need a change in policy to increase job richness, not a proposal for increased housing numbers on this site.
- The needs of the community are being ignored.
- If more land is given up for development, it should be adjacent to major roads away from the Brent geese and wader habitat.
- If you need to use land on Hayling for mass housing, then the obvious spot would be all the land closer to the mainland.
- The Council should focus on developing much needed affordable homes in places in the Borough that provide easy access to rail and bus links.
- Rooks Farm Way was rejected for the very reasons that this should be rejected also
- Housing should be directed to area with good transport. Additionally, there are large vacant blocks of empty accommodation in the Havant area and also in Portsmouth. These locations already have a good infrastructure
- Development is sustainable and contrary to Policy DR1
- No clear information about regeneration, contrary to Policy DR2
- Local Plan – Inappropriate for Barratt Homes to made an assumption that the draft Local Plan although incomplete, has enough substance/content for their application to be considered in terms of "the amount, distribution and location of the development".
- Being an Island brings some unique challenges to Hayling. Having a hard boundary (the sea) prevents a natural 'spread' as this area increases in population. The result is that public amenities feel the strain more directly in an Island community, than if a similar development was built in a mainland town.
- Apparently, there remains adequate space within the local schools for the projected

increase in the number of children resulting from the proposed development. It would appear that the developer is prepared to make a contribution for the cost of new classrooms, but will the developer also pay the salaries of the additional teachers needed in the future?

- Prior to any acceptance of the proposal you must surely seek written confirmation of no degradation of service to the residents and council tax payers from the following: Police, Ambulance Service, Health Centre, Utility Companies. Parking on the island is dreadful. Some of the smaller side roads have parked cars along the length and I am sure emergency vehicles cannot access some areas
- Too many houses, too many people, not enough infrastructure. Where are these new residents going to work, go to school, visit a doctor?
- Policy IN1 – the infrastructure is far from clear and definitely not effectively provided – a monetary contribution has been offered to one of the schools, but there are no additional jobs, the health centre is overburdened, the roads cannot cope with more people having to commute on and off the island as there is insufficient local employment and reliable transport. What about the junction with the Billy Line, pedestrians and cyclists will be negatively affected by the new road opening, there are often families crossing at an already increasing busy-road junction.
- Covid 19 has resulted in a substantial reduction of traffic and pollution and we should be protecting the environment not delivering road infrastructure which increases traffic from what is the least accessible area of Hayling Island and contrary to the Government Guidance to create greener cities.

Officer comment: *The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites*

The development proposed by this planning application addresses infrastructure requirements as set out in section 7 of this report. It is included within these five year supply calculations and is equivalent to 0.36 of the 5 year supply. The housing land supply is now less than 5 years and a material consideration forming part of the planning balance in the determination of this planning application.

Highways

- Only one access to Hayling Island which is already congested. Any stoppage such as bin lorries causes tail back. Unless or until we have another route on and off our island no more large-scale developments should be allowed. The main bridge onto Hayling is already taking 3 times the capacity it was built to take, it is crumbling and many times inspectors in overalls are seen crawling under the bridge! The knock on effect of this unusual cul de sac location must be given more consideration.
- Since lockdown home deliveries have substantially increased the amount of traffic.
- HITA does not address the problem and the required funding is not achievable.
- The extra traffic moving onto the A3023 will impact adversely on the already overloaded road, Langstone road bridge and the community of Langstone.
- The development would be occupied by those needing to go off the island to work/education
- Public transport options to go beyond Havant are limited, slow and prohibitively expensive. There are no rail links on the island and without the perseverance of the islanders there would be no ferry.
- Emergency vehicles (age of population results in a high demand) already unable to make targets due to delays, loss of life if emergency services cannot respond in time.
- Transport Assessment misleading. Dangerous pinch point on Station Road ignored.
- The short length of road at the entrance to the estate has parking places marked on both sides, this is a hazard as some 200 - 600 traffic movements will have to use this section of roadway every day.

- The traffic problems are already very apparent and with 195 more houses you are talking about an additional 400 cars approx. to add to the congestion getting on and off the Island, there is no easy way to solve the situation. Could be fatal in emergency situations
- Hayling Island is already at saturation point and would not benefit from this development. The A3023 can't support the additional volume of traffic which this development will undoubtedly bring.
- The traffic on and off the island keeps the traffic at Havant roundabout at a standstill, affecting the surrounding areas. Contribute to existing gridlock situations.
- Traffic surveys need to be carried out in the summer.
- No train service, and poor bus service with the buses unable to provide a good timed service when the traffic builds up
- Regular occurrences to take 40+ minutes to leave the island and similar to enter - a normal 10-minute journey. This is not acceptable, and the only solution is to spend a vast amount of money on a fix not tinker here and there and this should be done in tandem with development. Make any developer pay for a new coastal route, to be completed before the housing - development would cease because there would be no profit.
- Number of very large vehicles: boat and caravan transporters, motor homes, horseboxes, large lorries and tractors using the road, these can get stuck particularly in the bends in Stoke village. Infrastructure needs upgrading.
- Apparently, only one car was spotted turning right into West Lane during rush hour. Was that the morning or a bank holiday? Regularly, cars are backed up to the petrol station while a succession of cars are waiting to turn into West Lane.
- The development goes alongside the Billy track, which itself is in great need of maintenance. If more houses are built there, then something needs to be done about the Billy track as it is already in a poor state and will continue to deteriorate
- Most households have 2 cars – inadequate parking – where will visitors park.
- People are also causing problems by using West Lane and the Northney route causing more congestion.
- There is no obvious employment on the island for this number of people and, so they would be going off and on the island for work, thereby exacerbating the traffic issue.
- The Travel plan is no more than wishful thinking expecting 10% fewer people to drive unaccompanied. Additional cyclists will exacerbate the road delays because many ignore the cycle paths and there are few opportunities to safely overtake.
- Essential repairs to the roads & services running along them is also something that is going to be made worse - as it is the disruption caused by repairing the roads or gas/electric/water is severe! This extra demand will also mean repairs are likely to be needed at closer intervals. Parking around some locations can also already be an issue.
- The Island is also experiencing a loss of services such as Banking, Difficulty in obtaining Doctor services, No NHS dental services, reduction in Pharmacy services, shortage of school places adding to traffic.
- The development plans show narrow roads with limited parking especially for visitors and this could cause major difficulties for emergency vehicles and refuse lorries as the likelihood is that the narrow roads will be used as over flow parking for residents and their visitors.
- The Bridge - single access to the island already over capacity, what happens if it is out of use for any reason? There does not appear to be a critical incident plan to deal with this scenario
- The road infrastructure for Hayling Island is already saturated with increasing difficulties as a result. It is not realistic to expect that this can be significantly improved due to the bridge constraint. Consequently, any further significant house building on the island must not be allowed.

- The junction between West Lane and Havant Road is already congested and overcrowded.
- Cumulative impact with other development
- There is no visitor cycle parking shown on plans. I would request that £5k be set aside to implement a TRO on the surrounding street to accommodate any overspill parking of vehicles from the estate
- The access along Station Rd through West Town is already crowded and impacted by a bus route and vehicles serving Tesco, Jewson's, and commercial properties and the additional traffic will add to danger and make the problem even worse.
 - Visibility is limited for pedestrians crossing from shop to shop
 - The pavement is in places little more than 30 cm wide.
 - The area is already seeing significant windfall additional housing with the access these cars will require into the heart of West Town
- The traffic would feed into the already clogged Hayling bridge and Langstone roundabout, which in the five years we have been here are noticeably more frequently queuing.
- Almost daily gridlock at the A27 roundabout
- Then there is the significant increase in travel disruption as new housing developments require gas, water, electricity etc. all requiring the roads to be dug up and delays ensue for the residents of this island and the delays to bus companies, emergency services and so forth.
- Transport assessment is unrealistic in terms of walking and cycling times to services.
- Narrow winding road unsuitable for the additional traffic, with regular large lorry deliveries is a hazard and congestion. Cyclists will be in mortal danger unless a bespoke Cycle Lane is created and sleeping policeman, or other road calming measures are put in place. One would hope that NONE of the construction vehicles would be allowed to use West Lane..
- With only one point of access and exit from the site the dynamics will be catastrophic-should a disaster unfold.
- The old railway line is very busy with inconsiderate cyclists, and the informal path provides an alternative route for pedestrians. This development and nature conservation area would close that route.
- This particular application is likely to cause an increase in traffic along West Lane which with the 40-mph limit (which is often ignored) is bound to result in a fatality sooner or later.
- Highway net work is based on narrow old rural lanes with narrow or no footpaths and cannot take the current level of traffic.
- No sensible parent is going to allow infants to walk to school – distance too great / safety issues or juniors to ride – ditto. You can witness the current situation on any start/end time when surrounding roads including the main road are heavily congested.
- With one entrance into the site the traffic car movements are going to be extremely disruptive to the Sinah Lane residents and make it harder to exit Staunton Ave into Station Road.
- The pavements are too narrow for two adults to pass on foot, let alone buggies, wheel chairs and mobility scooters. Hundreds more families will struggle to walk safely to school and shops at busy times of day.
- Parking on the island is dreadful. Some of the smaller side roads have parked cars along the length and I am sure emergency vehicles cannot access some areas.
- HCC's currently ongoing analysis of A3023 travel times will significantly underestimate the arterial gridlock issues owing to the smoothing effect of the long and sustained period of beach weather experienced during the hot and dry 2017 Summer season
- West Lane cannot cope with more traffic and it will ultimately end up with one or more fatalities. Policy IN2 – transport infrastructure, again an offer of monetary contributions and no mention of the negative assessment by Hampshire Highways.

- Existing residents face unacceptable delays getting on and off the island and when there is there is emergency ambulances, fire engines and the police get held up.
- The population statistics do not reveal the full picture. In summer there is a lot more traffic from holiday makers either staying on the island in caravans etc and going off on day trips or people coming on to the island to go to the beach.
- The roads are all single lane each way so when traffic has to turn right, and the opposite lane is busy long queues develop. A roundabout on the A3023, West Lane junction would help a lot.
- The site is a short distance from the point where National Cycle Route 2 emerges from the Billy Trail and crosses Sinah Lane onto Staunton Avenue. Due to the width of the road and the speed of the traffic this crossing can be extremely difficult and hazardous.

Officer comment: *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. The highway submission in respect to the application has been reviewed and amended in response to the findings of Hayling Island TA and is now considered to appropriately address the highway considerations and safety issues.*

Residential amenity

- The land from the Billy Trail through the field slopes towards Langstone Harbour, which means any windows of possible housing will give the residents a clear view into all the properties in North Shore Road
- Loss of privacy and overlooking -The additional houses that have been crammed into the extended site have increasingly small gardens (plots 51 to 56) backing onto houses in North Shore Road. The close proximity of the upstairs rear windows of these new houses means they will be looking straight into the rear windows of houses in North Shore Road. The new houses in these plots also overlook the 3m to 4m of garden closest to the houses in North Shore Road.
- High roofs offer scope for loft concerns and privacy issues without restrictive conditions.
- 2m heavy duty fence or wall required to provide privacy, muffle building noise and buffer exhaust fumes from cars.
- In view of the limited garden space allocated to each property, children will have to use the Park and there is no safe crossing on either Sinah Lane or Station Road.
- There are very few facilities on Hayling, and families wishing to use leisure facilities have to travel off the island.
- The removal or reduction of footpaths through the fields would impact the health and wellbeing of residents, would have a negative impact on tourism, would reduce the aesthetic appeal of this part of the island and would reduce the social benefits that this much-loved resource provides.
- Hayling as is a haven of peace and tranquillity and really could be spoilt if more and more houses keep getting built
- Sinah Lane is currently a quiet leafy residential area and this development could ruin this area of the Island with decreasing house values, upsetting the flora & fauna and the sensitive water table.
- Noise, pollution and vibration from all the cars and construction lorries.
- Attenuation Pond – Hayling Island has historically had a big problem with mosquitoes. This pond will be a huge breeding ground for mosquitoes that will plague the local residents. The developer will need to control this problem.
- The footpath access from the end of North Shore Road, through the field to the shoreline and on ward to the Billy Track will be closed if the application for housing is granted.

- No one is seeking the views of residents, so how can a decision be made. and urge the Planning Committee to think again. What will happen to any monies received by the Council
- I believe that the density and nature of the housing within the proposed development and rear alleys could lead to an increase in crime, which in the Sinah area is currently very low. What protection to existing property owners is likely to be afforded by the erection of 6ft. fences? Hedging should be provided.
- Parking issues- overspill to Sinah Lane
- Do not want yellow lines to prevent friends and deliveries parking outside our properties.
- De-valuation of property in neighbouring roads, namely Northshore Road.
- There are many elderly people in the area. They should not be subject to the noise and dirt of such a large construction project
- Loss of access to the foreshore for walkers & dogwalkers - whilst they may not be designated footpaths in the ordinance survey sense, these paths have been used for years and years and I believe that legally this confers some rights of access similar to squatters' rights
- The addition of 3 storey dwellings is not in keeping with the area.
- An experienced company like Barratts would have considered planting trees to minimise the visual and privacy impact of this development on existing residents. I see no evidence of this.
- Plots 183 + 184 are likely to be shaded by T39 (a tree in my garden). The developer has taken no account of this in the latest proposed site layout and indeed further restricted the size of the garden on plot 183 (and 182) by proposing an alleyway along the rear of my house for access to the rear garden of plot 183 and a refuse bin and cycle storage area. Prior to 'lockdown' I was advised that a committee from HBC wished to visit my house for a 'back garden inspection' and to view the situation in question. I would presume (indeed insist) that this will be re-arranged when conditions allow.
- New houses running east to west parallel to Sinah Lane and backing on to existing houses appear to be almost the most densely situation on the site. To make matters worse, one of the bigger 2.5/3 storey blocks is one of them. It is ridiculous that one of these higher houses should be put where it is and not on the east or north side of the site where building next to existing residents minimised
- My own situation is directly affected by plots 178 and 179 which have a two storey two family building, hence two sets of people directly overlooking my garden and the rear of my house, where we spend most time. Additionally, on the eastern side, in plot 180, and on the western side another two storey building which is only separated from the building on plot 178 by a small gap - both overlooking my house. I also see that solar panels are being installed on these houses. As you will know, these are ugly and out of character for the area. Furthermore, presumably they will be installed on the south facing roofs, i.e. directly facing my house and my neighbours and in direct sight.
- Impact of unknown charges which residents will be expected to pay towards cost of maintenance of green spaces
- Portsmouth Water infrastructure is inadequate and in poor condition resulting in numerous leakages and interruption due to repair work, it can't currently cope, and more development will add to the problems. Water pressure is already below the required minimum 1 bar

Officer comment: *The development has been designed to accord with the guidance set out in the adopted Borough Design Guide meeting the requirements for garden sizes and privacy within the development and in relation to existing dwellings to provide 20m window to window separation. A condition in respect to removing permitted development rights where 2nd floor accommodation would result in loss of privacy is recommended. The informal footpaths across the fields cause disruption to over*

wintering birds. The 3 storey flats are sited towards the centre of the site away from the site boundaries and the proposed density at 41 dph falls within the low density category.

In respect to the impact of trees on Plots 183 +184, the extent of overhang of the canopy relates to a small corner of the rear garden of plot 183 and plot 184 has a relatively wide garden to compensate for the impact. As the Site Viewing Working Party is now a virtual meeting it is not possible to view from the objectors garden directly - however the Committee presentation will include slides to demonstrate the relationship regarding plots 183 and 184, together with that for 178 and 179 where garden sizes and back to back distances comply or exceed those set out in the Borough Design Guide.

Regarding water infrastructure and pressure, provision of this is a Statutory function of the Water Company which has a responsibility to provide this service, and in the case of new development a private matter between the developer and the Water Company

Visual amenities and environment

- The area from the homes north of Sinah Lane and east of North Shore Road is the start of open farmland all the way to the bridge. It provides a rural setting for residents and visitors. It provides a haven for wildlife. Development of this site will set off a chain of creeping urbanisation in a rural area. Much better sites are both available and more suitable. For example: high rise development south of Havant railway station will attract commuters. Additionally, there are many areas of Leigh Park suitable for infill housing as well as major development.
- Overdevelopment out of keeping with surroundings. The other Barratt estate on Station Road has cars parked on every footpath
- Adverse impact on the amenities of those using the Hayling Billy due to dense residential development – ruin the experience.
- This area of Hayling is very beautiful with views over from the historic Billy trail and the proposed development will be severely impact on this and the wildlife and the coastline.
- Trees should be retained and supplemented.
- The development borders Langstone Harbour and will be detrimental to the ongoing support of wild life, flora and fauna in the area
- Poorly conceived and ugly development of 195 little boxes crammed into the site. The developer should be encouraged to engage local design practices/ the architecture school who are likely to have a much more vested interest in the Island.
- Important that the focus should be on the highest possible standards. This is one of the first major schemes planned and Havant BC should be insisting on the absolute highest quality design - no pattern book housing, no maximum density proposals, far better integration of green public space into every part of the scheme.
- Visual detriment from construction rubbish
- Surely we as a nation need every square metre of arable land to grow food for our ever-increasing population. The loss of this crop growing area should not be underestimated.
- Loss of open space, countryside and natural habitats – these will all be impacted by Sinah Lane development in a negative way through loss of all three. It is at present a wild area that provides space, habitats and Co2 provision for the area. The whole character of West Town will change, and I feel deeply for the loss of the rural part of the village. West Town will become very overcrowded.
- Policy E 14 – local ecological network, Barratts are misleading as the RSPB do not directly support this application. They have advised comprehensive mitigation strategies which would take at least 3 years to implement prior to any work being undertaken. The bat survey also made significant recommendations to mitigate the effects of any future developments.
- Under this proposal the Billy Trail would now finish in a housing development rather than the current rural idyll which attracts so many leisure users to walk and cycle on our

Island.

- Fewer houses would give room for the trees to grow, the neighbours not to have their trees reduced and importantly the new landowners will not have to complain about leaves, acorn and shadows in their garden.
- Landscaping plan does not take account of Hayling Island Environment
- In line with current national proposals, all trees new and old should be listed by the contractor and should be protected by TPO's
- Impact on and from trees -plots 170-173- should be tpoed and Plots 183 and 184. Impact of pruning on T14, proposed tree planting needs to be salt tolerant

Officer comment: *The site is enclosed on 2 sides (south and west) by existing housing development, with further containment by commercial development and the Hayling Billy trail on a third side (east) and the proposed bird refuge would be located to the north. The boundaries with the Hayling Billy and the refuge would be landscaped with native species and the impact on the landscape would be mainly contained to the site itself.*

Flooding and Drainage

- Flooding across this field is considerable. The ditch to the side of the field cannot cope with this flooding as the gradient is not sufficient to take the water away in a northerly direction. The huge area of impermeable surface covering this field in the proposal will mean more water will be displaced to this same ditch and a pond designed to overflow
- Water from gardens to existing properties currently flows into the field and concerned that surface water from gardens of proposed dwellings will flood existing gardens.
- A Hayling Island Coastal Strategy Project by HBC partner Coastal Partners was funded in 2020. This initial project will report in 2022, and only then will we know what the coastal recommendation. Ancient ditch network has no strategic oversight, and it is rapidly degrading. The proper function of this network is still essential, and as it forms an integral part of all the Sustainable Drainage Systems (SuDS) used on new developments to transport the output from the holding ponds to the sea.
- The Sea is currently being allowed to erode the South Beach between the Inn on the Beach and the Golf Club, we will soon need sea defenses built to hold the sea back or the sea flowing down Sinah Lane.
- Tidal locking is a hydrogeological process which accounts for the underground water stored beneath the surface, which rises and falls due to the tidal pressure of the Harbour(s) adding to surface water flooding. This has not been examined by independent experts on whom the Council should be relying for unbiased reporting, and there is insufficient inter-agency liaison.
- In other low-lying coastal areas, groundwater inundation (GWI) describes flooding that occurs as groundwater is lifted above the elevation of the ground surface and/or buried infrastructure. It has been identified as one of the more difficult flood mechanisms to manage owing to its ability to evade coastal barriers designed to mitigate direct marine flooding - not planned for Hayling. This mechanism is expected to produce increased flooding relative to the direct marine source due to coastal groundwater levels being generally elevated relative to local mean sea level (LMSL) and directly influenced by sea-level fluctuations such as tides, wave set-up, and longer period sea-level. Barratts' planned SuDS is still a relatively new technique and, more importantly for 195 new householders, anyone buying a property will be jointly liable for the costs of expert maintenance management teams, not only of essential roads and underground pipe-work, but for the essential SuDS. Is it fair to burden enthusiastic buyers with property management costs which can only escalate and detract from future sales? Management teams can be sold on/taken over by other teams whose expertise may be less effective, but the householder remains liable for future flooding or breakdown of the system so that its drainage properties become compromised by rising sea levels. Needs evaluating by independent experts.
- The fundamental tidal locking issue was not explained but confused with tide-locking.

Tidal locking is a hydrogeological process which accounts for the underground water stored beneath the surface, which rises and falls due to the tidal pressure Of the Harbour(s) adding to surface water flooding. This has not been examined by independent experts.

- Langstone and Chichester harbours are constantly being used as outlets for Southern Water's untreated sewage. This is already a health risk to the area and lorries already have to be used currently to transport effluent waste off the Island.
- Increasingly heavy seasonal rainfall frequently breach nitrogen loads in both harbours and there is now evidence that the Eastern Solent's weak tidal flows may even be sending treated sewage back into the harbour entrances.
- The main pumping station near my house has difficulty coping now with peak flow storm water being rammed into the well by the existing pumps at the bottom of the Island; please don't add another! There have been 7 occasions in the last 10 years when this extra water gets mixed with raw sewage in the well and floods out into Langstone harbour at Stoke.
- No provision for the on-going cost of the Pumping station
- Areas of the arable land for the proposed development have suffered serious flooding from time to time.
- Southern Water cannot cope with the current level of sewage and waste water and are increasingly experiencing spillage and off-loading the excess into Langstone Harbour, so this development will make the existing situation worse.
- There is no mention of protection for the coastline that is being heavily eroded.
- It would seem that over the years our island will get progressively smaller due to the lack of maintenance of certain sea defences, thus allowing the ingress of the sea and that is particularly noticeable at the western end of the island where these new homes are now in for planning. Is it really fair to sell these places to people? How many years will families be able to live there before the tide comes in?
- The situation with the serious flooding in the middle of the Island on the 14th of June 2019 when there was total traffic chaos with heavy vehicles and buses having to be routed round the very narrow lane of Northney village. An accident waiting to happen!!
- Southern Water are not able to provide continuous removal of sewerage from the East of the Island. How will they be able to cope with this increased load?
- The proposed area for the dwellings is prone to flooding – in winter time the middle part of the field does resemble a small lake. The drainage system we have at present does not cope well with the sudden big downpours we have; all the extra housing will again put more pressure on an already overworked drainage system.
- There is significant erosion on the unprotected banks of Hayling Island and Langstone Harbour, which will as continue as the sea level rise. Without this protection the field will disappear into Langstone Harbour. With the field will the trees and part of the SSSI.
- Groundwater. Sampling for contamination is an outstanding issue and should be addressed, especially as the field is subject to flooding after heavy rainfall and, to the north, from Langstone Harbour after tidal surges often affected by pollution from sewage. It is noted that winter level monitoring was carried out in 2016/17; however, photographic evidence shows considerable flooding in both the south and north parts of the field during 2017/18 and 2018/19. Therefore, the Barratt winter level monitoring data is out of date and further groundwater monitoring should be carried out by the developer.
- Drainage/Sewage. After the recent sewage pump failures and spillages into Langstone Harbour it is strongly urged that HBC looks very closely and seeks specialised advice in respect to Barratt's solution for pump failure using emergency ground storage.
- It is noted that Southern Water has not raised any objections. However, the ability for Southern Water to manage/cope with additional pressure on the infrastructure from this development for which they are responsible is highly questionable.
- over the years our island will get progressively smaller due to the lack of maintenance of certain sea defences, thus allowing the ingress of the sea and that is particularly

noticeable at the western end of the Island where these new homes are now in for planning. Is it really fair to sell these places to people. How many years will families be able to live there before the tide comes in?

- With a high-water table SuDs will not be effective, leading to flooding.
- Given the complicated drainage issues conditions requiring further information to be submitted is not appropriate and unacceptable.

Officer comment: *The foul and surface water proposals have been developed in consultation with the Environment Agency (EA), the Local Lead Flood Authority (LLFA) and the Southern Water (SW). A surface water pumping solution has been proposed to overcome the limited fall available on the site. The system has been designed in accordance with guidance which requires assessment against a 1 in 100 year event, plus a 40% allowance for climate change to mitigate any residual risk of surface water flooding to the site in its developed state. Connection to the Southern Water foul sewer would be via an onsite pumping station built to adoptable standards and the developer is in advanced negotiations with SW to adopt this.*

In respect to tidal locking and tidal pressure, the development site is not located adjacent the coast, but lies beyond existing properties in North Shore Road and is set back from the coast. In response to this matter the concerns have been raised with the applicant's drainage engineer who has advised:

"The existing clay does not act as a "seal" to prevent groundwater and any potential tidal sea water from mixing. The Geotechnical Engineer has already advised that the existing groundwater is shallow but that the impact from tidal variation is minimal. This means that due to the distance of the site from the sea edge, the effect of tidal changes becomes minimal as it takes time for water to travel through soil and interact with the shallow groundwater between peak high tides. The effect of the tidal changes and ingress of sea water in the lower ground of the site does not act as some form of pressurised medium as simply this is not how hydraulics work. Any presence of sea water would be not higher than the adjacent sea levels and certainly would not be at or above existing ground levels. This is already confirmed by the EA per their Flood Maps which clearly shows that this site does not lie within an area of tidal flooding. As confirmed by the Geotechnical Engineer, building the foundations into the ground will not have any adverse impact to the ground nor will it impact the proposed drainage system."

This response has been reviewed by HBC officers and given the development site is not located adjacent the coast, but lies beyond existing properties in North Shore Road and is set back from the coast, the impact from tidal locking is not considered material.

Subject to conditions the EA, SW, Coastal Team and LLFA do not raise objection.

Ecology/conservation

- Loss of habitat and green spaces not coherent with tackling climate change.
- The current site is part of a Bird Mitigation scheme outlined in the section 106 agreement between HBC and the developer for their previous site the Oysters
- The Geese have used this field very happily for decades because it provides both food and security. A refuge indicates a safe haven but without the necessary sustenance the birds will be forced to find other locations
- Not comprehensive – no mention of buzzards
- Cumulative loss of habitat
- Proximity to SSSI

- Brent Geese come to these arable fields because they do not have people and dogs walking across their safe area in the middle. If the northerly part of the field is criss-crossed with hard paths it will become an urban park and dog walkers etc. crossing it will scare off the Geese.
- The Brent geese have been using this field as a migration area for years and years - just saying they can move elsewhere is not good enough
- The proposal to establish a grazing/feeding area for geese is unlikely to prove viable. Brent geese thrive on arable land and this will no longer be available.
- We are losing more open space which is affecting the wildlife and natural beauty of Hayling Island.
- Should we always put people ahead of wild life?
- The proposed bird refuge is totally inadequate, and development of this site will drive away these magnificent birds and many other forms of wild life that enjoy this habitat. What right do we have to take that away.
- The field is a premier roosting site for migrating birds. They land here having flown thousands of miles. They are exhausted and starving. The sea grass sustains them. Dog walkers are careful not to disturb them. What the effect of diggers /earth movers /cement mixers /scaffold construction will have on their numbers - is a serious environmental question - to be considered.
- Permissive access to a place of natural beauty cannot be removed without due consultation. I shall continue to access this area daily with my dog, as will many other residents.
- Unrealistic to think that fencing for bird refuge can be maintained as dog walkers currently using the area; residents who wish to access the shoreline; and, probably more importantly, kids who want to go exploring or use the open spaces will not tolerate or be put off by a fence.
- The developer has already fenced off and blocked public right of way from the Billy Line prior to planning consent, the fences have fallen down and obstructed the Billy Line public bridle way causing injury to animals, walkers and cyclists
The proposed development calls for the footpath at the end of North Shore Road (providing access to foreshore) to be closed - this is part of the road's character; I'm unclear as to why it would need to be closed
- The wild bird refuge being proposed by Barratts is woefully inadequate for the Brent Geese, Curlews, Egrets and other winter visitors that I have witnessed using the field. These birds use this field because of its openness which gives these birds a clear view of approaching predators - building houses on half the field will break this clear view and therefore will not be attractive to these birds.
- Destruction of trees and biodiversity. Suggestion of "orchard" as greenwash – Barrett haven't even bothered to find out what sort of trees might survive in this environment.
- The idea that migratory birds will still come to the area set aside for them once the adjacent area is built on and occupied by humans is fallacious at the very least, and laughable at its worst. Quite rightly, such birds know that humans are a threat to their wellbeing, and stay well clear of us whenever possible. That is why they favour the open fields in West Lane where they can see and hear threats in the form of humans, dogs, cats and foxes well before they arrive, so hoping that a fence between the houses and the reserved area will suffice is a pious hope. Only garden birds have learned to live in close proximity to us, but even this has a minimum distance limit except for robins.
- RSPB. As a local resident close to the proposed development site, it is very obvious that the RSPB Consultation document is seriously flawed. The RSPB cannot have been made fully aware of the wintering and feeding habits of the Waders and Brent geese during 2018/19 winter months and the change in crop planting in the site field. It is understood that the RSPB has been updated on this issue and it is recommended that both HBC and Barratt get a full briefing from the RSPB once they have reviewed the local resident's input.

- It would appear that the requirements for assessments and field work report are still outstanding. Presumably HBC will insist on this being carried out before a planning decision is made.
- The western edge of the northern part of the application site is subject to Coastal Erosion impacting the proposed bird refuge and the birds will have lost the relatively 'safe' sheltered area behind North Shore Road to a housing development.
- Construction site is far too close to the RSPB sanctuary/nature reserve. It will only be a matter of time before the developer wishes to extend this proposal up the field. Proceeding now will open the Council to many complaints, significant additional investments and consequent suggestions of incompetence.
- The proposed site is next to the Billy Trail which will cause construction noise and mess at a place that so many islanders and visitors use as a peaceful haven. As a family we regularly walk on the Billy Trail and appreciate views across the fields to Langstone Harbour. This view will be blocked by an unsightly building site and can never be recovered.

Officer comment: *The proposal provides for ecological mitigation and enhancement including the formation of an SPA bird refuge in perpetuity and the key consultees including Natural England, HBC Ecology and the RSPB, subject to securing these through conditions and a S106 agreement, support the proposal, which in respect to over wintering birds would improve the quality of this retained area of Primary Support Area by reducing disturbance from farm operations (bird scaring, shooting) and prevent disturbance from walkers and dogs by providing fencing to restrict access to field paths that are not rights of way. The RSPB are aware of possible erosion to the bird refuge area and have not raised concerns in that regard.*

Housing Provision

- I object to the type and quantity of housing. Too many packed in and too expensive. Hayling has many under occupied houses, and many over occupied. There are no houses affordable, i.e. actually affordable, not the legal definition of affordable, that are proposed to be built. It would be better to build a community of mid-range retirement homes as a gated community, where people with dementia can be safe and older people have all they need, to free up under occupied housing on the island that are perfect for families.
- Policy H3 – housing density and housing mix, this does not fit with the surrounding properties which are mainly detached bungalows or 2 storey houses. The proposal is for a dense development with 3 storey properties and flats, which are not in keeping with the neighbourhood, which consist of mainly mature residents and with few young families.
- Hayling Island has a large number of retirees and elderly people who require single storey bungalow style accommodation or houses with stairlifts etc. The proposal does not satisfy this need and the house designs are completely out of character with the area.
- Affordable housing, aside from the percentage stated in the application the rest of these properties will be far from affordable for those struggling to own their own homes.
- Looking at the site in particular the affordable houses would be as far from the mainland and all services as possible.

Officer comment: *The proposal provides for a range of house sizes from 2 bed to 4 bed at a density of 41 dph, which falls within the low category in the adopted Core Strategy. The affordable housing provision is in accordance with policy and supported by the Housing Officer.*

Other

- The agricultural land is so important to continue growing crops, especially with the

import of food being put under pressure due to Brexit & COVID

- Can the developer and Council demonstrate how they will provide the funds and maintenance plan for costal erosion on the western side of the development, the shoreline has retracted several feet in the last decade and sea levels are proven to be rising
- Brown field sites should be developed not greenfield
- Congested streets due to parking contractors & staff
- Perhaps building small houses for old people could make more houses available for young residents.
- The site is an area that is designated as a 3-5% chance of having a higher level than average of the carcinogenic gas Radon (ukradon.org site map). This risk must monitored be over a long period and the risk that the large area of impermeable surface may displace more of this gas to the surrounding properties needs to be assessed and addressed.
- Layout with road to end of site indicates an intention to extend further in the future.
- The planned estate destroys irreplaceable farming land, even wasting space on a sales attraction 'central community green' when the Hayling Parks newly enlarged Community Centre and upgraded children's play area already exist just over the road.
- This planning application must be rejected by the Council based on the precedent that they turned down the planning application for 210 homes at Rook Farm Way on Hayling Island in May 2017 'because it would see the addition of an unsustainable development in a non-urban area, for which there is no overriding justification'. In 2018 the loading on the infrastructure has got worse!
- The public will be put off coming to the Island if they think that the traffic will be bad, and this will impact on the local business' that rely on the visitors for their income.
- Safety - more police and fire emergency services would have to be put into place. Would the houses bring the right calibre of people to such a safe place?
- Nobody is held to account on has any liability.
- This application is ill-considered and detrimental to the infrastructure of an overcrowded island. Time was when Hayling was an attractive seaside resort earning revenue for local businesses. This asset is being steadily eroded with no thought for the quality of life of the population.
- The applicant has not demonstrated that the criteria of Economic, Social, and Environmental have been met or enhanced
- The NPPF which says housing proposals should be considered in the context of the presumption in favour of sustainable development. Hayling Island is not economically sustainable owing to lack of employment opportunities
- Priority should be given to building houses where commuting distances are minimised, not where they add to the burden on infrastructure and contribute to personal stress levels due to the wasted
- We have no sports centre/swimming pool/bowling alley or anywhere for the young people to go, additional families will make this matter worse with more young people bored and with nothing to do other than cause trouble.
- NORSE cannot manage the refuge clearance for the Beachlands rubbish bins which are often a health hazard nor the current demand for glass recycling clearance
- If the application is approved, how will robust assurance of the build phase take place to ensure the problems experienced by the same developer in the nearby 70+ house Oysters estate be repeated, and corners cut for profit? The drawings and plans look good but how sure can we be that this is what will be built?
- Blue flag status for the beach failed because Councils have failed to take their duty of care seriously and mismanaged provision for waste in recreational areas.
- Radon protection measures may be required based on the 1-3% chance of trapped Radon.
- Hayling Island shouldn't be used to offload their housing requirements
- Barratt, although fully agreeing with the principles of power>carbon design, admit that their application "does not fully comply the precise aspiration under E12 (f)". Again, they

use the excuse that the lack of formal low carbon polices is enough for HBC to agree to their application within current building/low carbon standards. The developer has not included the latest eco-friendly measures such as triple glazing, large windows for more light, solar panels etc. In this amended application, presumably on building cost grounds.

- Barratt advise that only homes with garages will be fitted with car charging points, but the proposed design and layout of the site would enable additional points to be fitted post-occupation. This proposal would only cause unnecessary disruption/inconvenience to residents and should be included in development plans.
- Covid 19 means that people are more likely to holiday in their home country and the extra traffic would make Hayling Island less attractive, with a detrimental impact on jobs and the economy.
- Orchards inappropriate as apple trees do not grow well on Hayling Island.
- The 500+ objections that were made to the previous application for building these houses should also be taken into consideration for this one as they are equally relevant to this one.
- Right of Way by Usage - The edge of the proposed 'bird refuge' field has been used by walkers since many of the North Shore Road properties were built in the 1960's (and probably long before that). Proposing that there should be a fence separating the pathway from the bird refuge in reality means that the pathway will not exist in a few years because of the rate of coastal erosion. Each year we witness this erosion taking place - oak trees being uprooted and the edge of the field falling onto the foreshore and being washed away.
- On sustainability grounds, the dwellings will neither be fitted with EV charge points and nor will air-sourced heat pumps be installed
- The Consultees refer to Construction Phase Disturbance and call for an approved plan which 'should specify that the main works are restricted to the summer months.....' So I have to ask - what about the existing human residents with houses backing on to the site who will normally be found in their back gardens during the summer? Can they get the same consideration during the summer as the birds will get during the winter?

Officer comment: *The Council is currently preparing a Flood and Coastal Erosion Risk Erosion Strategy for Hayling Island. Radon is covered by the Building Regulations. The Open Space provides for informal recreation, play and community food growing, as well as landscaping. Traffic and infrastructure mitigation would be provided through contributions to highways works, education, community officer and SECCG in accordance with the requirements of the Consultees. The planning application for Rook Farm was refused on several grounds, including the fact that the principle of development on the site was not accepted. It is noteworthy that the Rook Farm site is now, alongside Sinah Lane, proposed as an allocation in the emerging Local Plan.*

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).
- 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 the increase in recreation, decrease in water quality, and 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 five 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 loss of Special Protection Area (SPA) supporting habitat. The fourth is measures to control the impact on the environment during construction of the development

Recreational Pressure

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

Water Quality

- 7.4 The Partnership for Urban South Hampshire (PUSH) Integrated Water Management 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. Natural England 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, Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2.
- 7.5 The Position Statement and Mitigation Plan for 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.
- 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 including a SuDs system designed, and installed in accordance with the requirements set out in the CIRIA SuDS Manual (C753). Appropriate planning and legal agreement measures will be necessary to ensure appropriate maintenance of the SuDs and compliance of the nutrient inputs in 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 mitigated for by a costed mitigation and monitoring package to provide for either a like-for-like replacement area within the same locality or a mix of on-site recreational greenspace and a proportionate financial contribution towards the protection of the wider SWBGS network. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS

site. The application provides for the upgrading of existing support habitat with a Bird Refuge which would be secured in the longer term, in accordance with the aims of the Strategy.

Construction impacts

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

Appropriate Assessment conclusion

- 7.9 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 has been 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.
- 7.10 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) Nature of Development
- (iii) Impact on the Character and Appearance of the area
- (iv) Residential and Neighbouring Amenity
- (v) Access and Highway Implications
- (vi) Flooding and Drainage
- (vii) The Effect of Development on Ecology and trees
- (viii) Impact on archaeology
- (ix) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

- (i) Principle of development

- 7.11 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

- 7.12 The Development Plan consists of the Havant Borough Local Plan (Core Strategy) (2011), and the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013). These plans continue to form the basis for determining planning applications in the Borough. The application site is located adjacent to, but outside of, the urban area. Policies in the adopted plans support appropriate residential development within the urban areas. Only "Exception schemes" are 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.

Emerging Havant Borough Local Plan 2036

7.13 The Council published the Pre-Submission Local Plan for public consultation between 1 February 2019 and 18 March 2019, and the subsequent changes to the Pre-Submission version of the emerging Local Plan were approved by Full Council (9 September 2020). The publication of this document followed a long period of public engagement, including the now revoked Local Plan Housing Statement. The Havant Borough Local Plan was submitted to the Secretary of State for Housing Communities and Local Government for examination on 12 February 2021. The emerging plan includes the Council's proposed new housing allocations. The application site is identified within Policy H29 for residential development, capable of accommodating about 195 residential dwellings. The application site is identified as one of the those necessary to deliver the identified housing need for the Borough.

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

Consistency with the National Planning Policy Framework.

- 7.15 The Secretary of State's National Planning Policy Framework (February 2019) is a material consideration which should be placed in the s.38(6) planning balance.
- 7.16 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".
- 7.17 A robust assessment has taken place of land in the Borough to inform the Submission Havant Borough Local Plan 2036 through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. At the time of consideration of APP/18/00724 this demonstrated that there was sufficient deliverable and developable sites upon which to meet the Borough's housing need, and the assessment of the application site by officers found it to be free of any significant constraint and capable of delivering houses in the short term. Since then Local Plan has been submitted for Examination. The five year housing land supply has been updated (February 2021) and indicates the Borough now has a housing supply position of 4.2 years with a 20% buffer applied. This is below the five year supply threshold and reflects the 2020 Housing Delivery Test measurement of 72% which indicates that it is appropriate to apply a 20% buffer

Five year housing land supply and delivery of housing need

- 7.18 The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place and/or the HDT indicates that delivery of housing was less than 75% (of the housing requirement over the previous three years), then Paragraph 11 of the NPPF sets out that, in applying the presumption in favour of sustainable development, proposals for development should be granted permission unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. These areas and assets are set out in footnote 6 of the NPPF. The application site in

- question is not within any of these areas, however it does lie directly adjacent to a designated nature conservation areas ;
- or
- 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.
- 7.19 As set out above the Borough has a 4.2 year housing land supply with a 20% buffer applied and so does not have a five year housing land supply at this point. This compares to a 5.4 year housing land supply which was the position at the time Application APP/18/00724 was determined.
- 7.20 The development proposed by this planning application is included within these five year supply calculations and is equivalent to 0.36 of that supply. As such, without the proposed development at Sinah Lane, the Borough would have a 3.84 year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application. As stated above, the changed 5 year supply position is a consideration which did not apply to the determination of the earlier Application APP/18/00724.
- 7.21 As such, notwithstanding that the site is located outside of the urban area in the development plan and is located in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development and it would also deliver measurable economic and social benefits.
- 7.22 The site is required to feed into the on-going requirement of the Borough for deliverable housing land to address the Borough's housing need which is now more pressing given that the housing supply position has fallen below the five year requirement set out in the NPPF.
- 7.23 On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development. The justification for this conclusion is set out in more detail in the paragraphs that follow.
- Deliverability*
- 7.24 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."
- 7.25 The application has been supported by an Infrastructure Delivery Statement (IDS), which considers the supply of water, electricity, gas and telecommunications to the site, in consultation with the utility providers. This concludes that the development could be supplied with normal network service supplies without prohibitive reinforcements to networks. As such there would not appear to be significant off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the current 5-year period, which weighs in support of the scheme.
- Environmental Sustainability*
- 7.26 Introducing a housing estate to an undeveloped field would alter its character but it is concluded that owing to the enclosed nature of the housing site there would be a limited impact on the wider area, with any harmful visual impact of the development being 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. Furthermore, the provision of habitat mitigation open space comprising play area, and orchard provision is of significant benefit to this application. As is the establishment of a permanent bird refuge on the northern part of the site.

7.27 In terms of the location of the site relative to services and facilities:

- The nearest collection of retail facilities is at West Town, 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, a 1.7km walk west 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 located Mengham Infant School (1.8Km), and Hayling Island Library is a 1.5 km walk west from the site. Mengham Junior School sits further to the west, 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.
- 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.

7.28 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.

Economic Sustainability

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

Social Sustainability

- 7.32 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.
- 7.33 The application proposes a range of house types, sizes and tenures including 30% (58) affordable housing (shared ownership 17 and affordable rented 41) 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".
- 7.34 The proposal also proposes significant areas of open space, with 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. 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

- 7.35 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 in the catchment for Mill Rythe Infant and Junior Schools but there is pupil movement between these schools and Mengham Infant and Junior Schools.
- 7.36 The schools are forecast to be at capacity by the start of the 2021 academic year and forecast to remain full after that date without this proposed housing being taken into account. Consequently, additional primary school places will be needed to cater for the anticipated additional 59 pupils and the required contribution of £860,550 has been agreed by the developer to pay for this expansion. Similarly, Hayling College serves the proposed development but there is a sufficient number of secondary school places available to accommodate the yield from the proposed development and a contribution is not required.
- 7.37 The South East Hampshire NHS Clinical Commissioning Group (CCG) have been consulted and 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 to accommodate the patients from the proposed development. The requested contribution of £31,200 has been agreed by the developer and this would be the subject of a legal agreement.

Prematurity

- 7.38 Concern has been expressed that the grant of planning permission would be premature in advance of the examination of the emerging Local Plan. This concern must be weighted in the context of the terms of paragraphs 49-50 of the 2019 NPPF. They state: -
- '...arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the*

development plan for the area.

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

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

Undeveloped Gaps between Settlements

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

7.42 In conclusion on this issue,

- (1) The scheme is contrary to the development plan
- (2) National policy is a material consideration
- (3) Housing supply at 4.2 years with a 20% buffer applied is below the five year supply threshold
- (4) The presumption in favour of sustainable development applies
- (5) The proposals would constitute sustainable development in policy terms.
- (6) It is deliverable now.
- (7) The scheme is not premature.
- (8) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan

(ii) *Nature of Development*

- 7.43 The application is for full planning permission for 195 dwellings with a single vehicular access off Sinah Lane, together with a bird refuge. The bird refuge would formalise and secure the current bird over wintering habitat and would retain a rural appearance. In respect of the proposed housing 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

- 7.44 The application seeks 195 No. dwellings which based on the developable area equates to approximately 41 dwellings per hectare (dph). Core Strategy policy CS9 states that

planning permission will be granted for housing proposals which (amongst other matters) '*Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form*'.

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

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

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

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

- 7.46 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*'.
- 7.47 The NPPF states that '*To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density*'. Although this scheme represents a low-density development, the proposed density of 41 dph is considered an appropriate density given the context of the site.

The Mix of Dwelling Sizes and Tenures

- 7.48 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development *should 'Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities.'* Paragraph 6.24 states that a mix of dwelling types is sought from terraces, semi-detached and larger detached houses. In this case, the proposal for 2, 3, and 4 bed properties, comprises a mix of detached and semi-detached houses and three storey flats and short terrace housing. This is considered to be an acceptable mix for the site. 30% of the units comprising shared ownership units and affordable rent units would be affordable in accordance with policy CS9. The affordable units are distributed across the site in clusters and in terms of building form they are reflective of the development in general, and overall are considered to be acceptably integrated and the Housing Officer supports the scheme.

The Design and Layout of the Development

- 7.49 The proposed character of the housing development comprises mainly 2 storey housing and a number of centrally located three storey flats adjoining an area of open space. Garden sizes for the houses would comply with the supplementary planning guidance of 10m. Parking provision would be 445 residents spaces which exceeds the requirement of 416 spaces set out in the adopted Parking Standards. Visitor parking is provided on the basis of one visitor space for every 5 dwellings (20% of the dwellings and not 20% of the allocated spaces). Given that there is scope in a number of cases (29) for visitors to use the extra allocated parking of the property being visited, the visitor parking provision is considered acceptable. The allocated parking provision would be provided on curtilage or in small parking courts so as not to be over dominant.

- 7.50 The proposal provides for additional tree planting adjacent the Hayling Billy Trail and landscaping within the site would include native open space trees, decorative street trees and native hedging species, together with shrub planting.
- 7.51 The housing layout has been influenced by the site constraints including the elongated nature of the site, the relationship with neighbouring properties, and the boundaries with the Hayling Billy Trail. The layout is traditional in its form, with the proposed housing being designed to mainly address the roads, creating active frontages and a sense of enclosure to the new streets, together with overlooking of the public areas.
- 7.52 The proposed dwellings would be of traditional design comprising a mix of two and three stories with pitched and hipped roofs and constructed of bricks, cladding and tiles reflecting the character of the area.
- 7.53 The development would provide functional areas of Public Open Space, an area of equipped play space and 2 orchard areas and overall the form of development is considered to have regard to the site's context.

Emerging Local Plan

- 7.54 The Emerging 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

- 7.55 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.
- 7.56 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 should contribute towards a community officer, to help new residents in the development integrate into existing communities. Following negotiations with the applicant, they have now agreed to make this contribution, and as such this application does comply with this emerging policy.

Infrastructure Policies

- 7.57 Policy IN2 – Improving Transport Infrastructure requires amongst other things strategic transport requirements to facilitate the proposed development within the plan. These are set out under the Highway Considerations and the application proposes contributions to off-site transport works in respect to:-
- £679,000 towards improvements along the A3023 corridor,
 - £35,000 towards improvements on the walking route to School;
- 7.58 Policy IN3 – Transport and Parking in new development broadly follows the requirements of adopted policy CS20 of the Core Strategy. This proposal does exceed the parking standards for allocated parking providing 445 spaces against a requirement of 416 spaces, however visitor parking is 39 vs a requirement of 83. Given that it some cases it would be possible for visitors to use residents' allocated parking, the under provision on visitor parking is considered acceptable. This policy additionally requires that Electric vehicle charging infrastructure is provided for each residential unit with private off-street parking. The plans provide the infrastructure for electrical charging points for all garages

to private dwellings, but not private and unallocated parking spaces which accounts for the majority of spaces and the provision is modest with only 32 out of 195 dwellings proposed to have access to electrical vehicle charging points.

Environment Policies

- 7.59 Policy E9 – provision of public open space in new development of the emerging Local Plan 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. Based on an occupancy rate of 2.4 persons per dwelling this generates a need for approximately 0.72 ha of open space. Moving through the site from the entrance on Sinah Lane there is a network of open spaces comprising a modest area of open space near the entrance, with a larger area beyond, plus a central area of open space providing a formally designed orchard area, and a further orchard area of informal design located at the northern end of the housing development near the eastern boundary with the Hayling Billy Trail. The latter forms a green corridor featuring native buffer planting, open wild flower meadow mix and integrated wet shrub planting, intended to function as part of a Sustainable Urban Drainage system. A total open space provision of 0.72ha is provided which meets the Policy requirement.
- 7.60 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% in the Dwelling Emission Rate compared to the Target Emission Rate required under part L of the 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). The applicant has confirmed that this requirement will be met in part but consider the appropriate vehicle for setting standards for building design is the Building Regulations. To increase energy efficiency, reduce carbon emissions and lower energy costs for future occupiers they propose 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. They review and apply new technologies 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 their 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.
- 7.61 Policy E14 – The Local Ecological Network requires that new development results in biodiversity net gain. An ecology strategy has been developed that recognises the key nature conservation features of the site. A key part of the landscape masterplan is the proposal for an attenuation basin and swales 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 grasslands and 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, and the development is considered to achieve net gain in biodiversity, over the existing agricultural use. Additionally, the proposed bird refuge would provide permanent habitat to support the bird population. The proposal, subject to conditions, is supported by HBC’s Ecologist.

Housing policies

- 7.62 Policy H1 of the emerging Local Plan 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.
- 7.63 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 the emerging Local Plan which would require new housing developments to provide adequate internal and external space to provide appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. This application proposes 60 dwellings (31%) compliant with the Nationally Described Space Standards. However, all the houses do meet the external space standard for gardens.
- 7.64 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. The proposal delivers approx. 41 dwellings per hectare based on the developable area in accordance with Policy H3.
- 7.65 Policy H4- Housing Mix outlines that development will be expected to provide a range of dwelling types to meet identified local housing need; and incorporate approximately 35% as two-bedroom homes as part of the overall housing mix. This proposal does provide a range of 2, 3 and 4-bedroom units, of which 69 (35.4 %) would be 2 bed. As such this proposal complies with this emerging policy.
- 7.66 In conclusion on this matter, the emerging Havant Borough Local Plan has been submitted to, but not yet examined by the Secretary of State. 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 this, a number of relevant emerging policies have been partially met and this threshold has been weighted into the overall planning balance made on this application.

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

- 7.67 A Landscape Visual Impact Assessment (LVIA) has been submitted which considers the relationship of the proposed development to the existing landscape character and context of the site in terms of views of it.
- 7.68 The main landscape features relate to the field boundaries, which are to be retained, and due to the adjacent residential development, boundary hedgerows and non-elevated nature of the land the visual impact on the landscape is limited and following mitigation and vegetation growth the views of the housing development would be largely screened from distant views or distantly glimpsed. The land for the bird refuge would be largely unchanged visually, and there would be no significant residual landscape or visual effects.
- 7.69 Overall, it is considered that the layout responds to the constraints and natural assets of the site and the principle of residential development and bird refuge on this site is considered acceptable in terms of landscape impact and is not contrary to the objectives of saved policies or emerging planning policies.

(iv) Residential and neighbouring amenity

- 7.70 The main direct residential impacts here relate to the adjoining properties in Sinah Lane and North Shore Road, together with traffic impacts which are considered further below.
- 7.71 The development would be clearly visible from properties backing onto the site, however, separation distances for habitable rooms between the proposed and existing residential properties achieves a minimum of 20 metres in accordance with the Borough Design Guide, which is considered appropriate to retain privacy. The outlook from the neighbouring properties will be substantially changed from an agricultural field to housing development, but given the separation distances the impact is not considered to be unacceptable. As such in planning policy terms there would be no significant loss of amenity to existing residents from the proposed siting of the dwellings and the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.
- 7.72 In respect to the proposed access this would be located in the existing 15m gap in the Sinah Lane frontage between nos. 6 and 10. The plans have been amended to remove on street parking from the first 45m of the entrance to the site and additional landscaping is provided. As such the road and associated traffic is set off the boundaries with the adjacent properties by 3m providing separation and mitigating the impact of traffic movements to an acceptable level, as well as providing an attractive entrance to the site.
- 7.73 The proposed 195 dwellings would inevitably result in an increase in traffic levels on the adjacent and wider highway network, which would impact the amenities of existing residents. Mitigation measures are proposed in the form of offsite highway works and these are set out in the highways section. The proposed measures are considered to result in improvements to the highway network having regard to the need to maintain highway safety and traffic flow.

Impact on future residents

- 7.74 The application has been assessed by Environmental Health officers in respect to Contamination, Air Quality, and Noise. Subject to conditions no objection is raised on these matters. In respect to drainage and SuDs, the proposed system has been assessed by the Lead Local Flood Authority (HCC), Southern Water and the Council's Environmental Health Officer. The pumping station is to be adopted and the maintenance of the SuDs system would be undertaken by a management company and this matter will need to be the subject of the legal agreement to secure appropriate maintenance. These consultees, subject to conditions and S106 requirements now raise no objection. In respect to Radon protection this is a matter considered under the Building Regulations.

(v) Access and Highway Implications

- 7.75 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.
- 7.76 In terms of the highway proposals in the immediate vicinity the submitted drawings demonstrate a pedestrian crossing point in the form of dropped kerbs and tactile paving to the east of the proposed vehicular site access. Tracking drawings have been provided and reviewed to demonstrate that the provision of the new crossing point will not restrict the movement of vehicles entering/egressing the existing driveways.

- 7.77 The access drawings and pedestrian provision have been reviewed and considered acceptable. The works would be delivered via a S278 agreement with the Highway Authority.
- 7.78 The roads and footways relating to this application are being put forward for adoption by the developer. HCC have assessed the submitted drawings and the internal layout is now considered acceptable in principle.
- 7.79 From a wider perspective a significant level of objection has been raised to the application on the basis of additional traffic generated and its impact on the flow of traffic on and off Hayling Island and up to the Langstone roundabout. The application was submitted prior to approval of the Hayling Island TA Addendum, prepared to support the Havant Borough Local Plan. The initial Transport Assessment submitted with the application was critically reviewed in response to negotiations with HCC Highways and the requirement to understand how the proposed development allocation on Hayling Island (including the Sinah Lane site) would be suitably mitigated. The Hayling Island Transport Assessment Addendum identifies interventions at the following locations:
- Northney Road/A3023;
 - Langstone Road/Woodbury Avenue/Technology Park;
 - West Lane/A3023;
 - Mill Rythe Roundabout; and
 - 'Friction Reduction' Schemes along the A3023.
- 7.80 The Transport Assessment Addendum (TAA) produced by the applicant provides junction modelling outputs for those junctions and in accordance with the ongoing work associated with the Hayling Island TA, and to ensure a holistic approach is adopted towards funding the identified mitigation measures on the island, a proportionate contribution sum of £679,000 has been agreed towards the mitigation measures identified within the TA. This is considered sufficient, when considered with the additional funding available from CIL arising from the development, to mitigate the forecast traffic generated by this application. The contribution value is based on the proposed measures within the Hayling Island TA. The Highway Authority have advised that the mitigation measures identified within the TA sufficiently mitigate vehicular traffic from the proposed allocation on Hayling Island.
- 7.81 Updated Personal Injury Accident (PIA) data has been submitted by the applicant through the TAA for the agreed study area. The Highway Authority advises that the PIA data does not indicate an existing safety concern on the highway which could be exacerbated by the development. As a result, they advise that no further action is required.
- 7.82 In respect to Walking and Cycling the submission provides for a contribution of £35,000 to a crossing point on Station Road and improved wayfinding through Hayling Park, which connects the development site to Station Road and to the catchment Mengham infant and junior schools, to provide a safe walking route to school.
- 7.83 Additionally, in respect to the Hayling Billy Trail the submission provides for 2 connections from the site and a contribution of £8,800 to provide for future maintenance. Such linkage would assist in integrating the development and promote the use of alternative means of transport to the car to access facilities and services on Hayling Island and Havant.
- 7.84 In respect to bus facilities the nearest bus stops have recently been improved as part of 'The Oysters' development and there is little scope to provide any further improvements towards the bus stops in the vicinity. As such, a contribution is not sought. The Hayling Island TA has identified long term improvements for bus provision on Hayling Island, which could be funded through CIL funds from developments on the Island to which the proposed

development would make provision.

7.85 The application is accompanied by a Travel Plan, reviewed by the Highway Authority and to be the subject of a S106 obligation.

7.86 The Highway Authority has raised no objection subject to S106 contributions and obligations as set out above and a condition in respect to a Construction Traffic Management Plan is proposed.

7.87 Extensive representations have been submitted by interested parties raising concerns as to the highways impacts and related accessibility issues of this proposal. In particular concerns are raised that the existing highway network on Hayling island with only one road onto the Island is unsuitable for the extra traffic that would be generated by the development resulting in severe congestion, and safety issues. The proposed application, cumulatively with other proposed developments on Hayling Island in the Havant Borough Local Plan, are projected to increase journey times. Nonetheless, whilst inconvenient to road users, it is not considered sufficient to trigger the 'severe' test set out in the NPPF in its own right. The highway submission in respect to the application has been reviewed and amended in response to the findings of Hayling Island TA and is now considered to appropriately address the highway considerations and safety issues.

(vi) Flooding and Drainage

7.88 The site is not located within an area at risk from flooding and the latest Environment Agency 'Flood Zone Map' (March 2019) indicates the site is located within the lowest risk category - Flood Zone 1. 'Flood Zone 1' is land assessed as having a less than 1 in 1000 (<0.1%) annual probability of flooding from a main river in each year and is not within an area of recorded river flooding.

7.89 Whist the site lies wholly within Flood Zone 1, it is recognised that vehicular access on and off Hayling Island is only via Havant Road and Langstone Road, located further north of the site. Part of this route lies within Flood Zone 3, considered at high risk of Tidal Flooding. As a result, early consultation was carried out with Statutory bodies regarding flood risk and drainage matters relating to the development, and the proposal provides a Flood Emergency Plan, setting out early flood warning systems and procedures for the development in the event of a peak tidal surge. This would inform and assist future residents in the event of a peak tidal flood event.

7.90 Searches of the EA Risk of Flooding from Surface Water flood map confirm that the site lies mainly outside of any risk of flooding from surface water with exception of areas within the south eastern part which indicate to be a low risk of flooding from surface water (between 0.1% to 1% probability). The areas are reflective of localised low points within the site and the risk to the future development can be mitigated thorough the detailed design of the finished ground levels of the development. A condition requiring further details in respect to levels is recommended.

Surface Water Management

7.91 The surface water management proposals have been developed in consultation with the Environment Agency (EA) and the Local Lead Flood Authority (LLFA), and SuDS in the form of attenuation pond/basin and bio-retention areas have been incorporated within the scheme. The surface water network will convey the flows, under gravity, north eastwards towards a new attenuation basin and SuDS swales which will provide attenuation of the restricted flow prior to discharging to an existing ditch system located on the eastern boundary of the site, which in turn flows northwards into an existing ordinary watercourse and a final outfall into Langstone Harbour (Sinah Lake). A surface water pumping solution has been proposed to overcome the limited fall available on the site. The system has been designed in accordance with guidance which requires assessment against a 1 in

100 year event, plus a 40% allowance for climate change to mitigate any residual risk of surface water flooding to the site in its developed state.

- 7.92 The pumping station would be located in the north east part of the site adjacent the proposed swales and attenuation basin and would be offered up for adoption. A management company is proposed, and a Section 106 Agreement will require full details of how the SUD's are managed and maintained to ensure the optimum operation of the system.
- 7.93 In respect to tidal locking and tidal pressure, the development site is not located adjacent the coast, but lies beyond existing properties in North Shore Road and is set back from the coast. In response to this matter the concerns have been raised with the applicant's drainage engineer who has advised:

"The existing clay does not act as a "seal" to prevent groundwater and any potential tidal sea water from mixing. The Geotechnical Engineer has already advised that the existing groundwater is shallow but that the impact from tidal variation is minimal. This means that due to the distance of the site from the sea edge, the effect of tidal changes becomes minimal as it takes time for water to travel through soil and interact with the shallow groundwater between peak high tides. The effect of the tidal changes and ingress of sea water in the lower ground of the site does not act as some form of pressurised medium as simply this is not how hydraulics work. Any presence of sea water would be not higher than the adjacent sea levels and certainly would not be at or above existing ground levels. This is already confirmed by the EA per their Flood Maps which clearly shows that this site does not lie within an area of tidal flooding. As confirmed by the Geotechnical Engineer, building the foundations into the ground will not have any adverse impact to the ground nor will it impact the proposed drainage system."

This response has been reviewed by HBC officers and given the development site is not located adjacent the coast, but lies beyond existing properties in North Shore Road and is set back from the coast, the impact from tidal locking is not considered material. Subject to conditions the relevant consultees do not raise objection and there is no basis on this matter to support a reason for refusal.

Foul sewerage

- 7.94 The new housing development parcel will seek to connect to the nearest existing Southern Water foul sewer via an onsite adoptable pumping station to the existing 200mm diameter sewer located just north west of the development site. Southern Water has reviewed the proposal and raised no objection subject to an informative.

(vii) The Effect of Development on Ecology and Trees

- 7.95 The site comprises cropped farmland, and with the exception of habitat for over wintering birds is of generally limited ecological value. The site has been shown to support foraging/commuting bat species (primarily around the vegetated margins), a range of widespread bird species, and a small population of slow worms. A biodiversity plan accompanies the application and identifies mitigation, enhancement and management measures for the identified ecological receptors, entailing timing vegetation removal to avoid nesting bird impacts and the use of habitat modification to encourage the translocation of reptiles from the northern boundary
- 7.96 The proposed landscaping scheme would provide a number of areas of open greenspace within the site. This will include areas of species rich grassland, wildflower planting, native hedgerow, trees and scrub and wetland features and should provide a valuable range of habitats.

- 7.97 In respect to over-wintering birds, the site forms part of the larger Solent Waders & Brent Goose Strategy (SWBGS) Site H34C, which is listed as a Primary Support Area, with the northern portion supporting a high concentration of birds. The proposed development will result in the loss of 5.85ha of H34C Special Protection Area (SPA) supporting habitat, but 6.79ha? would be permanently managed to provide a wader and brent goose refuge. This refuge would provide suitable habitat annually (rather than every other year as currently provided by the winter wheat), and has been developed in consultation with the RSPB. It is intended that this body would take over the long-term management and monitoring of the site. Additionally, the proposed mitigation package would improve the quality of the retained area of Primary Support Area by reducing disturbance from farm operations (bird scaring and shooting) and prevent disturbance by providing fencing to restricting access. Management by the RSPB would allow for more effective maintenance of the fencing and hedging to control unauthorised access.
- 7.98 HBC Ecologist, RSPB and Natural England have confirmed that the proposed mitigation, compensation and enhancement measures are acceptable. In respect of habitat for over wintering birds, the proposal would secure a site in perpetuity which cannot be relied on at present as it is dependent on farming practices. This represents a clearly identifiable benefit.
- 7.99 All of the trees relating to this proposed development are offsite boundary trees. The form of the trees and the pruning they have had over the years is typical of agricultural pruning. A comprehensive report has been submitted, and providing it is strictly adhered to the development should not impact on the trees health or amenity value and the Council's Arboriculturalist has no objection to the proposal.

(viii) Impact on archaeology

7.100 The site 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. This report concludes that there are no designated archaeological assets on or particularly near to the study site, but the site has a moderate archaeological potential for the Roman periods and a low to moderate potential for the later Prehistoric. The County Archaeologist concurs with the conclusions of the study and advises that there is no indication that archaeology presents an overriding concern. In accordance with standard practice he advises that there is no objection subject to conditions in respect to the assessment, recording and reporting of any archaeological features affected by construction.

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

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

7.102 The CIL liability for this site currently stands at £1,708,186 - this is net of Mandatory Social Housing Relief. Additionally, having regard to the consultation responses received and the planning considerations set out above a S106 Agreement will be required in respect of the following matters: -

1. Affordable Housing (30%)
2. Provision of Bird refuge
3. Provision of Open Space, including orchards, play area and associated

- infrastructure and arrangements for management including measures to ensure that the open space is managed in a Nutrient Neutral manner
- 4. Solent Recreation Mitigation Strategy contribution currently £129,545.75 (subject to appropriate increase in the event that the decision is made on or after 1st April 2021)
- 5. SUDS maintenance and bond
- 6. A contribution towards Health of £31,2000
- 7. Permissive paths
- 8. A contribution towards a Community worker of £48,750
- 9. Delivery of site access works via a S278 agreement, prior to commencement of development
- 10. Off site Highways contribution of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout
- 11. Contribution payment of £35,000 towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School
- 12.. Hayling Billy connection and contribution of £8,800
- 13. Travel Plan and payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan plus bond.
- 14. Skills and Employment Plan
- 15. Education contribution of £860,550
- 16. Traffic Regulation Order contribution of £5,000
- 16. S106 monitoring fee

8 Conclusion

- 8.1 In considering whether the presumption in favour of sustainable development is satisfied the economic, social and environmental aspects of the proposal have to be weighed. The development lies outside of the built-up area and is not provided for in the 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 in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. Additionally, it provides partial if not complete compliance with the emerging standards in the emerging local plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver significant economic and social benefits. Furthermore the Borough's five year housing land supply figure was updated in February 2021. This shows that the Borough now has a 4.2 year housing land supply with the necessary 20% buffer applied based on the results of the housing delivery test. The development proposed by this planning application is included within these five year supply calculations and is equivalent to 0.36% of that 5 year supply. As such, without the proposed development at Sinah Lane, the Borough would have a 3.84 year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application. The changed 5 year supply position is also a consideration which did not apply to the determination of the earlier Application APP/18/00724. 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 In respect to highways, following extensive review and consultation to address highways concerns, and having regard to the Hayling Island TA, measures to mitigate the impact of the proposed housing development have been agreed with Hampshire Highways. The proposal would be subject to a legal agreement to provide a contribution to measures to improve traffic flow and road safety, and would also deliver CIL funding which could be used to support the Hayling Island TA mitigation proposals. Overall, the impacts on the highway network could not be considered to be severely harmful to the safety or free flow of the highway network and as such, and having regard to the NPPF, the development should not be refused on highway grounds.
- 8.4 In respect to the general provision of infrastructure, the proposal provides for contributions to education, health, and a community officer, to accommodate the impacts of the proposed residents. Additionally, the proposed affordable housing of 58 dwellings (30% of the units) in accordance with housing policy, would make a sizeable provision towards the Borough's affordable housing need.
- 8.5 The introduction of new dwellings north of Sinah Lane will alter the landscape and increase the urban boundary eastwards towards the Hayling Billy trail and countryside to the north and west, but does not extend north of the adjoining development in North Shore Road to the west. Additionally, the site is well contained by existing housing to the west and south, and the tree planting to the Hayling Billy Trail to the east. In respect of land to the north the northern part of the site would be secured as permanent habitat for over wintering bird.
- 8.6 This containment limits views into the site and 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.
- 8.7 The Appropriate Assessment has 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.
- 8.8 The above conclusions are consistent with those in respect to APP/18/00724 when the application was considered by the Development Management Committee (DMC) on the 29 October 2020. The current application is very similar to that application where the DMC resolved 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 Section 106 Agreement.
- 8.9 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of paragraph 11 of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging and complex balance of impacts and 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 PLANNING PERMISSION** for Application APP/20/01093 subject to:-

(A) a Section 106 Agreement as set out in paragraph 7.102 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

Planning Documents and Plans

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

Architectural plans

Site Location Plan	PL-01
Proposed Site Layout Plan (Roof Plan)	PL-02 P12
Materials Plan	PL-03 P13
Boundary Treatment Plan	PL-04 P13
Proposed Streetscene Elevations	PL-05 P6
Proposed Site Layout Plan (Coloured Version)	PL-06 P12
Bin and Cycle Storage Plan	PL-07 P11
Affordable Layout Plan	PL-08 P11
Storey Height Plan	PL-09 P11
Chimney Location Plan	PL-10 P11
Adoption Plan	PL-11 P11
Developable Area Plan	PL-12 P5
Electric Charging Point Plan	PL-13 P10
Sinah Lane Housetype Booklet	November 2020
Design and Access Statement	2020-03-04 rev P 2020-11-20

Landscape /arboricultural drawings

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

Engineering drawings

– Drainage planning layout	10162/102 Rev P1
----------------------------	------------------

Levels Planning Layout	10162/101 P1
Highway Layout Review 1 of 2	BSO-E4513-016H
Highway Layout Review 2 of 2	BSO-E4513- 017G
Fire Tender Swept Path Analysis 1 of 2	BSO-E4513-018J
Fire Tender Swept Path Analysis 2 of 2	BSO-E4513 019H
Refuse Vehicle Swept Path Analysis 1 of 2	BSO-E4513-020G
Refuse Vehicle Swept Path Analysis 2 of 2	BSO-E4513-021G

Statements

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

Reason: - To ensure provision of a satisfactory development.

3

Landscape and materials

Notwithstanding the submitted details no above ground development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
- ii) Planting methods, tree pits & guying methods,
- iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
- iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
- v) Manner and treatment of watercourses, ditches and banks,

- vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
- vii) Means of enclosure, in particular boundary walls, fencing and planting around properties and including their frontages, including any retaining structures,
- viii) The type of street lighting including calculations, contour illumination plans and means to reduce light pollution
- ix) A timetable for implementation of the soft and hard landscaping works.
- x) Fencing to the proposed links to Hayling Billy Trail and fencing to prevent the creation of unauthorised access.
- xi) Specification including detail of size and planting density for the landscaped tree belt along the southern boundary of the bird refuge and northern boundary of the housing site.

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

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

4

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

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

Ecology and trees

5

Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Mitigation and Management Plan, Biodiversity Action Plan and Winter Bird Mitigation Strategy (all WYG, November 2020). Ecological enhancement features shall be installed as per ecologists instructions and retained in perpetuity in a location and condition suited to their intended function.

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

6

Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This CEMP shall include (but not be restricted to): specifications for construction timing and logistics;

pollution prevention measures; measures to control surface water run-off and the emission of dust and noise; and specific measures to avoid or mitigate damage and disturbance to species and habitats. The CEMP should clearly detail the roles and responsibilities associated with the protection of the natural environment during construction, and mechanisms for monitoring and reporting.

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

7

Prior to the commencement of development activities, a Lighting Plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall include lighting contour modelling and lighting specifications and shall be in accordance with the outline recommendations detailed within the Ecological Mitigation and Management Plan (WYG, 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.

8

Prior to any demolition, construction or groundwork (including exploratory tasks such as archaeological survey digs etc) commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on the approved Tree report ref BDWS20660trC shall be installed and agreed on site with the Arboricultural Consultant, and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

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

9

Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within the approved Report to Inform Habitats Regulations Assessment Stage unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be permanently retained and maintained in accordance with the agreed details.

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

Environmental

10

The acoustic mitigation measures to be employed with regard to the building envelope and external amenity areas, including fenestration / ventilation, and fencing /walls for all residential units, shall meet BS8223:2014 standards as recommended for indoor and outdoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms; and external amenity space 50 / 55 dB LAeq,16 hour (50 dB is preferable)

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

11

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

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

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

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

Drainage and Flood risk

12

No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the approved documentation, has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include:

- a. Confirmation that the attenuation basin low flow channel will not be affected by groundwater either through lining or the provision of groundwater monitoring information.
- b. Confirmation of any boundary drainage features to ensure existing flow paths are not obstructed.
- c. Details for the long term maintenance arrangements for the surface water drainage system including confirmation that the proposals identified for adoption by Southern Water are acceptable.

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.

13

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

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriately mitigated and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Highways

14

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 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.

Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period.

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

15

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

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

16

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

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

17

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

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

Archaeology

18

No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with the approved Written Scheme of Investigation (L-P Archaeology, ref LP3519L-WSI-v1.3, dated March 2020).

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.

19

Following completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

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

Water efficiency/sustainability

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 necessary avoidance measures are provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

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 necessary avoidance measures are provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 EX1 and E12 of the Pre-Submission Havant Borough Local Plan.

Electric Charging points

22

Prior to first occupation of any dwelling with provision for an Electrical Vehicle Charging point full details of the Electrical Vehicle Charging point, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

Other

23

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

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

24

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

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

Appendices:

- (A) Location Plan
- (B) Layout Plan
- (C) Street Scenes
- (D) Winter Bird Mitigation Plan
- (E) Hampshire Highways response to APP/18/00724