
Site Address: Mill Rythe Holiday Village, 16 Havant Road, Hayling Island,
PO11 0PB

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

Application No: APP/20/01127

Expiry Date: 09/04/2021

Applicant: Away Resorts Ltd

Agent: Mr M Taylor

Case Officer: Lewis Oliver

Avison Young

Ward: Hayling East

Reason for Committee Consideration: In accordance with the Constitution of the Council – the application proposes Large Scale Major Development

HPS Recommendation: **GRANT PERMISSION**

Executive summary:

The proposal is an amended application following a previous planning permission granted under APP/16/01237, which gave consent for the following:

Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site.

The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. As such the changes in this application are as follows:

- The demolition of chalet buildings A – K & M in addition to those proposed to be demolished under APP/16/01237.
- Retention and refurbishment of chalet building L (as identified on approved plan 3877-410 K) for staff accommodation comprising 8 units (in lieu of the 5 staff caravans granted APP/16/01237).
- The siting of 112 holiday lodges, in lieu of the 87 chalet units that were originally to be retained under APP/16/01237.
- The consequent extension of the area used for the siting of caravans eastwards into the west part of the existing pitch and putt area. As a result, the permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
- Cessation of the use of the pond for leisure fishing.
- Conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.

- The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
- The creation of a land bund and ecology ditch.
- Creation of additional open recreational open space resulting in 1.8ha of open space over the combined application site.
- Landscaping scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

The proposal has been subject to extensive review and consultation. Extended negotiations have taken place, along with research into previous proposals in similarly sensitive locations, resulting in the plans being significantly improved and amended to address concerns – in particular revising the design, layout and improving landscaping.

Additionally, specialist reports were recommissioned to address concerns over some key issues - including landscape impact, trees, ecology, highways, flooding and drainage.

The site is located in flood zones 1, 2 and 3, and the proposal extends out into the current pitch and putt course, which is in flood zone 3 - as a result a sequential and exception test is required in accordance with planning policy. The sequential test did not identify any suitable alternative sites, given the minor increase in the overall capacity of the existing site, together with the fact that there is no other land in the holiday village which would cater for this development, and it would not be appropriate to seek land outside the holiday village for such use as this would leave users separated from the facilities. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test. In terms of the exception test the development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.

Whilst recognising the ecological impacts arising from the proposal, the compensation proposals, comprising both on-site and off-site measures would result in a biodiversity gain from the proposed mitigation measures, compared to the current insecure and conflicting land uses of the site, and as such would provide significant ecological benefit. The wildlife area and would provide a valuable habitat for many species. The benefits of the mitigation measures should be felt within the adjacent designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs will benefit from the dedicated wildlife area, amongst the other enhancements.

In terms of landscape impacts, the longstanding presence of Mill Rythe Holiday Village is an established and accepted border to the Chichester Harbour AONB landscape character. The existing chalet accommodation buildings (mainly two storey) will be demolished and no longer perceptible from the Harbour, leading to an improvement in views from Chichester Harbour AONB. In conjunction with the sensitive design, layout and scale of the proposal, including the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district, it is considered that on balance the landscape impact, whilst altered, would conserve the character and setting of the AONB.

To conclude, in assessing the proposal (including associated evidence) against the adopted Local Plans and the National Planning Policy Framework (NPPF) it is considered that it meets the sequential test and represents sustainable development and is therefore recommended for permission.

1 Site Description

- 1.1 Mill Rythe Holiday Village is located along the east coast of Hayling Island just off Havant Road. The site is directly adjacent to the coastline of Chichester Harbour along the Mill Rythe estuary. Mill Rythe Holiday Village comprises an irregular shaped parcel of land which measures 13.9 hectares (34.4 acres) and has been in use as a holiday park since at least the 1940's and is laid out as an old fashioned catered holiday camp. Given the organic growth of the site it comprises of a series of different buildings of varying age and design arranged variously across the site, with large areas of open space around the site.
- 1.2 The holiday village is accessed from the A3023, which is the main arterial link between the A27 and Hayling Island Seafront. The majority of the site is located adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB), Site of Importance for Nature Conservation (SINC), Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA). The current pitch and putt golf course, which is located on the eastern half of the site, is located within the designations outlined above. The site is relatively flat and lies within flood zone 3, therefore a sea wall surrounds the site to the north, which is adjacent to the Mill Rythe estuary.
- 1.3 The current holiday park, which was brought out of administration by Away Resorts provides an extensive range of facilities for guests. It consists of the following buildings, land use, and facilities:
- 260 holiday chalets, with implemented permission for 31 additional static holiday caravans
 - Central facilities complex with offices, reception, ballroom, restaurant bar, indoor pool and hair/beauty salon
 - Separate pub-restaurant
 - Boating lake and playground
 - Outdoor pool with kiosk
 - Separate cafe
 - Extensive car and coach parking
 - Former Pitch & Putt Golf Course
- 1.4 In terms of the surrounding uses, the north of the park is bound by the Mill Rythe estuary forming part of Chichester Harbour AONB. The east and west of the park is surrounded by open fields with the 9 hole Tournembury Golf Course lying to the south. Residential development and the Mill Rythe Primary and Junior Schools are further to the west of the site which abuts the A3023 Havant Road.

2 Planning History

Relevant History:

APP/16/01237 - Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site.

Approved 5.5.17.

Officer comment: *This permission has been partially implemented with all of all the pre-commencement conditions having been discharged and the laying of 10 bases to facilitate the siting of 10 holiday lodge caravans.*

Wider site history:

APP/16/01193 - Use of land for Linear High Ropes Course., PERM,12/01/2017

APP/11/01080 - Change of use of part of the land for the siting of 31 static caravans (approved). Request to discharge conditions 4, 6 and 7 (received 27.5.16). Request to discharge condition No.s 3,5 and 8 (received 09.06.16). , PERM,07/06/2013

08/54406/024 - Internal alterations to and external refurbishment of "Dover" block, Mill Rythe Holiday Village, Hayling Island. Replacement of 24No. one bed short stay units with 8No. one and two bed medium stay flats., PERM,15/05/2009

00/54406/023 - Alterations to existing chalets including landscaping, UPVC cladding and internal layout changes., NPW,13/03/2003

99/54406/021 - Infill extension to east elevation of staff chalet block (south east of main building), PERM,14/05/1999

99/54406/022 - Infill extensions to east and west elevations of 'Norfolk' and 'Nutley' chalet blocks (on eastern side of site), WD,15/02/2000

98/54406/019 - Siting of new mobile home for additional staff dwelling to south east of Holiday Village, REF,26/11/1998

98/54406/020 - Siting of new mobile home for additional staff dwelling to south of Holiday Village, REF,26/11/1998

97/54406/017 - Renewal of temporary planning permission 92/54406/4 for the siting of 4 staff caravans, TPP,16/10/1997

97/54406/018 - Infill extension under existing roof canopy to one side of chalet block, PERM,03/02/1998

95/54406/015 - Outdoor all weather 4 lane bowls rink including floodlighting., PERM,26/10/1995

95/54406/016 - Two floodlights attached to piers of entrance archway to illuminate archway sign, REF,14/12/1995

94/54406/011 - Two Halogen floodlights mounted on existing columns to illuminate existing arch entrance sign., REF,15/09/1994

94/54406/012 - Extensions to York and Wells chalet blocks, PERM,15/11/1994

94/54406/014 - New bedroom accommodation; enlarged restaurant; improved indoor pool; sports hall; outdoor sports facilities; floodlights; car parking and landscaping, PERM,04/01/1996

93/54406/010 - Arched entrance sign letters on wrought iron work, PERM,07/03/1994

93/54406/008 - Extensions to provide glazed reception area concourse, ballroom extension and childrens amusement building, PERM,

91/54406/002 - New general manager's house and car port in south western corner of site., PERM,23/04/1992

92/54406/004 - Renewal of temporary Planning Permission 88/50376/2 for the siting of 4 staff caravans., ZHIS,21/10/1992

92/54406/005 - Double car port at General Managers house - Mill Rythe Holiday Village, ZHIS,08/03/1993

92/54406/006 - Retention of existing abseiling tower in northwest area of site adjacent to Chichester Harbour., PERM,

3 Proposal

- 3.1 The proposal is for full planning permission, pursuant to APP/16/01237, for the redevelopment of the holiday site including the demolition of redundant chalets, use of land for the siting of 112 holiday caravans with areas of open recreational space, cease the use of the land for pitch and putt purposes and retain the remaining pitch and putt area as a managed wildlife area including the provision of an ecology bund & ditch, landscaping, the siting of three bird hides with bat roost in their roof spaces and a mown 'circular wildlife walkway'.
- 3.2 The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. This is because the cost of refurbishing each individual unit within the chalets is higher than the cost of providing a replacement caravan. Further, the existing chalet buildings will require on-going maintenance and regular refurbishment. Whereas, when the holiday caravans become slightly outdated, the caravans still maintain a resale value and can be sold and subsequently replaced with an updated caravan with minimal cost and disruption to the business. As such the refurbishment of the chalets is, therefore, not viable and not in keeping with the Applicant's tried and tested business model.
- 3.3 Therefore, the Applicant seeks permission to replace all the remaining chalets (except for one) with caravans and provide for a modest increase in the total number of accommodation units, to create a more viable project to attract the necessary development finance. As with all holiday parks, Mill Rythe was closed during the Covid-19 lockdown between the end of March and beginning of July 2020. However, without the necessary funding in place to continue with the redevelopment as proposed, the Applicant has been unable to justify reopening and the park remains closed and will do for the foreseeable future.
- 3.4 Having regard to the above, the proposed changes, over and above those which have already been granted by APP/16/01237 comprises the following key elements:
 - (i) The demolition of chalet buildings A – K & M in addition to those proposed to be demolished under APP/16/01237.
 - (ii) Retention and refurbishment of chalet building L (as identified on approved plan 3877-410 K) for staff accommodation comprising 8 units (in lieu of the 5 staff

caravans granted APP/16/01237).

- (iii) The siting of 112 holiday lodges, in lieu of the 87 chalet units that were originally to be retained under APP/16/01237.
- (iv) The consequent extension of the area used for siting of caravan's eastwards into the west part of the pitch and putt area. As a result, the application proposes the permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
- (v) Cessation of the use of the pond for leisure fishing.
- (vi) Conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.
- (vii) The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
- (viii) The creation of a land bund and ecology ditch.
- (ix) Creation of additional open recreational open space resulting in 1.8ha of open space over the combined application site.
- (x) Landscaping scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

3.5 Combined with the implementation of APP/16/01237 on the remaining parts of the park, the proposed development seeks to increase the total number of units of holiday accommodation at the park from 291 to 309, an increase of 18 units of holiday accommodation.

3.6 The planning application includes the following documents:

- (i) Arboricultural Impact Assessment
- (ii) Ecological surveys, Ecological mitigation strategy and Habitat Regulation Assessment
- (iii) Flood Risk Assessment
- (iv) Landscape and visual impact assessment
- (v) Planning Statement
- (vi) Transport Statement
- (vii) Nutrient Budget

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS13 (Green Infrastructure)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS5 (Tourism)
DM10 (Pollution)
DM3 (Protection of Existing Employment and Tourism Sites)
DM4 (Static Holiday Caravan Development)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

DM23 (Sites for Brent Geese and Waders)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

E14 (The Local Ecological Network)
E15 (Protected Species)
E16 (Recreation impact on the Solent European Sites)
EX1 (Water quality impact on the Solent European Sites)
E17 (Solent Wader and Brent Goose feeding and roosting sites)
E18 (Trees, hedgerow and woodland)
E19 (Managing flood risk in new development)
E20 (Drainage infrastructure in new development)
E22 (Amenity and pollution)
DR1 (Delivery of Sustainable Development)
IN1 (Effective provision of infrastructure)
E1 (High quality design)
E3 (Landscape and settlement boundaries)
KP6 (Langstone Technology Park)
E12 (Low carbon design)
IN3 (Transport and parking in new development)
C2 (Tourism)

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

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

5 Statutory and Non Statutory Consultations

Arboriculturalist

Response awaited – update to be provided prior to, or at Committee meeting.

Building Control

No response

Chichester Harbour Conservancy

Objection – raises the following points (summarised):

The proposal for the increase in holiday units on previously used recreational land

would physically increase the developed area of the park resulting in the loss of a significant amount of the amenity area within the site. This would change the character of the eastern part of the site within the countryside area, creating a clearly tourism form of development in appearance which is an unwelcomed intensification of the activities with this countryside location and likely to increase activity beyond the boundary within the AONB with associated wild life disturbance on the fringe of the adjacent and visually important AONB protected landscape (contrary to 'AONB Planning Principle PP01: Chichester Harbour as a Protected Area' of the adopted Chichester Harbour Management Plan - April 2019).

- Lack of land use justification in close proximity to the AONB protected landscape
- Prominent impact to the AONB protected landscape
- Recreational wildlife disturbance within the AONB protected landscape
- Waste water sewerage systems capacity is not proven
- Nitrogen nutrient increase requiring mitigation measures not provided

Officer Comment – *This matter is considered in detail in paragraphs 7.24-7.31 below.*

Coastal Engineering

No objection – subject to careful consideration of flooding impacts as outlined in the Environment Agency response.

Community Infrastructure, Planning Policy & Urban Design

CIL

The original application (APP/16/01237) retained and refurbished Chalet Buildings, so there was no increase in this type of floorspace and added holiday caravans (not CIL liable).

This application is largely for holiday lodge caravans. We can confirm Caravans/Mobile Homes are not CIL Liable.

S106

The Design and Access supporting APP/16/01237, which has been partially implemented stated 'There are currently 260 No. chalets and 2 No. caravans with approval to construct a further 29 No. caravan bases.' Therefore the application need not be considered further in respect of the Solent Recreation Mitigation Strategy and Nutrient Neutrality. The need for a S106 could arise out of further consultee responses, for example covering ecological matters.

Councillor Leah Turner - Hayling East

No response

Councillor M Wilson - Hayling East

No response

Councillor R Raines - Hayling East

No response

Countryside Access Team

No objection subject to a planning condition to secure the provision of signage to warn vehicle drivers of the need to give way to users of the Right of Way.

County Archaeologist

No objection

County EcologistInitial response

In summary, I am not yet convinced that the partial loss of a SINC and SPA/Ramsar supporting habitat have been sufficiently justified. I am unclear exactly how the proposed mitigation and enhancement measures to the retained SINC/SWBGS site will offset the impacts in terms of their function to the SPA/Ramsar and SINC designation. NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated and are acceptable.

Response following the submission of further information:

Some additional detail has been provided by the applicant's agent (letter from Michaela Kekerri of Avis Young, dated 21 April 2021) and this includes an amended Habitats Regulations Assessment (Middlemarch, March 2021) and a Winter Bird Survey report (Middlemarch, April 2021). This additional information is welcome, as is the commitment to fulfilling the avoidance and mitigation measures as requested by Natural England and myself. Overall, I am content with the information provided and consider that the best approach is to secure ecological mitigation, compensation and enhancement measures through conditions.

Crime Prevention -Major Apps

No response

Southern Water

No objection subject to conditions as to how the development would be facilitated within the existing network capacity, and details as to the arrangements for foul sewerage are provided.

Officer comment: A standard "per unit" tariff payment will be made to Southern Water to carry out any necessary upgrades, for the additional 18 units to be provided in this scheme. The applicant will fund the costs of these new connections and make payments directly to Statutory undertakers, this is a matter is dealt with under other legislation, and as such it would not be appropriate to use planning conditions that secure network capacity dealt with under the Water Industry Act.

Economic Development

No response

Environment Agency

No objection – subject to conditions:

Environmental Health Manager, Community Group

No Objection - I have reviewed the application documents alongside the responses of relevant consultees. I note that others have requested specific conditions in respect of SuDS and approval of a Construction Management Plan. The proposed conditions will be adequate to address any pollution control concerns that Environmental Health might have, and I have no additional comments to add.

Hampshire Highways

No objection - Having reviewed the documentation submitted in support of the above planning application Highways Development Planning is satisfied that the proposal would have no detrimental impact on highway safety or operation.

Hampshire Wildlife Trust

No response

Landscape Team, Havant Borough Council

Further information required, which can be secured through conditions:

We require an extensive landscape strategy is included within the application to afford more detail regarding hard and soft landscape proposals and how these fit within the local landscape character. Given the site proximity to Chichester harbour AONB, we suggest there is an emphasis on native plant species and that any proposed tree planting is carefully specified and placed to contribute viable legacy specimens for the future. Retaining the character of the AONB is essential and the increase in caravans could have a negative impact unless a mitigation strategy is implemented.

In order to reduce the visual impact of the landscape character as a result of the increased numbers of caravans we would like to have an agreed pallet of colours that diffuses the caravans into the natural form and works in harmony with the landscape.

With the number of people using the caravan park increasing we would also like to see an extensive management plan associated with the adjoining SINC. We would also like to suggest the creation of footpaths within the SINC to reduce the footfall damage to vegetation within this area and information boards to educate people the impacts of negative behaviour.

Officer Comment – *This matter is considered in detail in paragraphs 7.24-7.31 below.*

Local Lead Flood Authority HCC

No Objection subject to conditions

Natural EnglandInitial response:

As submitted, the application could have potential significant effects on Chichester and Langston Harbours Special Protection Area (SPA). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A Construction Environmental Management Plan
- A costed management plan for the Solent Wader & Brent Goose site H40/Mill Rythe Holiday Park Site of Importance to Nature Conservation (SINC)
- A Habitat Regulations Assessment and Appropriate Assessment

Response to additional information

No objection – subject to conditions -

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

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission.

Solent Recreation Mitigation Strategy – no objection subject to mitigation

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar site(s) may result from increased recreational pressure. Havant Borough Council has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). It is Natural England's view that the Solent Mitigation Recreation Strategy Contribution adequately mitigates the effects of the development on potential recreational impacts on the designated sites.

Nutrient Neutrality – no objection subject to mitigation

Natural England is aware that your authority has adopted a position statement, to ensure that development achieves nutrient neutrality through the agreed site specific nutrient budget. Specifically, mitigation measures for this development involve the use of a specific on-site avoidance measure as well as the use of Warblington Farm as a specific off-site mitigation measure.

The nutrient budget calculated for this development, with an equivalent net increase of 18 dwellings is 36.40 kg/TN/yr. As set out in the Position Statement and Mitigation Plan for Nutrient Neutral Development, an appropriate scale of mitigation for this scheme would be £45,195.40.

Provided that the applicant is complying with the requirements of the Interim Strategy for 36.40 kg/TN/yr and that the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Loss/Degradation of Supporting Habitat- no objection subject to mitigation

A financial contribution (£64,098.00) has been agreed to address the partial loss of supporting habitat as a result of the development. It is noted that this will be secured through the legal agreement and Natural England agrees with this approach.

For the remaining area of the Low Use site (H43) a fully costed management plan, to be included within a Landscape and Ecological Management Plan (LEMP) is to be submitted prior to the commencement of development on site, in order to rule out impacts to the SPA and SPA functionally linked land. This should set out how management will be secured, monitored and enforced in perpetuity (normally 80 years), the council should also consider appropriate step in rights.

Provided that a fully costed management plan, included within a LEMP, is secured by a pre-commencement condition and submitted to and approved in writing by the district ecologist, Natural England raises no further comments.

Construction Impacts- no objection subject to mitigation

It is noted that a CEMP will be secured with any planning permission to address impacts from construction work on supporting habitat. The CEMP should identify the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent designated sites and its functional land. The CEMP should include measures to prevent noise, lighting and visual disturbance. Provided a CEMP is submitted to and approved in writing by the district ecologist and secured by condition, Natural England raises no further comments.

Nutrient Team, Planning Policy

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/20/01127.

Open Space Society

No response

Planning Policy

Though the site is located outside the urban area in the context of the ALP and emerging HBLP, the proposals would involve the redevelopment of a large brownfield site, and retain the site in tourism uses and deliver improved facilities. Generally, the development proposals would make a positive contribution to the importance of tourism industry to the island, and generally support the Core Strategy and emerging Local Plan's vision in terms of contributing to the retention and enhancement of tourism provision on the island. On this basis, there is no objection in principle provided it can be demonstrated that the development proposals are acceptable in environmental terms.

Public Spaces

No response

Royal Society for the Protection of Birds

No response

Tourism South East

No response

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

Urban Design

No response

6 Community Involvement

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

Number of neighbour notification letters sent: 30

Number of site notices: 3.

Statutory advertisement: 29/01/2021

Number of representations received: 5

Summary of issues raised by objection letters (summarised):

- Adverse impact on the character and setting of the AONB, including extensive lighting, impacting on dark skies and overdevelopment of the site.
- Concerned about impact on foul sewerage system, and pollution into Harbour
- Adverse impact of the amenities of neighbouring properties
- Adverse impact on ecology of the area by building on a SINC
- Concerned that restrictions should be placed on the units to ensure that they do not become permanent dwellings

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 the Habitats Regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several European Sites due to recreational pressure, water quality, loss/degradation of supporting habitats and construction impacts. The planning application was then subject to Appropriate Assessment under Regulation 63. This included a package of avoidance and mitigation measures. The first element of this is a financial contribution based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Council's agreed Position Statement on Nutrient Neutral Development. The third is a package of measures relating to loss of Special Protection Area (SPA) supporting habitat. The fourth is a package of measures relating to construction impacts. Natural England were consulted on the findings of the HRA.

Recreational Pressure

- 7.3 The project being assessed would result in a net increase of dwellings within 5.6km of the Solent SPAs. In line with Policy DM24 of adopted Havant Borough Local Plan (Allocations), Policy E16 of the 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. NE have highlighted that there are high levels of nitrogen input into the water environment at these sites, with evidence that these nutrients are causing eutrophication and that there is uncertainty about the efficacy of catchment measures

to deliver the required reductions in nitrogen levels, and/or whether upgrades to existing waste water treatment works will be sufficient to accommodate the quantity of new housing proposed. The applicant has undertaken a nutrient budgeting assessment for this application.

- 7.5 Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will emit a net nutrient load into European Sites. The Position Statement and Mitigation Plan for Nutrient Neutral Development sets out a mitigation package which will mitigate the impact that this development would have on the designated European Site. The applicant has indicated a willingness to enter into a legal agreement to secure the mitigation packages.

Wintering Birds

- 7.6 The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS) and the submitted Havant Borough Local Plan. Whilst on-site avoidance and mitigation would generally be prioritised, 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 off-site. Such mitigation would be provided through a financial contribution. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For Low use sites, such as here the principle of mitigated loss through a financial contribution is acceptable. The applicant has agreed to provide a mitigation package of £64,098. This is in line with the methodology of the SWBGS. This element of the mitigation package will need to be secured through legal agreement.
- 7.7 For the remaining area of the Low Use site (H43) a fully costed management plan, to be included within a Landscape and Ecological Management Plan (LEMP) would be submitted prior to the commencement of development on site, in order to rule out impacts to the SPA and SPA functionally linked land. Without the security of the mitigation being provided through a condition, a significant effect would remain likely. As long as the agreed mitigation measures are 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.
- 7.8 Monitoring will be required to make sure that the management activities are proceeding and to identify any necessary changes to management to continue achieving the management objective. Furthermore, further winter bird monitoring will take place followed by annual site visits to monitor management actions.

Construction impacts

- 7.9 There is potential for construction noise and activity to cause disturbance of 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

- 7.10 The Habitats Regulations Assessment concluded that the avoidance and mitigation packages proposed in the Appropriate Assessment are sufficient to remove the significant effects on the Solent's European Sites 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). Having considered the assessment, and the measures proposed to mitigate for any adverse effects, Natural England advised that they concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.
- 7.11 In other respects, having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Impact on tourism facilities
 - (iii) Impact upon the character and appearance of the area and on the setting of the AONB
 - (iv) Impact on ecology
 - (v) Impact upon residential amenity
 - (vi) Flood risk and drainage
 - (vii) Impact on highways
 - (viii) Impact on archaeology
 - (ix) Contamination
 - (x) Contribution requirements and legal agreement

(i) Principle of development

- 7.12 Mill Rythe Holiday Village is an established holiday centre, with the principle of redeveloping and modernising this site to retain it in holiday use already being established under the approved and implemented Planning Permission APP/16/01237. That said, it is accepted that Planning Permission APP/16/01237 did not increase the number of permitted units of accommodation then at the holiday village; nor did it extend the siting of caravans further east on the pitch and putt area. It is, however noted that a small extension of the accommodation eastwards onto a small area of the existing pitch and putt course was approved under the previous scheme, which was within the AONB and SINC.
- 7.13 Policy CS5 of the Core Strategy indicates that the council will protect all existing tourist facilities and accommodation that are fit for purpose, whilst recognising the need for flexibility in order to respond to an evolving tourist and day visitor market. The Core Strategy vision recognises that Hayling Island continues to be at the heart of the important tourism industry and recreational activity in the borough. Hayling Island is separated from the mainland by Chichester and Langstone Harbours and is surrounded by a variety of national and international designations which contribute to the attractiveness of its environment.
- 7.14 However, the tourism of Hayling Island is very seasonal, and the Core Strategy policies support the retention and enhancement of tourism and tourist facilities accordingly. These are considered in detail below. The site is located outside of the

urban area boundary as defined by Policies CS17 and AL2. Policy CS17 seeks to concentrate development within the urban areas of the borough and prioritises development on previously developed land provided it is within the urban area. The policy states that development in the non-urban areas will only be permitted if it is consistent with the policies for the countryside set out in national policy. Though the site is within the non-urban area, the NPPF encourages the effective use of land by reusing land that has been previously developed if it is not of high environmental value.

- 7.15 The NPPF also indicates that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of existing tourist and visitor facilities in appropriate locations. In this respect, Policy CS5 states that appropriate development proposals that safeguard and improve existing tourist facilities, hotels, holiday centres and caravan parks will be supported. The Applicant Away Resorts purchased Mill Rythe Holiday Village out of administration and continues to make the site a more viable holiday business, taking into account the recent pandemic restrictions and viability.
- 7.16 The applicant has outlined that they have been unable to justify or attract the funding required for the proposed refurbishment of the existing chalet buildings approved under APP/16/01237. This is because the cost of refurbishing each individual unit within the chalets is higher than the cost of providing a replacement caravan. Further, the existing chalet buildings will require on-going maintenance and regular refurbishment. Whereas, when the holiday caravans become slightly outdated, the caravans still maintain a resale value and can be sold and subsequently replaced with an updated caravan with minimal cost and disruption to the business. As such the refurbishment of the chalets is, therefore, not viable and not in keeping with the Applicant's tried and tested business model.
- 7.17 Therefore, the Applicant seeks permission to replace all the remaining chalets (except for one) with caravans and provide for a modest increase in the total number of accommodation units, in order to create a more viable project to attract the necessary development finance. As with all holiday parks, Mill Rythe was closed during the Covid-19 lockdown between the end of March and beginning of July 2020. However, without the necessary funding in place to continue with the redevelopment as proposed, the Applicant has been unable to justify reopening and the park remains closed and will do for the foreseeable future.
- 7.18 In recent times the Holiday Village had become unviable due to the number of staff required to run the extensive entertainment and leisure facilities at the village, and the quality of accommodation which is now no longer fit for purpose in the current tourism market, having been based on the 'holiday camp' experience of the 1950's and 1960's. As such the applicant has undertaken to reorganising the site to provide more and more attractive, viable and lower maintenance accommodation, in combination with enhanced leisure facilities, in order to make the site attractive and desirable holiday environment for the current leisure market. In this context, the proposals would retain the site for tourism purposes and would result in improved tourism accommodation/facilities, which would have a positive economic benefit to the wider economy of the district through attracting more visitors to the area and therefore the proposals accord with Policies CS5 and DM3. This positive impact needs to be balanced against the impacts on the wider area, which is sensitive given its position in relation to the AONB and other designations, this is considered in detail below.

(ii) Impact on tourism facilities

- 7.19 As the proposals involves the use of land for the siting of holiday caravans, it is also of relevance to consider Policy DM4. The purpose of the policy is to ensure that static holiday caravans do not become permanent residential accommodation owing to their location away from local services or owing to their form and setting. The policy therefore only supports caravan development where it is to be used for holiday purposes and has a limited period of occupancy for a maximum of ten months per calendar year.
- 7.20 In the previous application discussions were undertaken with the applicant who had raised concerns that by applying a ten-month occupancy condition this would adversely affect the viability of the holiday village, although no actual financial information is submitted to support this concern. However, the agent for this application has submitted that if suitable holiday parks in the borough are not allowed to extend their season to meet customer demand in this way, those customers will take their holidays in those holiday locations that do allow holiday use during the winter period, putting the borough at a competitive disadvantage.
- 7.21 Following detailed consideration, it was considered necessary to assess this information given the changing trends within the tourism sector, against the reasons why the LPA would seek to apply such a restriction, which as outlined above, is to prevent the caravans becoming permanent residential accommodation. The former Good Practice Guide on Planning for Tourism (GPGPT), now withdrawn and replaced by the NPPF, which provides similar advice, recommended conditions to allow all year holiday use and prevent residential use of holiday caravans, subject to appropriate controls.
- 7.22 The former Guide records that tourism is increasingly a year-round activity and that such a spread of demand for self-catering accommodation is advantageous to local economies; but recognises that occupancy conditions are reasonable to preclude permanent residential use. In the previous application it was concluded that given the evolving nature of the tourism market, flexibility is required to respond to an evolving tourist and day visitor market. In that instance, given the background to the Holiday Village, and subject to suitable conditions which would limit the number of caravans permitted on the site and prohibiting their permanent occupancy, it was concluded that the development would not result in the creation of permanent residential dwellings and would address the reasons for such controls in Policy DM4. Given the current application is only for a further 18 units of accommodation compared to the previous approval, and given the previous consent and fall-back position, it would be unreasonable to require the additional units to have 10-month occupancy conditions.
- 7.23 The supporting text of policy DM4 also justifies the restriction on occupancy by balancing the impact on sensitive areas such as on the AONB and achieving high quality living accommodation, and this is considered in detail below.

(iii) Impact upon the character and appearance of the area and on the setting of the AONB

- 7.24 The existing built area of the holiday village is immediately adjacent to the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The eastern area of the site which is currently a pitch and putt course is within the AONB. The majority of the existing buildings on the site are plain and utilitarian with no aesthetic or architectural merit, in which respect they are typical of many holiday style buildings of that time. The site is largely screened from the surrounding landscape by the mature boundaries

around the site. However, some of the buildings are visible from the public footpath, which is located to the north of the site on the opposite side of Mill Rythe estuary. The views from this point are mainly the top of the existing facilities buildings and two storey chalet buildings - any buildings that are single storey are largely screened by the extensive sea wall on the northern boundary. However, the complex is not considered to be unacceptably prominent, being set against the backdrop of the mature tree belts on the southern boundary of the site, and the wider sporadic development to the west, which consists of both residential development and Mill Rythe Junior and Primary Schools.

- 7.25 National Planning Policy states that great weight should be applied in respect of conserving and enhancing Areas of Outstanding Natural Beauty (AONB). The above is reflected in Core Strategy Policy CS12 which deals with the Chichester Harbour AONB. It states that development will be permitted where it carefully assesses its impact on the AONB, and its setting, is appropriate to the wellbeing and understanding of the area, and conserves and enhances the quality of the AONB.
- 7.26 Concerns have been raised from the Chichester Harbour Conservancy regarding the impact of the development on the AONB. Particular concern has been raised regarding the spread of development across the site, together with concern about the proposed materials to be used providing significant glare to the surrounding area. In this regard officers consider that it is relevant to consider that the development is a reconfiguration to an existing holiday village and not a completely new development, albeit that an element of the development does now extend onto the pitch and putt course, which is located within the AONB.
- 7.27 The Chichester Harbour AONB Landscape Character Assessment 2006, defines the character of the Mill Rythe Area as: *'Mill Rythe has a wide opening to the main harbour pool, but rapidly narrows and becomes more enclosed and sheltered in character as it splits into separate arms. At low tide it comprises mudflats and saltmarsh carved by tiny narrow channels. Trees, copses and hedgerows merge together in places to give the impression of a partly wooded shoreline and provide a setting for a scatter of harbour-side houses, and Mill Rythe Holiday Village on the coastal edge. Boatyards and Industrial sheds on Hayling Island at Yachthaven are prominent in some open views across the area. Despite this, it retains a largely undeveloped character.'*
- 7.28 As such the longstanding presence of Mill Rythe Holiday Village is an established and accepted border to the AONB landscape character. The existing chalet accommodation buildings (mainly two storey) will be demolished and no longer perceptible from the Harbour, leading to an improvement in views from Chichester Harbour AONB. In terms of wider views of the development the new caravans, which are identical to the previously approved development, will be lower (approximately 3.05m in height) than the existing two storey chalets and will be screened by the combination of the existing coastal embankment, new landscaping, and distance from wider viewpoints, including those from the harbour. The existing trees retained within the site as well as those within the surrounding landscape will continue to contribute to a backdrop of mature trees in views from the harbour. The proposed landscape planting will include native species which will be adapted to the coastal conditions, once this vegetation establishes it will lead to an improvement to the existing views of the site as it will contribute to the backdrop of woodland in views from the harbour, and therefore contribute to an improvement of the surrounding landscape character. As such whilst the development is spreading out across the pitch and putt course, this is balanced by the reduction of building height, through the demolition of the two storey chalet buildings and replacement by single storey static caravans. Furthermore, the proposed landscaping will provide additional planting and will add to the landscape

character with native species into the site to a greater degree than is currently present on the site.

- 7.29 To the north of the site, from the Public Right of Way, the changes would be glimpsed, due to the type and limited heights of the development. At this point the use of materials on the development is key, to ensure that the colour of materials is suitable. Chichester Harbour AONB planning guidelines sets out suitable colours, such as subtle, darker colours, to be used which are considered acceptable in the local rural context. The applicant has agreed to the use of the approved colours within this document, and therefore a condition is proposed in order to control the colours of the caravans, associated decking areas and any other paraphernalia involved in this development. It is acknowledged that there is a need for control over night sky pollution and that no lighting should be there unless necessary and justified accordingly. A condition would control external lighting on the site, considering the previously approved lighting scheme and would be subject to the agreement of the LPA.

Impact on trees

The application site has a number of trees, with a group of trees adjacent to the central facilities building being subject a Tree Preservation Order (TPO). The quality of the trees varies across the site. This application proposes to retain the majority of these trees, however some are proposed for removal. As part of the application, it is proposed to provide mitigation across the site, in the new proposed open space areas and within the new mitigation areas. These mitigation measures will be secured through a detailed Landscape and Ecological Management Plan (LEMP); which will include extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237.

- 7.30 In conclusion on this matter, the concerns expressed by the Conservancy and third parties regarding the potential visual impact of the development as viewed from the north from the Chichester Harbour AONB are acknowledged. However, the package of development proposed as part of this application, and in particular the demolition of most of the two-storey chalet buildings, would reduce the visual impact of the existing Holiday Village on the AONB. Mitigation measures are also proposed in respect of the new development in terms of its sensitive design and use of colours, layout and scale, coupled with the provision of significant new planting which features native species and will, in time, make a positive contribution to the landscape. Furthermore, the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district is supported by Policy CS12(2) of the Core Strategy. When taking these considerations together it can be concluded that, on balance, the landscape impact of the development proposals would continue to conserve the character and setting of the AONB.

(iv) Impact on ecology

Site of Importance for Nature Conservation (SINC) and Solent Waders & Brent Goose Strategy Site H43

- 7.31 The application is accompanied by an amended Habitats Regulations Assessment (Middlemarch, March 2021), Winter Bird Survey report (Middlemarch, April 2021), Ecological Mitigation Strategy (Middlemarch, November 2020) and a suite of ecological surveys have been carried out. Unlike the previous application (APP/16/01237), the proposal would result in the direct loss of part of Mill Rythe Holiday Village Site of Importance for Nature Conservation (SINC) and the contiguous

Solent Waders & Brent Goose Strategy Site H43, classified as a Secondary Support Area. These areas are currently used as a Pitch and Putt course, and feature a lake for leisure use for residents of the Holiday Village only, which currently creates conflicts between the recreational activities and ecology on the site.

- 7.32 As such the key considerations in ecological terms are the impact on these sensitive locally designated areas, and the application has had to address two separate issues - habitat loss (of a SINC and SWBGS site) and the impacts of increased visitor pressure both year-round for the SINC and during winter months for the SWBGS site.
- 7.33 Any loss of SINC habitat is contrary to Policy CS11 of the Havant Borough Core Strategy March 2011, and Policy E14 in the submitted Local Plan, unless it can be demonstrated that the value of the designation is retained and, where possible, enhanced in line with its original criteria for designation through avoidance and/or mitigation measures; or the benefit of the development can be shown to clearly outweigh the substantive nature conservation value of the site, and where the impact cannot be avoided nor mitigated, compensation is provided. A SINC is a non-statutory local nature conservation designation, that does not benefit from legal protection.
- 7.34 With regard to the loss of SWBGS site H43, this would comprise a loss of supporting habitat (functionally-linked land) for the adjacent Chichester & Langstone Harbours SPA/Ramsar. In addition to these direct impacts from habitat loss, there is potential for functional habitat loss of the remainder of site H43: increased proximity to development and consequent increases in human activity may render supporting habitat unsuitable for SPA/Ramsar bird species. The addition of new areas of human activity would be likely to result in increased recreational pressure (e.g. disturbance of bird species, damage to sensitive coastal habitats) on the adjacent designated sites.
- 7.35 The application proposes a package of ecological measures to address these issues, and to provide net-biodiversity gain, in accordance with policy E14 of the submitted Local Plan, which have been subject to detailed discussion with the Council's Ecologist and Natural England. They comprise the following:
- (i) The permanent cessation of the pitch and putt area for pitch and putt and foot-golf activities.
 - (ii) Cessation of the use of the pond for leisure fishing.
 - (iii) Enhancement of the remaining SINC on the site in perpetuity, thereby preventing its further deterioration, through the conversion of the remainder of the pitch & putt area and pond into a 1.95ha managed wildlife area including a circular wildlife walkway through. The wildlife walkway will be mown into the long grass.
 - (iv) The siting of three single storey, timber clad bird hides with bat roosts in the roof space.
 - (v) The creation of a land bund and ecology ditch to increase ecological value of the site, which would create a natural boundary between the caravan site and wildlife area, to control disturbance and recreational pressure from holiday residents.
 - (vi) Creation of additional open recreational space resulting in 1.8ha of open space over the combined application site, including the demolition of Chalet Building M, with the resultant space left by this demolished building being retained as open space. The pockets of open/leisure space in the site have been carefully

designed to ensure that holidaymakers are never too far from an area of usable green space within the site to reduce recreation pressure on the managed wildlife area.

(vii) A detailed Landscape and Ecological Management Plan (LEMP); a scheme including extensive tree planting within the application area to complement that already approved on the remainder of the holiday park under APP/16/01237. In addition, this will secure details of the location, composition and ongoing management of all compensatory or enhancement habitat that is provided.

7.36 In accordance with the published SWBGS Guidance on Mitigation and Off-setting Requirements, the loss or partial loss of any Secondary Support Area, such as this should be *'off-set by the provision of suitable replacement habitats which are supported by an agreed costed habitat management plan and funding secured in perpetuity'* The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS) and the submitted Havant Borough Local Plan.

7.37 Whilst on-site avoidance and mitigation would generally be prioritised, it is accepted that the loss of some sites already used by wintering birds but which are available on an insecure basis - such as this case here with the permitted leisure uses comprising the pitch and putt course and pond - can be mitigated by a combination of both on-site and off-site measures. Off-site mitigation measures would be provided through a financial contribution, which is outlined above in paragraph 7.36. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. For secondary support sites, such as here the principle of mitigated loss through a financial contribution is acceptable. The applicant has agreed to provide a mitigation package of £64,098. This is in line with the methodology of the SWBGS. This element of the mitigation package will need to be secured through legal agreement.

Bats

7.38 In terms of other ecological constraints, Bat surveys have identified several roosts within buildings on site, including a maternity roost of Soprano pipistrelles and two non-breeding roosts for Soprano and Common pipistrelles. The proposed works will impact these roosting locations, however the application is accompanied by detailed surveys so that the status of bats at the site is well understood. The Council's Ecologist has advised that the proposed mitigation, compensation and enhancement measures are acceptable. It is the responsibility of the applicant and their appointed agents to obtain the necessary European Protected Species mitigation licence and ensure that development activities accord with the conditions of any licence.

Reptiles

7.39 The area of grassland within the east of the site supports common lizards and slow worms in small numbers. The Council's Ecologist has advised that the submitted reptile mitigation, compensation and enhancement measures are acceptable.

7.40 In overall summary on this matter, whilst recognising the ecological impacts arising from the proposal, the on-site and off-site compensation proposals would result in a biodiversity gain from the proposed mitigation measures when compared to the current insecure and conflicting land uses of the SINC site. As such they would provide significant permanent ecological benefit. The wildlife area would provide a valuable habitat for many species, and the benefits of the mitigation measures can be expected

to be felt within the adjacent designated Solent coastal habitats - bird species associated with the Solent SPAs and the remainder of the SINC would benefit from the dedicated wildlife area, together with the other enhancements proposed, which would be controlled through appropriate conditions.

(v) Impact upon residential amenity

7.41 Given the layout and distances to neighbouring properties it is not considered that the development would have a significant adverse impact on the amenities of neighbouring properties. Concerns have been raised with regard to additional light pollution from the expansion of the site, and this matter can be dealt with by way of appropriate conditions.

(vi) Flood risk - Sequential Test, Exception Test and drainage

7.42 The site is located within Flood Zone 3. As such a Flood Risk Assessment (FRA) has been submitted with this application. The Flood Risk Assessment outlines that although the site is within an area at risk of flooding, it is well defended by sea defences and directly adjoins higher ground outside the zone at risk of flooding affording easy evacuation in the event of an extreme flooding event. The main risk of flooding comes from the overtopping or breaching of the Environment Agency owned sea defences in a 1 in 200-year event. The crest level of the defence is 3.8m Above Ordnance Datum (AOD).

7.43 The Sequential Test aims to direct development towards areas of lowest flood risk. This applies to all development proposals in Flood Zones 2 and 3 (as stated above, this site is within Flood Zone 3). The NPPF states that "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding".

7.44 The siting of caravans for holiday purposes is considered a 'more vulnerable' use as categorised by the Flood Risk Vulnerability Classification table contained in the NPPF. The National Planning Practice Guidance (NPPG) states that 'more vulnerable' uses (such as holiday caravans and chalets) may be acceptable in Flood Zone 3 subject to a Sequential and Exception test and the provision of a Flood Warning and Evacuation Plan.

7.45 The proposed development is an extension of the use of the existing site and business. In this regard, the National Planning Practice Guidance at paragraph 33 outlines that the Sequential Test should be applied pragmatically in circumstances such as these, by outlining that '*When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere.*' In this circumstance, matters of relevance are considered to be the minor increase in the overall capacity of the existing site; together with the situation that there is no other land in the holiday village which would cater for this development; and it would not be appropriate to seek land outside the holiday village for such use as this would leave users separated from the facilities. In the context of a shortfall of land, there are not sufficient "reasonably available" alternative sites. Therefore, the proposal is compliant with the Sequential Test.

7.46 Moreover, as the site is within Flood Zone 3, the proposals must also demonstrate compliance with the "Exception Test". The NPPF states that for the Exception Test to be passed:

- "it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and

- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

Both elements of the test have to be passed for development to be permitted.

7.47 With regard to the first requirement, to demonstrate "wider sustainability benefits", the development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.

7.48 The second requirement to demonstrate that the development will be safe has been the subject of discussions between the applicant, Environment Agency (EA) and the Local Lead Flood Authority (LLFA) which has fed into the Flood Risk Assessment submitted with this application. In order to address the identified flood risk, the following mitigation measures are proposed to be undertaken:

- (i) Finished floor levels shall be set no lower than 650mm metres above ground level.
- (ii) All holiday lodge caravans shall be anchored to the ground in at least two places to prevent lateral displacement should a flood event occur.
- (iii) Flood Warning and Evacuation Plan shall be written for the site and all staff shall sign up to receive Environment Agency Flood Warnings.
- (iv) Surface water runoff from the application site will be managed through filter/infiltration trenches. Additionally, the infiltration trenches will discharge surface water into an adjacent ditch, which is hydraulically connected with Mill Rythe via an on-site pond located to the north-east of the site.
- (v) The information submitted by the applicant does not significantly change the way that surface water will be managed when you compare it with the information submitted and approved with the previous planning application APP/16/01237. This comprised combination of a traditional pipe network and various SuDS features to ensure surface water run-off from the impermeable areas of the development is properly managed.

In the event of planning permission being forthcoming, these mitigation measures will need to be conditioned to be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above will also need to be retained and maintained thereafter throughout the lifetime of the development.

Foul sewerage

7.49 With regards to foul sewerage arrangements the foul water drainage pipework for the revised layout has been proposed to be connected to the approved foul water drainage network under the previous planning application (APP/16/01237). The proposed additional 18 units is equivalent to a 36-population equivalent increase. Foul water from the proposed holiday lodges will be drained by a separate private foul water

drainage system. This foul water drainage system will discharge into the existing terminal/main foul water pumping station via the existing foul water drainage network or the new satellite pumping station.

- 7.50 Southern Water have requested that a condition is applied to how the development would be facilitated within the existing network capacity, and details as to the arrangements for foul sewerage are provided, for the additional 18 units. The additional flow from the proposed development will require a formal application to Southern Water under Section 106 of the Water Industry Act 1991, with a standard "per unit" tariff payment made to Southern Water to carry out any necessary upgrades for the additional 18 units to be provided in this scheme. The applicant will fund the costs of these new connections and make payments directly to Statutory undertakers - this is a matter which is dealt with under other legislation, and as such it would not be appropriate to use planning conditions to secure network capacity dealt with under the Water Industry Act. However relevant and reasonable conditions can be secured to ensure that foul sewage is adequately controlled.
- 7.51 Overall, therefore, whilst the site is categorised as being within an area of potentially high flood risk, it can be concluded that this proposal meets the requirements of the necessary Sequential and Exception tests through the provision of much needed infrastructure in terms of retail and employment opportunities. In addition, the EA and LLFA have raised no objection to this development and are content with the measures in place to ensure that the development is free from the risk of flooding and is sustainably drained (subject to conditions). With regards to foul sewerage an appropriate condition can be added to ensure the development foul sewerage can be accommodated, through a pre-commencement condition

(vii) Impact on highways

- 7.52 The application is supported by a Transport Statement (TS) to address the impact of the development on the highway network. The application proposes an additional 18 caravans, bringing the total on-site units up to 309 along with a number of facilities. No alterations are proposed to the existing access or the driveway which is 4.8m wide and therefore suitable for accommodating two-way traffic flow. It is noted that each caravan will be provided with its own parking space along with visitor parking spaces for those visiting or checking in.
- 7.53 As part of the extant permission, it was acknowledged that trips to the site are likely to be outside of the conventional peak hours, reducing the traffic impact of the proposed development at the busiest times of the day. The additional 18 caravans proposed would not increase the traffic impact of the site substantially and is therefore considered acceptable. As such it is considered that the proposal would not result in significant traffic generation over and above the existing and approved use and the development therefore is not considered to have a significant adverse impact on the safety or free flow of the highway network. The applicant has outlined in the Planning Statement that they would encourage residents to use means of travel other than the motor car during their stay.
- 7.54 A Public Right of Way (PRoW) exists along part of the access road from Havant Road, before the PRoW then leaves the access track to head south towards Tournurbury Lane. The applicant has been in discussions with the Highway Authority Rights of Way team, with regard to improving pedestrian safety and minimising conflict between vehicles using the track. An agreement has been reached between the applicant and Highway Authority to provide signage to warn vehicle drivers of the need to give way to users of the Right of Way, and this would be secured through a condition.

(viii) Impact on archaeology

7.55 Hayling Island is particularly rich in previously recorded archaeological activity and it is entirely possible that as yet unrecorded archaeological features and/or deposits exist within the site which is located just off the high ground on the eastern coast, with evidence for Bronze Age and later medieval activity immediately to the south. The site itself has been previously used as an Army camp before being developed into the current holiday centre. The previous application required an archaeological assessment to be undertaken and it was confirmed that in light of the results that no further archaeological work was merited and that archaeological matters had been appropriately dealt with. The County Archaeologist has raised no objection to this application.

(ix) Contamination

7.56 It is understood from historic mapping that the holiday park was likely to have been constructed in 1932. Since this date, a significant number of planning applications have been submitted and approved.

7.57 Beyond the above, there are numerous applications relating to the demolition, construction, and alteration of chalets and service buildings at the site. Given the number of phases of work, and the respective construction dates, there is a substantial risk of asbestos containing materials being present within the buildings demolished to date. Similarly, given the coastal location, and number of wooden structures, lead is likely to have been released to the site, and could be significantly elevated within made ground consisting of construction & demolition wastes (disposal to land would not have been uncommon practice during some of the periods of activity, whether as used in construction, or for the purpose of disposal).

7.58 The application represents a substantial redevelopment in addition to the previously permitted scheme and it is therefore considered both appropriate and proportionate to require that these risks are quantified, and if necessary, appropriately addressed. Given the scale of the site, the desk-based elements are considered to be especially important, and should aim to draw upon information resources beyond the standard environmental search providers (i.e. should draw upon site specific records).

7.59 It is noted that a previous The Environmental Health Officer has no objection to this application, subject to conditions to secure the appropriate assessment of contamination risk for the protection of future occupants, and sensitive environmental receptors (e.g. Chichester Harbour SSSI / SPA / SAC / RAMSAR).

(x) Contribution requirements and legal agreement

7.60 As set out above a number of issues need to be secured within the Section 106 legal Agreement, these are:

1. Nutrient mitigation
2. Solent Recreation Mitigation Strategy
3. Contribution towards Solent Waders and Brent Geese Strategy

4. Monitoring fees

8 Conclusion and planning balance

- 8.1 It is recognised there is a balance to be taken in determining this proposal. The development would regenerate an existing outdated tourist facility, therefore revitalising the site and wider local area, and subsequently contributing to the social and economic well-being of the community.
- 8.2 The concerns expressed by the Conservancy and third parties regarding the potential visual impact of the development as viewed from the north from the Chichester Harbour AONB are acknowledged. However, the package of development proposed as part of this application, and in particular the demolition of most of the two-storey chalet buildings, would reduce the visual impact of the existing Holiday Village on the AONB. Mitigation measures are also proposed in respect of the new development in terms of its sensitive design and use of colours, layout and scale, coupled with the provision of significant new planting which features native species and will, in time, make a positive contribution to the landscape. Furthermore, the retention and enhancement of an existing tourism use and its subsequent contribution towards the wider economy of the district is supported by Policy CS12(2) of the Core Strategy. When taking these considerations together it can be concluded that, on balance, the landscape impact of the development proposals would continue to conserve the character and setting of the AONB.
- 8.3 Whilst recognising the ecological impacts arising from the proposal, the compensation proposals, comprising both on-site and off-site measures would result in a biodiversity gain from the proposed mitigation measures, compared to the current insecure and conflicting land uses of the SINC site, and as such would provide significant permanent ecological benefit. The wildlife area would provide a valuable habitat for many species. The benefits of the mitigation measures should be felt within the adjacent designated Solent coastal habitats: it can be expected that bird species associated with the Solent SPAs and the remainder of the SINC would benefit from the dedicated wildlife area, together with the other enhancements proposed.
- 8.4 It is considered that the proposal has complied with the flooding Sequential and Exception Test, in that whilst the site is categorised as being within an area of potentially high flood risk, there is no realistic alternative to cater for the development, which in other respects will provide wider sustainability benefits in terms of economic and employment opportunities. In addition, the EA and LLFA have now raised no objection to this development and are content with the measures in place to ensure that the development is free from the risk of flooding and would be sustainably drained.
- 8.5 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging balance of sustainable development principles, the application is recommended for permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01127 subject to:

(A) **Completion of a Section 106 Agreement as set out in paragraph 7.60 above; and**

(B) **the following conditions** (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):

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

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

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

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

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

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

Flood Risk Assessment & Drainage Strategy ref: 01C00816.

Landscape and Visual Impact Assessment 7th October 2020

Planning Statement

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

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

Transport statement - November 2020 V2.0

Site Location Plan - 3877-300 Rev:A

Proposed site plan 3877-410 REV R

Proposed bird hide 3877-411

Proposed bund and Ecology ditch cross section 3877-412A

Reason: - To ensure provision of a satisfactory development.

Submission of materials and samples

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

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

Landscaping

- 4 No development shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) Written specifications (including cultivation and other operations associated with plant and grass establishment,
 - ii) Planting methods, tree pits & guying methods,
 - iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,
 - iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,
 - v) Manner and treatment of watercourses, ditches and banks,
 - vi) A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation,
 - vii) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,
 - viii) Means of enclosure, in particular boundary walls and planting around properties and holiday caravans including their frontages, including any retaining structures,
 - ix) A timetable for implementation of the soft and hard landscaping works.
- The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

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

Lighting

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

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

Landscape and Ecological

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

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

- 7 No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to the natural environment, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP. The details shall also include:
- a) waste disposal measures to be implemented linked to any demolition, excavation, clearance and construction works on the site; and
 - b) Measures to minimise creation and impact of dust.
 - c) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). Details of noise monitoring of the construction and demolition work at sensitive locations,
 - d) Any percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) should not be undertaken during the bird overwintering period (i.e. October to March inclusive).
 - e) Measures to visually screen the construction works from the sensitive areas;
 - f) Details of the ornithological watching brief necessary for any demolition and construction works during October to March.
- The CEMP shall be in accordance with the measures detailed within the submitted Habitats Regulations Assessment (Middlemarch, March 2021) and the Ecological Mitigation Strategy (Middlemarch, November 2020).
- Reason:** To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Highways

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

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

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

- 9 Prior to the occupation of the development hereby permitted details of signage to warn vehicle drivers of the need to give way to users of the Right of Way,

shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the agreed signage shall thereafter be retained at all times.

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

Control over use

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

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

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

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

Contamination

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

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

1) An intrusive site investigation based on the proposals outlined within the ASI Ltd. Preliminary Ground Contamination Risk Assessment Report Ref: R17-12377/ds Aug 2017 Rev.1.0; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;
o appropriately considered remedial objectives,
o an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;

o clearly defined proposals for mitigation of the identified risks.

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

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

Authority.

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

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

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

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

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

Drainage and flooding

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

thereafter.

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

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

i) Finished floor levels shall be set no lower than 650mm metres above ground level.

ii) All holiday lodge caravans shall be anchored to the ground in at least two places to prevent lateral displacement should a flood event occur.

iii) A Flood Warning and Evacuation Plan shall be written for the site and all staff shall sign up to receive Environment Agency Flood Warnings.

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

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

Water efficiency

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

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

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

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

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

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

Trees

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

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

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

Appendices:

- (A) Location Plan
- (B) Proposed site plan
- (C) Approved site plan from application APP/16/01237
- (D) Proposed Ecological landscape boundary section
- (E) Proposed bid hide elevations