
Site Address: Havant Thicket Winter Storage Reservoir, Manor Lodge Road, Rowlands Castle.

Proposal: Application for approval of all Reserved Matters (siting, scale, external appearance and landscaping) relating to Phase 3 (Main Embankment) of the Thicket Reservoir development pursuant to condition 2 of the Hybrid permission planning reference APP/20/00990 dated 15th October 2021 (as recommended to be amended by S73 Application APP/24/00312).

Application No: APP/24/00311

Expiry Date: 6 June 2024

Applicant: Future Water for Portsmouth Water Ltd

Agent: Adams Hendry Consulting Ltd

Case Officer: Narinder Lakhan

Ward: Leigh Park Hermitage

Reason for Committee Consideration: Referral to Committee by the Executive Head of Place – Phase 3 of a Large-Scale Major Application

Density: N/A

HPS Recommendation: **APPROVE RESERVED MATTERS APPLICATION**

Executive Summary

This application has been submitted to Havant Borough Council (HBC) and East Hampshire District Council (EHDC) on behalf of Portsmouth Water and seeks approval for Reserved Matters relating to the Embankment (Phase 3) in connection with the Hybrid Planning Permission approved under LPA references APP/20/00990 (as recommend to be approved under HBC reference APP/24/00312 and APP/23/00979) for a reservoir and associated infrastructure (the “Approved Scheme”) on land at Havant Thicket, adjacent to Sir George Staunton Country Park and Middle Park Way, Havant.

The reservoir will be filled with surplus water drawn from the springs at the Bedhampton works and will provide water supplies to Portsmouth Water customers in the summer months as required. Complementary to its infrastructure function, the reservoir will provide a new recreational facility resource which the public can access. It will further opportunities to improve the wider footpath, cycleway, and bridleway networks in the area. The Approved Scheme will provide a new wetland habitat and associated area for nature conservation.

As part of the Hybrid consent, outline planning permission was granted for the Embankment (as recommended to be approved under application APP/24/00312), subject to a Reserved Matters application (RMA). It is considered the siting, scale, appearance, and landscaping of the Embankment accords with the approved outline design parameters (as amended) and specification to ensure that the Embankment will result in minimal impact to nearby sensitive receptors including existing ecological habitats, landscape, trees, ancient woodland, and heritage assets.

The Phase 3 Scheme forms part of the Approved Scheme (as amended by APP/24/00312), which is safeguarded in the adopted Local Plan through HBC Policies CS18 and CS19. The Approved Scheme was subject to an Environmental

Impact Assessment (EIA) which assessed the Scheme submitted in detail and parameters for the Scheme submitted in outline. It has been demonstrated that this Phase does not result in any additional impacts which were not considered as part of the Approved Scheme EIA. The Embankment has been designed within the context of the requirements of relevant national and local planning policy, as well as facilitating future development phases within the Approved Scheme (as recommend to be approved under APP/24/00312).

1 Site Description

The Reservoir Site

- 1.1 The reservoir site has an area of approximately 160 hectares and comprises predominantly of open grassland with some woodland, vegetation and ditches (changes to the site are summarised at paragraph 1.4). The site straddles the local authority boundary between HBC and EHDC (Figure 1). Changes to the site conditions since 2020 include the removal of woodland areas and trees to enable construction of the reservoir. Havant Bridleway 120, which extends across the reservoir site from east to west, has been temporarily diverted to the north along Forestry England tracks in Havant Thicket for the duration of the main reservoir construction works. Advance planting has also taken place on Gipsies Plain and Memory Park on Deerslaughter Plain to the east and southwest of the reservoir site to enhance habitat connectivity. The Northern Access Road has been constructed linking the reservoir site to the B2149 and is being used for construction traffic.
- 1.2 At the centre of the reservoir site is an area designated as ancient woodland that runs from the south-east to north-west known as The Avenue (see paragraph 1.4 for changes since grant of hybrid consent). Three other areas of ancient woodland: Middle Clearing; Round Wood and Corsican Pine Plantation are located within the reservoir site. A Public Right of Way (bridleway) extends from east to west through the centre of the site. The bridleway runs from Manor Lodge Road in the east to Park Lane in the west, linking Rowlands Castle with Cowplain. There are further access points into the reservoir site from the public highway. These are as follows: a path off the corner of Swanmore Road; a path from Bitterne Close via the Country Park; Whichers Gate at the Manor Lodge Road/Whichers Gate Road junction; a path from Manor Lodge Park Road via the Forestry England car park and a logging track also off Manor Lodge Park Road (now the northern Access Road).
- 1.3 The land in Staunton Country Park (SCP) is designated as Open Access land, which includes a number of permissive paths within and adjoining the reservoir site, including along The Avenue. Within the Havant Thicket woodland to the north there is a mixture of gravel logging routes and grassed routes. A number of footpaths run adjacent to and in the proximity of the reservoir site to the south and east in Rowlands Castle and the country park. A cycleway runs along Swanmore Road immediately to the west of the reservoir site. To the east, National Cycle Route 22 runs from north to south and passes close by the farm at SCP.
- 1.4 Changes to the site conditions since 2020 include the removal of woodland areas and trees to enable construction of the reservoir. Havant Bridleway 120, which extends across the reservoir site from east to west, has been temporarily diverted to the north along Forestry England tracks in Havant Thicket for the duration of the main reservoir construction works. Advance planting has also taken place on Gipsies Plain

and Memory Park on Deerslaughter Plain to the east and southwest of the reservoir site to enhance habitat connectivity. The Northern Access Road has been constructed linking the reservoir site to the B2149 and is being used for construction traffic.

Environmental and Heritage Designations

- 1.5 The historic environment within the reservoir site includes portions of the Grade II* Registered Park and Garden (RPG) at Leigh Park (Staunton Country Park) and the Sir George Staunton Conservation Area.
- 1.6 Within the reservoir site, The Avenue, Middle Clearing and Round Wood are classified as Ancient Semi-Natural Woodland (ASNW). The Corsican Pine Plantation is classified as Plantation on Ancient Woodland Sites (PAWS). A significant part of Havant Thicket woodland to the north is listed as PAWS. Bells Copse, located to the west, also located within the wider reservoir site is also listed as partly ASNW and partly PAWS. These woodland blocks are designated as Sites of Importance for Nature Conservation (SINC). In addition, four Priority Habitats are present within the reservoir site namely: purple moor-grass and rush pasture; lowland dry acid grassland; wet woodland; and lowland mixed deciduous woodland.
- 1.7 Most of the reservoir site is in a low flood risk area, Flood Zone 1. One section of the Site (southwest corner) is categorised as being in Flood Zone 2 and 3. Flood Zone 3 is the area of highest risk of flooding. There are three watercourses which enter the north of the reservoir site, named Headwater Streams 1-3. These converge into a single watercourse towards the southern boundary. There are also two shorter watercourses within the reservoir site (Headwater Streams 4 and 5). All watercourses are very narrow, typically around 1m in width, and are generally dry from May to October.

2 Planning History

- 2.1 The application site has been subject to a number of planning applications, the more significant/relevant applications are listed below:

Planning Applications

- 2.2 **APP/20/00990** - Hybrid Application (part full and outline) – 1) Full Planning permission for development of a reservoir for raw water storage, a pumped storage reservoir, with the minimum required total storage capacity of 8,700 million litres (ML), to support the planned bulk supply transfer of at least 21ML/d in extreme (currently defined as 1:200 year) drought conditions; Construction of an earth embankment adjacent to Staunton Country Park; Construction of an overflow discharge/spillway at the south-western side of the reservoir and associated works; Construction of a new junction on the B2149 Manor Lodge Road and a new junction on Swanmore Road. Provision of viewing areas on the southern embankment and western edge of the reservoir. 2) Outline permission for a control house partially incorporated within landscaped earth mounding adjacent to the south-west embankment; together with provision of other earth embankments. Construction of a visitor centre / cafe, with storage areas and welfare facilities to the northwest of the reservoir to be used for recreational and education purposes; Provision of picnic area(s) and children's play

area(s). Access routes from both junctions to the visitor car park; visitor car park comprising 193 car parking spaces and between 70 and 75 overflow spaces plus spaces for staff, coach/minibus and disabled drivers sited to the north-west of the reservoir. Creation of a permanent wetland on the northern side of the reservoir and construction of bird watching hide/screen(s); Recreational facilities for public amenity. Provision of perimeter tracks and a network of bridleways, cycle paths and footpaths; Construction of a slipway on the western bank of the reservoir for operational use only and a small section of the proposed pipeline (210m). - Permission subject to conditions and a S106 legal agreement (15/10/21).

- 2.3 **APP/20/00991** - Outline application for (matters to be considered outlined in Table 2.2 in the submitted Development Specification) development of a new pipeline to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer comprising: Construction of an underground, bi-directional pipeline linking the reservoir with the existing pumping station at Bedhampton; Emergency drawdown discharge structure at Hermitage Stream; Upgrades to existing culverts; Washout and air valve chambers (typically below ground) - Permission subject to conditions and a S106 legal agreement (15/10/21).

Section 96A Non Material Amendments (NMA)

- 2.4 **APP/23/00979** - Application for Non- Material Amendment under Section 96A of the Town and Country Planning Act 1990 (as amended) relating to the Southern Embankment of the hybrid planning permission reference 51680/001 dated 15th October 2021 (Approved).

Reserved Matters Application (RMA)

- 2.5 **APP/22/00681** - Application for approval of all Reserved Matters relating to Phase 1 (northern access route from Manor Lodge Road (B2149) of the Havant Thicket Reservoir Project (Hybrid permission APP/20/00990).
- 2.6 **APP/24/00186** - Application for approval of all Reserved Matters (siting, scale, external appearance and landscaping) relating to Phase 2 (Wetland) of the Havant Thicket Reservoir development pursuant to condition 2 of the Hybrid permission planning reference APP/20/00990 dated 15th October 2021.

Section 73 Application

- 2.7 **APP/24/00312** - Application under Section 73 of the Town and Country Planning Act 1990 in respect of Conditions 2 and 3 of the Hybrid permission planning reference APP/20/00990 dated 15th October 2021 for proposed changes to the size and alignment of the main reservoir embankment (under consideration elsewhere on this agenda).

Discharge of Conditions

- 2.8 Members are advised that this Reserved Matters (RM) application has been submitted in conjunction with 15 pre-commencement planning conditions (listed below). In respect of this application, it is only the RM details that are for

determination by the Planning Committee. The discharge of planning conditions falls within HBC officers' delegated powers and are subject to specialist technical advice and consultation.

2.9 For information, the discharge of conditions applications that have been made under Reference APP/20/00990 comprise the following.

- Condition 4 - Phasing
- Condition 5 - Construction Environmental Management Plan (CEMP)
- Condition 6 - Construction Method Statement
- Condition 9 - Construction noise and vibration management plan
- Condition 10 - Revised and updated assessment of potential noise and vibration
- Condition 12 - Construction Traffic Management Plan
- Condition 20 – Lighting
- Condition 25 - Enhancement and interpretation of the historic environment (Phase 3)
- Condition 27 - Tree Survey and AIA
- Condition 26 – Risk of Drowning
- Condition 28 – Landscape Planting Specification (Phases 2 and 3)
- Condition 32 – Risk of Flooding and Drainage Scheme (Phases 2 and 3)
- Condition 35 – On site Emergency Plan
- Condition 36 - Partial discharge Ecological Mitigation, Compensation and Enhancement Measures (Phases 2 and 3)
- Condition 39 - Soil Management Plan

3 Proposal

3.1 This RM application is made jointly to Havant Borough Council (HBC) and East Hampshire District Council (EHDC) by the applicant (Future Water for Portsmouth Water Ltd) for Reserved Matters approval (siting, scale, external appearance, and landscaping) relating to the Phase 3 Main Embankment to accord with the approved outline design parameters and development specification (which is the subject of a S73 Amendment under planning reference APP/24/00312 recommended for approval elsewhere on this agenda).

3.2 The administrative boundary is set out at Figures 1 and 2 and illustrates what part of the proposed site falls within HBC boundary. Notwithstanding the position of the administrative boundaries, the committee report and the officers' assessment considers the Phase 3 proposals in a holistic manner, and therefore includes an assessment of the proposals as they relate to both the EHDC and HBC administrative areas. However in practical terms the decision to be taken on the application is only to determine the application for that part of the RMA development falling within HBC's boundary against the relevant HBC development plan policies; to consider other material considerations; and to approve or refuse the RMA insofar as it falls within HBC in accordance with the HBC development plan unless material considerations indicate otherwise.

3.3 A Separate Section 73 application (APP/24/00312) to amend the parameters relating to the size and alignment of the main embankment has been submitted to amend the approved hybrid planning permission (HBC reference APP/20/00990 and East Hampshire District Council (EHDC) reference 51680/001 as amended by S96A

Application APP/23/00979 and 51690/005). This application is recommended for approval elsewhere on this agenda.

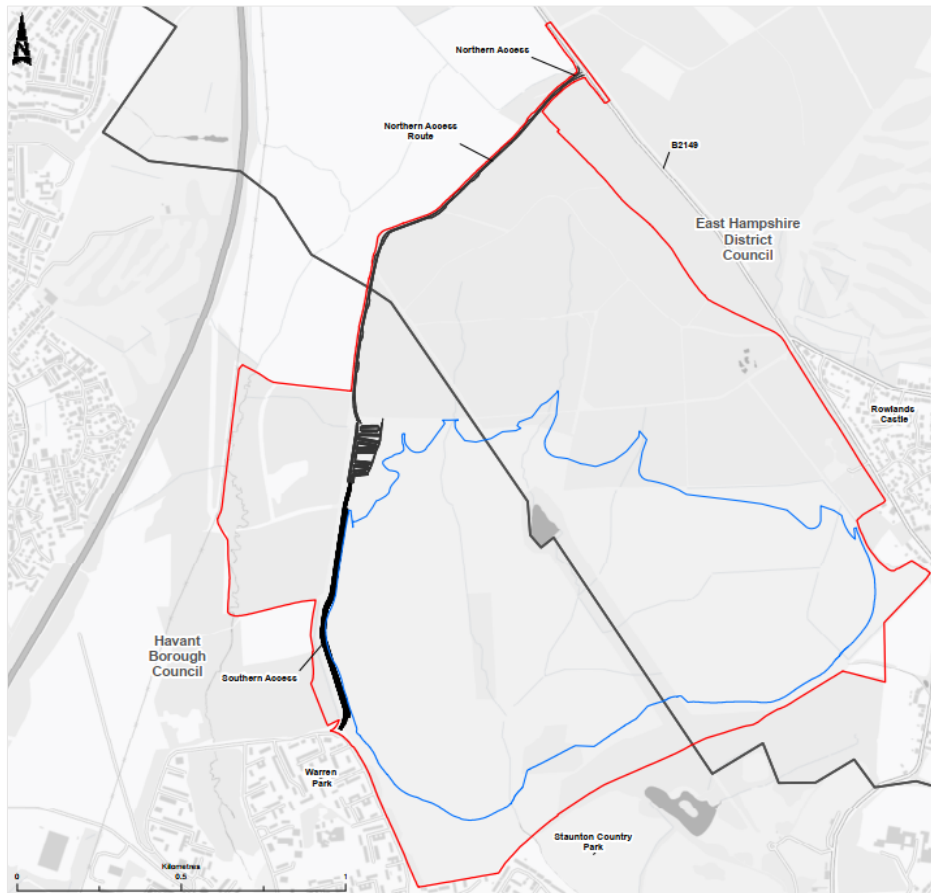


Figure 1 - Administrative Boundary

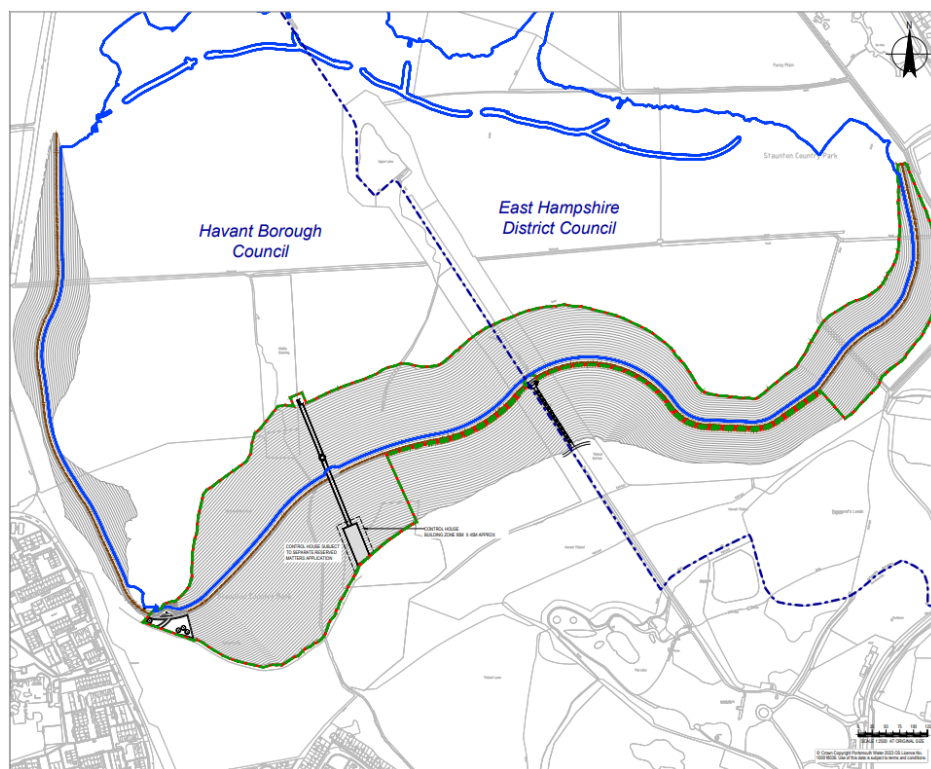


Figure 2 – RMA Administrative Boundary

- 3.4 The Reserved Matters application relating to the Phase 3 Main Embankment accords with the parameters, principles and standards set out in the Section 73 application (LPA Reference APP/24/00312). Subject to approval being given for that application, as has been recommended, the Reserved Matters applications should therefore be assessed and determined in accordance with the Section 73 application and the changes sought to the parameters and the development specification therein.

Design Summary

- 3.5 The design of the RMA aligns with the revised parameters and drawings submitted under the S73 Application APP/24/00312. The main embankment will create a reservoir with a minimum capacity of 8,700 million litres, with a Top Water Level (TWL) of 39.5m AOD. The main embankment will be 20m high with a crest level of 40.5m AOD. The embankment will be 2,800m in length with inside and outside slopes of 1:7 to 1:9 (consistent with the details in the Section 73 applications). The inside slope of the embankment will include wave protection zone and an erosion-control mat, with top soil and grass above the wave protection zone. The outside slope of the main embankment will provide new species-rich grassland using low-nutrient soils to provide part of the compensation for loss of dry neutral and acid grassland.
- 3.6 The embankment will include a staircase along the alignment of The Avenue joining pedestrian access from Staunton Country Park with viewing area at the crest. The detail of the staircase and viewing area is fixed as part of the separate Section 73 applications. A footpath will be provided along the crest of the embankment along with a viewing area along the western boundary of the embankment.
- 3.7 As part of the main embankment, the reservoir culvert would provide a route through the main reservoir embankment for reservoir supply water to Farlington Water Treatment works via Bedhampton Pumping Station. As the reservoir culvert would be located within the embankment structure, it would not be visible under normal operating conditions of the reservoir. However, in the event that the reservoir is fully drawn down (which would only happen for emergency or maintenance reasons), parts of a concrete inlet structure would be visible at the upstream toe (inside) of the embankment. The primary access to the culvert would be via the control building.
- 3.8 As part of the culvert and main embankment a valve tower would also provide an upper draw off / intake off from the reservoir. The upper draw off / intake structure would consist of a concrete headwall with a rock lined channel extending from the valve tower to the face of the inner embankment slope. This structure would not be visible under normal operating conditions of the reservoir due to its positioning below the top water level. The valve tower would also provide a dry area for manual operation, inspection and maintenance of low-level draw off valves from the culvert and access to the high-level draw off valves in the valve tower and would allow valves and pipework to be removed in accordance with scheduled maintenance activities.

- 3.9 The valve tower would have an internal diameter of 8 m and would be constructed of concrete with a plain, neutral coloured finish. The upper 1.5 m of the valve tower would protrude above the high waterline, with this potentially increasing by 1.0-2.0 m seasonally, due to variations in the reservoir water level. The top of the valve tower would be slightly higher (+41.10 m AOD) than the embankment crest (+40.5 m AOD). The primary access to the valve tower will be via the control building and the culvert. Internal stairwells in the valve tower will provide access to the high level draw off valves, continuing to the roof of the valve tower accessed through lockable covers.

Supporting Documents

- 3.10 The RMA Application submission is supported by a number of documents and drawings. These are summarised as follows:

Documents

- Covering letter
- Planning Statement
- Environmental Statement of Conformity (Main Reservoir Embankment, Culvert and Valve Tower)
- You Said, We Did' Report (April 2024)

Drawings

- 3.11 The RMA Application submission is supported by a number of documents and drawings. These are summarised as follows:

HTR-GHD-ZZ-ZZ-DR-T-0021 Rev P02	Planning Strategy Key Plan
HTR-GHD-ZZ-ZZ-DR-T-0019 Rev P03	Main Embankment Reserved Matters Application Area
HTR-COF-EM-RE-DR-GE-4002 Rev P01	Main Embankment Proposed Site Layout
HTR-COF-EM-RE-DR-GE-4003 Rev P01	Main Embankment Cross-Sections
HTR-GHD-ZZ-ZZ-DR-T-0013 Rev P04	Proposed Culvert and Valve Tower Site Layout
HTR-GHD-ZZ-ZZ-DR-T-0020 Rev P07	Outlet Works Valve Tower & Culvert General Arrangement Plans and Sections
HTR-GHD-ZZ-ZZ-DR-T-0015 Rev P04	Valve Tower General Arrangement Plan and Sections
HTR-GHD-ZZ-ZZ-DR-T-0011 Rev P04	Main Embankment Landscape Plan
HTR-GHD-ZZ-ZZ-DR-T-0018 Rev P02	Main Embankment Landscape Cross-Sections LA1-LA3
HTR-GHD-ZZ-ZZ-DR-T-0040 Rev P01	Valve Tower Elevation

4 Policy Considerations

National Planning Policy Framework (2023)

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS18	(Strategic Site Delivery)
CS19	(Effective Provision of Infrastructure)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
DM10	(Pollution)
DM11	(Planning for More Sustainable Travel)
DM12	(Mitigating the Impacts of Travel)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

DM17	(Contaminated Land)
DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
AL 2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
AL 6	(Havant Thicket Reservoir Pipeline)
DM18	(Protecting New Development from Pollution)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
CP26	(Water Resources/Water Quality)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: Grade II* Registered Park and Garden (RPG) at Leigh Park (Staunton Country Park)

Conservation Area: Sir George Staunton Conservation Area.

5 Statutory and Non-Statutory Consultations

The following Section sets out the consultees' most up to date responses to the application following amendments secured during the life of the application.

HBC Landscape Officer

No objection or adverse comments.

South Downs National Park Authority

No objection or adverse comments.

HBC Council Ecologist

No objection to the determination of the Phase 3 RMA.

Environment Agency (EA)

No objection.

Hampshire County Council - Highways

The extent of the redline for the RM application does not include land under the jurisdiction of this department in relation to the Highway. It is noted that the works may impact on existing or future Public Rights of Way and therefore Countryside Services should be consulted directly (*comments to follow*).

Southern Water

No objections on the RMA.

Lead Local Flood Authority (LLFA)

The LLFA has no comments.

HBC CIL S106 Team

No comments as there an existing S106 covering the extant planning permission.

National Highways Agency

No objection.

Historic England

No comments.

Forestry Commission

No comments, make reference to standing advice.

Sport England

No objection. No impact on recreation.

HBC Building Control

No comments.

County Archaeologist

No comments on RMA and existing archaeological conditions attached to the outline permission cover archaeology.

HBC Conservation

No objection. The proposed changes to the scheme are not considered to be harmful to the significance of the designated heritage assets, including their settings, in the context of the approved hybrid application.

Natural England

The Applicants supporting document states that the increased construction period will not affect the measures set out in the Outline Biodiversity Mitigation and Compensation Strategy. Natural England recommends an updated expected timescale of mitigation and compensation works is provided should any of these be substantially altered by the embankment changes and increased construction period. No comments on impact on protected species.

Hampshire Fire and Rescue

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations. Access to the proposed site should be in accordance with Hampshire Act 1983 Sect, 12 (Access to buildings within the site will be dealt with as part of the building regulations application at a later stage). Access roads to the site should be in accordance with Approved Document B5 of the current Building Regulations.

Gardens Trust

No comments to make on the application.

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: 234

Number of site notices: 17.05.2024.

Statutory advertisement: 03.05.2024

Number of representations received: 10 Objections.

Summary of Objections

Planning Documents & Drawings

- Inadequate lighting strategy during construction.
- Do not agree with ES conclusion on environmental impacts and EIA Statement of Conformity.
- Lack of details on drawings.
- The Landscape and Visual Impact Assessment is not robust or adequate lacks detail including appearance during drawdown events.
- Applicant's "You Said We Did" report does not reflect stakeholder response.
- No consultation with Stakeholders about the layout for the new network of paths/ roads within the reservoir site shown on this revised Outline Masterplan.

Officer Response: *The supporting documents and drawings provide sufficient information to assess the impacts of the RMA details on all environmental receptors and heritage assets. The EIA Statement of Conformity and the environmental*

impacts have been considered and the conclusions are set out in paragraphs 7.27 to 7.30 and Table 2.2 of this report. The LPA do not take part and are not involved in a pre-application engagement with interested stakeholders. The individual merits of the scheme have been assessed whilst taking into account the detailed comments from interested 3rd parties.

Fails to Accord with Outline Consent

- Changes would not accord with outline consent and the design principles for leisure and safety.
- Moving away from nature and recreation water sports towards more industrial.
- Piecemeal changes to original design.
- Is this linked to the Southern Water proposal for treated water.
- The reservoir will be used for SW treated water and these changes are the first stage.
- The plan of a nature hub for residents of Havant and Leigh Park is gradually being watered down.
- Would not result in a natural looking reservoir.

Officer Comments: *The changes/amendments to the parameters relating to the size and alignment of the main embankment are being considered under the S73 Amendment Application APP/24/00312 elsewhere on this agenda. In respect of that application officers consider that the changes to parameter plans and development specification do not give rise to any new or materially different impacts. The hybrid consent and the S73 Amendments do not allow the reservoir to be used for the storage of treated water linked to the Southern Water DCO.*

Off Shore Valve Tower

- Poorly located and highly visible from all viewpoints especially Terrace and Staunton Country Park.
- Industrial in appearance.
- Undermines woodland setting of reservoir.
- Impact on historic park and setting.
- Should remain in the embankment and not visible.
- Lead to safety concerns and risk of drowning (especially from children and teenagers who live nearby) and at draw down events.
- No details of secondary access and bridge access will cause safety concerns this is premature.
- No evidence of need.
- This location was designed out as part of the original application on safety grounds.
- Was not considered in the S73 Engineering and Design Report (section 2.4.6. page 13).
- Concerns were raised at Environment Sub Group meetings and disregarded by Portsmouth Water.

Officer Comments: *The principle of the off shore valve tower is being considered as part of the determination of the S73 Application APP/24/00312. The comments are addressed at paragraphs 7.16 to 7.24.*

Ecology / Biodiversity / Landscaping

- Will result in permanent loss of additional stream length, wet grassland & priority rush pasture habitat, by the movement of the southern embankment further south.

- No additional mitigation or compensation has been proposed to offset the new losses.
- Lack of a robust landscape and visibility assessment for the significant changes to the reservoir design.
- Impact of changes to the space available for the critical eastern & western wildlife corridor.
- Lack of detail of inner Embankment external appearance and not adequately addressed in supporting documents including ES.
- Lack of detail on what is visible during drawdown events due to the change in slopes.
- As water levels drop during drawdown events the gentler slopes proposed on the inner embankment can have a negative impact, with more of the inner slope exposed more quickly due to the gentler slopes.
- Lack of detail on landscaping more information should be provided on fencing; access paths; inner embankment materials; loss of trees; visible features including spillway; stock proof fence needs to be robust; hedge & stock proof fence not shown on the south side of the embankment crest road
- Fencing needs to prevent access by people, dogs, cyclists and horses to the wildflower meadow slope, in order to optimise its biodiversity value, reduce health & safety risks and erosion.
- Planned paths not shown traversing the embankment slopes from Staunton Country Park.
- No information provided on the Phase 3 LEMP.

Officer Comments: *The Council's Ecologist and Landscape Officers have considered the changes and raise no objection. The assessment of Ecological Impacts arising from the S73 are considered at paragraphs 7.48 to 7.64 of the report in respect of APP/24/00312 where the Council's Ecologist concludes there would be no harm.*

Havant Climate Alliance and Havant Friends of the Earth

Object to the proposal on the following grounds:

- *Impact on Wildlife Corridors East*– Need to consider impact on footpath and vehicle track from widening of embankment will it result in loss; needs to be a minimum of 100m; detailed landscape plan is required to show width; Is there enough space to enhance the existing wildlife corridor with further planting.
- *Impact on Wildlife Corridors East* - not clear how the paths and southern access road will be accommodated and wildlife corridor; will not meet NE 100m minimum width; will there be space for additional tree planting east of the road to provide screening, and to enhance connectivity for wildlife.
- *Valve Tower* – not in accordance with original plans; will pose health and safety risk to local residents; should remain in the core of the Embankment; sound engineering reasons are required for its repositioning.
- *Secondary Means of Access to Valve Tower* - additional risks if a Bridge/Secondary means of Access is built out to the tower; planning applications for the Valve Tower and secondary means of access should be combined or submitted together, so that the full impact can be considered by a planning committee; will have landscape and visual impact and not natural setting;

- *Control House (moving to the north)* - will not be so effectively screened by Round Wood; additional planting is needed in the gap to help with future screening, and to provide a biodiversity gain, which will help to mitigate for losses elsewhere.
- *Loss of Wet Grassland to the South West* - By moving the embankment south, there is less area available to establish wet grassland, as originally planned. This needs to be mitigated elsewhere.

Officer Comments: *The substance of the objections from the Havant Climate Alliance and Havant Friends of the Earth have been addressed under S73 Application APP/24/00312. The comments in respect of the valve tower are addressed at paragraphs 7.16 to 7.24, where it is concluded that the structure will not result in a significant visual impact or lead to safety concerns which cannot be minimised through details submitted as part of Condition 26 (public safety). The landscaping proposed under the RMA is considered to be of high quality and meet the design aspirations set out in the S73 outline hybrid consent as amended by APP/24/00312. The details of the landscaping will be the subject of Condition 28 (landscaping) discharge.*

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are

- (i) Principle of Development
- (ii) Assessment of Reserved Matters (siting, scale, external appearance and landscaping)
- (iii) EIA Compliance
- (iv) Conditions and S106 Obligations

(i) Principle of Development

7.2 The Havant Thicket Reservoir is a regionally significant infrastructure project which benefits from planning policy support and planning permission. The principle of the development is therefore established in planning terms.

7.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF (2023) is the “presumption in favour of sustainable development”. For LPA’s this means, inter alia, approving development proposals that accord with an up-to-date development plan unless, the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

7.4 The Hybrid Consent was granted on 15th October 2021 by HBC (Application Ref. APP/20/00990) and EHDC (Application Ref. 51680/001) has been amended by applications APP/23/00979, 51680/005, and is recommended to be amended by APP/24/00312 elsewhere on this agenda. A Hybrid Consent means detailed approval is provided for some elements of the project (for example, storage capacity, embankment, access points and viewing areas), and outline approval is provided for

other parts (such as, the wetland, control house, visitor centre and car park, access routes and recreational facilities). The design for the outline elements of the reservoir were illustrative, but within certain parameters which are set out in the approved Development Specification (as recommended to be amended).

- 7.5 This 'reserved matters' application seeks approval for detailed matters relating to the siting, scale, appearance, and landscaping of the Phase 3 Main Embankment of the development. These detailed matters are considered within the report below. The principle of the reservoir and the Embankment phase has therefore been established and cannot be revisited through this application, as it is not an application for planning permission and the RMA cannot change what has been approved under the principal consent.
- 7.6 It is considered that this Phase forms part of the Approved Scheme as recommended to be amended by Section 73 application APP/24/00312, which is safeguarded in the adopted Local Plans through HBC Policies CS18 and CS19. The Approved Scheme was subject to an Environmental Impact Assessment (EIA) which assessed the scheme submitted in detail and parameters for the scheme submitted in outline. The assessment in the following report concludes that the Embankment as proposed will not result in any additional impacts which were not considered as part of the Approved Scheme Environmental Statement.
- 7.7 In summary, the principle of the Main Embankment is supported, subject to compliance with other planning policies and material considerations which will be addressed in the following sections of the report.

(ii) **Assessment of Reserved Matters**

- 7.8 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Article 2) sets out the definition of reserved matters as follows:
- "appearance" means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - "landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated.
 - "scale" means the height, width and length of each building proposed within the development in relation to its surroundings.

Siting and Scale

- 7.9 The development and each phase is required to be carried out in accordance with the Development Specification that was submitted and approved as part of the approved hybrid planning permission (as recommended to be amended by APP/24/00312). These are set out in the following sections:

- Scheme Parameters – Table 2.2 of the Development Specification.
- Scheme Environmental Design Principles – Paragraph 3.2 of the Development Specification.
- Detailed Design Standards and Principles – Paragraph 3.3 of the Development Specification.

7.10 The siting and scale of the Main Embankment needs to accord with the parameters, principles and standards set out in the approved Development Specification and as set out in at paragraph 3.9 of the approved committee report and Condition 33 of the approved scheme and the S73 Amendment Application APP/24/0312 (as recommended to be approved) where it is stated that: *The buildings and structures for which outline planning permission is sought, are defined by a series of parameters that fix their maximum and minimum dimensions and are as follows (for the main embankment).* The table below sets out how the siting and scale of the Embankment meets the Development Specification for those elements relevant to the Embankment:

Table 2.2 – Accordance with Scheme Parameters (as amended)

Element	Scheme Parameters	Accordance of reserved matters application
Reservoir	Reservoir capacity — detail fixed Minimum required total capacity: 8,700 million litres. Maximum capacity: at least 9,000 million litres, up to a Top Water Level (TWL) of 39.5m AOD.	The design of the main embankment provides a reservoir with capacity between 8,700 and 9,000 million litres, with a TWL of 39.5m AOD.
Embankment	detail outline Max 20 m high. Crest level 40.5 m AOD. Length 2,800 m. Inside slope: to range from 1:7 to 1:9. Outside slope: majority 1:7 to 1:9. Outer toe (edge): +/- 2 m horizontal range. Crest line position: +/- 20m horizontal range to accommodate any potential alignment change.	The design includes a main embankment which is: 20m high Crest level of 40.5m AOD 2,800m in length - Inside slopes of 1:7 to 1:9 Outer toe edge is in the same location Crest line position is in the same location
Embankment adjacent to Staunton Country Park	Country Park — detail fixed Toe (edge) of the embankment is fixed at a minimum of 25 m from the edge of woodland along the southern boundary of the Site (known as Hammond's Lands Copse).	The design includes a main embankment which is: 25m minimum from the edge of woodland along the southern boundary of the Site (known as Hammond's Lands Copse)

	Embankment with slope varying from 1:8 to 1:9. Staircase detail along alignment of The Avenue joining pedestrian access from Staunton Country Park with viewing area at the crest.	Embankment slope varying from 1 :8 to 1 :9 Staircase along the alignment of The Avenue joining pedestrian access from Staunton Country Park with viewing area at the crest.
	Viewing Area — detail outline Location along the western boundary and outline design.	The design includes a main embankment with a viewing area along the western boundary.

Appearance and Landscaping

- 7.11 The appearance and design of the Embankment meets the Scheme Environmental Design Principles as set out in paragraph 3.2 & 3.3 of the Development Specification and summarised in the Applicants Planning Statement. Officers consider that the Embankment will be a well-designed and safe environment for all users (including young and elderly and with mobility issues). The viewing area proposed to the west will provide an important vantage point to reflect the established vistas and views (north over the reservoir/ south to the Staunton Country Park). The embankment design will allow the enhancement of public access to the site and optimise opportunities to link to the existing walking, cycling and bridleway routes. Viewing points along the Embankment and paths provide the opportunity for both educational visits and recreation at the reservoir and also promote interaction with the reservoir in a way that is conscious of the environment being created for wildlife. The proposed valve tower (the principle of which is considered under S73 Application APP/24/00312) forms a standalone structure sited outside the Embankment core. It forms an integral part of the reservoir project and is assessed in detail in the paragraphs below and in the consideration of APP/24/00312.
- 7.12 It is considered that the landscape design will integrate with the existing and future rural landscape character and woodland setting, through the layout, use of materials, and limiting the use of structures and ancillary features on the embankment slopes, notwithstanding the location of the off shore valve tower. The embankment slopes provide gentle gradients , to improve the landscape alongside the introduction of the mosaic of wetland elements – reed beds/ sedges/ wet scrub and ephemeral scrapes / islands all improve the integration of the associated engineering infrastructure. The materials are looking to provide a treatment similar to the Country Park setting to the south. Some geo-engineering design has been included where slope stability/ erosion protection is a key consideration, whilst still delivering on the objectives set out within the Landscape and Ecology Management Plan (LEMP).
- 7.13 Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a heritage asset to have special regard to the desirability of preserving or enhancing that heritage asset. The revised NPPF (2023) sets out in Chapter 16, the core principles relating to development affecting heritage assets that local planning authorities should consider in making planning decisions.

- 7.14 The embankment design is considered to be sympathetic to and would successfully integrate with the historic park and gardens landscape setting. This treatment includes consideration of the impact on setting and views to and from the designated sites including the Grade II listed park and gardens, Conservation Area and South Downs National Park. The formal avenue steps arrangement and tiered landform with low beech hedging has been designed to consider the longer, less steep main embankment slope. The grass terracing area either side of the steps follows the approved design for the Avenue Staircase and has been redesigned to meet the shallower slopes, whilst acknowledging the recreational and visual amenity interest within the site. The terracing is designed to make a landscape feature of the stairs to reflect the historic tree lined avenue feature and was referred to in the hybrid Design and Access Statement (paragraph 6.91) which refers to the need to integrate with the historic environment. Further detailed design and species selection will be considered under Condition 28 (landscaping).
- 7.15 The future maintenance and management of the embankment will be governed by the existing S106 obligations and the commitments agreed therein. The embankment infrastructure has a long term design life to ensure sustainable design criteria are met and allow for ease of access and maintenance dispensing with the need for large scale engineering works. The main embankment is entirely built of natural clay and sand products and shaped to be stable and sized to account for long term settlement of these materials. The proposed embankment landscaping and ecological design is looking to provide greater habitat range and complexity in accordance with the LEMP. It also aims to maximise opportunities for biodiversity in the design of the landscape and buildings and minimise and mitigate any conflict with wildlife through forward planning. In terms of sustainable design the majority of fill material to form the embankment will be sourced from areas within the reservoir site minimising transport of materials for construction.

Design and Appearance of the Off Shore Valve Tower

- 7.16 The S73 Amendment submitted under APP/24/00312 and considered elsewhere on this agenda seeks to change the outline design to allow for the siting of an off shore valve tower which was previously proposed to be located in the inner core of the main reservoir embankment. The design of the valve tower in this RMA is the same as the outline design included in the S73 application APP/24/00312. The valve tower would have an internal diameter of 8m and the upper 1.5 m of the valve tower would protrude above the high waterline, with this potentially increasing by 1.0-2.0m seasonally, due to variations in the reservoir water level. The top of the valve tower would be 60cm higher (+41.10 m AOD) than the embankment crest (+40.5 m AOD).
- 7.17 The location of the valve tower from within the embankment structure into the reservoir, has courted a significant level of objection from 3rd parties which have been summarised in the consultation section of the report. The objections centre around visual impact, appearance and safety. In the latter regard the relocation of the valve tower away from the Embankment has led to concerns over it being used by swimmers and risk of drowning.
- 7.18 Objectors have referred to the means of access to the valve tower and how this would be facilitated. The primary access to the valve tower will be via the control building and the culvert. Internal stairwells in the valve tower will provide access to the high level draw off valves, continuing to the roof of the valve tower accessed

through lockable covers. The applicant has stated that the top of the valve tower can be accessed by boat, floating pontoon or other non-permanent method as secondary means of access in the case of an emergency. A bridge is not included as part of the application and thus is not for determination under this RMA application.

- 7.19 Objectors have made representations suggesting there are significant visual impacts as a result of the changes to the embankment including the valve tower and that this would adversely impact on the character and appearance of the reservoir site and its natural setting. However the supporting viewpoints in the ES Addendum (submitted in support of the S73 Application APP/24/00312) demonstrate that there will be no significant harm to the overall landscape setting of the reservoir or to visual amenity despite the comments from objectors. Officers concur with the conclusions on the impact which is summarised as follows: *in views from the base of the embankment and some considerable distance further, the top of the valve tower would not be visible due to the intervening height of the embankment crest screening the view due to the angle of the embankment. In more distant views, the small element of the top of the valve tower above the embankment would either be screened by intervening vegetation or be such a small element in a wider view, it would appear insignificant.*
- 7.20 Therefore, as highlighted above, there would be no significant change in the predicted effects, including views from Staunton Country Park and specifically from the Terrace of Staunton Country Park which is represented by the Photo Viewpoint 3B - Photo Visualisation View of the Scheme at year 1 and year 15 (ES Addendum Appendix B submitted in support of the S73 Application APP/24/00312)
- 7.21 The potential use of the reservoir for swimming was considered at outline stage and it was concluded that it would not be safe to allow swimming in an unsupervised reservoir. Representations were received at that time raising concerns that the development would be a health and safety risk with regard to drowning. A condition (26 Public Safety) was secured for the developer/applicant to provide details of measures to reduce the risk of drowning. At that time it was acknowledged that this risk cannot be eliminated, as is the case with any water body, however methods can be implemented to reduce this risk. The applicant has designed the exterior of the valve tower to be untreated cast concrete and it is considered that the design's lack of exterior features to enable anyone to climb it is sufficient.
- 7.22 The applicant has also submitted details to discharge Condition 26, which details risk identification to drowning in an open body of water, provides detail on the control measures to be implemented to manage those risks and how they will be managed. Control measures include the use of hostile architecture and landscaping to guide behaviour, through the use of riprap, marginal planting and fencing / railings to deter unauthorised entry into the water and structures. The report acknowledges that despite comprehensive control measures, it is not always possible to fully prevent and stop purposeful entry into the water and prevent accidents during unauthorised access to the water. Therefore, measures to manage the residual risk shall be implemented which include the provision of lifesaving devices, alongside a school engagement programme to be implemented by Portsmouth Water.
- 7.23 During reservoir draw down events, the valve tower would become exposed, as would the upper draw off. However, the design of the reservoir includes hostile architecture and landscaping to guide behaviour and deter unauthorised access. Fencing and riprap will therefore act as clear deterrents for any attempted unauthorised access to the valve tower during draw down events. The valve tower is

also designed without any means of climbing the sides, again to deter unauthorised access.

- 7.24 It is considered that there is no increased risk of drowning as a result of relocating the valve tower over and above the risk associated with the approved reservoir. The valve tower is an isolated structure that is sufficiently distant from the edge of the reservoir to deter unauthorised access and without any means of climbing the edges to further deter unauthorised access.

Conclusion on Reserved Matters

- 7.25 The Embankment has been designed in accordance with the parameters set out in the approved Development Specification (Table 2.2) approved as part of the Hybrid Consent (referenced in Condition 2 of the Hybrid Consent), including the design standards and principles set out in the approved Design and Access Statement and summarised in Section 3 of the Development Specification (as recommended to be amended under S73 Application APP/24/00312).
- 7.26 The siting, scale, external appearance and landscaping of the Embankment has been assessed by specialist statutory and non-statutory consultees (refer to consultations section), to ensure the design has minimised environmental impacts within the context of the approved hybrid scheme and the Environmental Impact Assessment ES and ES Addendum 2024 (and the conclusions and mitigation set out therein). The RMA details are considered to be of a high quality design with a minimal impact on the environment, the setting of heritage assets and visual impact. Overall the details would make a positive contribution to the character and appearance of the immediate area.

(iii) EIA Compliance

- 7.27 The Hybrid Consent was an EIA development and supported by an Environmental Statement (ES). The outline element was based on a number of parameters for a range of elements proposed as part of the reservoir site and pipeline. The approved parameters (as recommended to be amended by S73 Application APP/24/00312) applied to the Main Embankment are set out in the paragraph 7.10 (Table 2.2) of this report. This has provided the 'development envelope' for the detailed design for this phase and under consideration of this RMA.
- 7.28 It is considered that the proposed Phase 3 Scheme will not lead to any new or additional likely significant effects on the environment that were not identified or assessed at the outline stage and in the assessment of the S73 Application APP/24/00312. This conclusion is also based on the information submitted by the applicant and consultee responses, none of which have raised objection to the scheme. As such it is considered that there is no requirement for a further EIA to be undertaken in connection with the Phase 3 Reserved Matters application and matters pertaining to the detailed design and operational impacts will also be addressed through the discharge of conditions and S106 Obligations.
- 7.29 There would be no change to the cumulative and in-combination effects reported in the 2020 ES Cumulative and In-Combination effects Chapter arising from the construction of the Embankment. All relevant committed mitigation can continue to be applied as envisaged in the 2020 ES and as updated in the ES Addendum 2024. As

such, there would be no change to the significance of effects reported in the 2020 ES and the Updated ES Addendum 2024.

- 7.30 The revisions to the Scheme recommended for approval through the S73 Application APP/24/00312 (which also apply to this RMA) raise no new significant environmental impacts over those identified in respect of the consented Scheme and for which mitigatory and compensatory measures have been accepted by the local planning authorities. This is also confirmed in the ES Statement of Conformity submitted with the Reserved Matters applications which is set out below. Officers concur with the comments on the Statement of Conformity as set out in Table 2 following comments and advice from technical consultees.

Table 2 – EIA Statement of Conformity

Topic Area	Assessment of Impacts and Compliance
1. Air quality	For construction-generated road traffic, the average daily construction-generated vehicle flows would be no higher than those examined in the 2020 ES. As such, the air quality effects arising from construction dust and construction road traffic emissions would be no greater than those predicted in the 2020 ES. There would be no change to the planned operation of the Scheme and the assessment of effects presented in the 2020 ES remains unchanged. All relevant committed mitigation will continue to be applied to control potential residual effects to non-significant levels. As such, no change to the significance of effects are anticipated from air emissions and dust sources from that described in the 2020 ES. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
2. Historic environment	Any archaeological impacts arising from ongoing and future construction activities would not materially change from those assessed in the 2020 ES. Archaeological works have already commenced as part of the enabling works for the Scheme and any future phases are subject to conditions. During construction, the magnitude of any change to the setting of the Grade II* Leigh Park Registered Park and Garden, the Sir George Staunton Conservation Area and the Listed Buildings would not materially alter as result of the RMA Embankment and the changes sought under the S73 Application. The investigative mitigation agreed with the local planning authorities under the two Written Scheme of Investigations and Archaeological Management Plan (Planning conditions 21-23) would remain appropriate to the proposed Scheme changes. The position of the embankment crest would move further north, away from the Grade II* Leigh Park Registered Park and Garden, the Sir George Staunton Conservation Area and the Listed Buildings. As such, the changes to the Scheme would not alter the impacts presented in the 2020 ES. The location of the valve tower would not result in any change to the setting of the Grade II* Leigh Park Registered Park and Garden, the Sir George Staunton Conservation Area, or the Listed Buildings. Overall, the Scheme would not result in any change to the significance of effects on heritage assets reported in the 2020 ES. The design in the Reserved Matters application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and the application under APP/24/00312.
3. Ground Conditions	The significance of effects on ground conditions would remain unchanged from those presented in the 2020 ES. All relevant committed mitigation will continue to be applied (through conditions) to control potential residual effects to non-significant levels in accordance with the Record of Environmental Actions and Commitments (REAC) presented in the OEMP. The design in the

	Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum.
4. Noise and vibration	During construction, noise and vibration would not result in adverse effects that would be significant during daytime hours (Condition 8) with the implementation of mitigation measures such as the CEMP (Condition 5), CTMP (Condition 12) and Conditions in respect of noise (9,10 and 11). As such, the assessment presented in the 2020 ES remains unchanged. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
5. Biodiversity & Ecology	A substantial area of habitat has already been cleared as part of the Scheme enabling works. No further land take or direct impact on ecological receptors are anticipated with the proposed changes to the Scheme and the RMA details. All relevant committed mitigation can continue to be applied as envisaged in the 2020 ES. As such, there would be no change to the significance of effects on biodiversity reported in the 2020 ES. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated. No objection has been raised by the Councils Ecologist in respect of the RMA details and the impact on ecology which cannot be addressed under condition and the Phase 3 S106 LEMP details.
6. Landscape and Visual	There would be no change to the landscape effects during construction from the 2020 ES, although the construction period would be extended for two years, which would increase the duration of the effects. There would also be no change to visual effects experienced during construction, except for the extension of the construction period by two years. The changes to the main embankment slopes would not result in a significant adverse effect on the landscape (which have been considered under APP/24/00312). The relocation of the valve tower would also be a local modification limited to a small area of the overall reservoir footprint (see paragraphs 7.14 to 7.22). The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
7. Human Health	The 2020 ES identified impacts on human health could arise during construction from the temporary reduction in access and enjoyment of open space which would be mitigated by maintaining safe access for the public, where possible and subject to details to be secured by condition. The likely significant effects assessed during operation of the reservoir, as presented in the 2020 ES, remain unchanged or impacted upon by the RMA details for the Embankment. Conditions will control the impact the temporary impacts from construction of all phases including those arising from traffic vehicular movements and noise and vibration, this also takes into account of the extended construction programme. The impact on the living conditions of those residents outside the site boundary would remain unchanged owing to the separation distances between the Embankment and the nearest residential areas within Havant and East Hampshire. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
8. Traffic and transport	The 2020 ES did not identify any significant adverse effects arising from traffic and transport during construction or operation with mitigation measures in place. No changes are proposed to vehicular access or parking provision during operation. As such, the findings of the traffic and transport assessment in the 2020 ES remain unchanged and there would be no significant adverse effects during the operation phase. There would be no significant change in effects resulting from construction related activities with the proposed changes

	to the Scheme and this is concluded in the ED Addendum. All relevant transport related obligations (S106 and S278) and conditions would apply. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
9. Material resources and waste	Whilst the 2020 ES did not identify any adverse effects that would be significant on the availability of construction materials, or from wastes produced during construction, the ES addendum states that a greater quantity of aggregate and sand would need to be imported for the changes to the scheme. A greater quantity of fill material would also be sourced from within the reservoir site to build the larger footprint of the main embankment and for landscaping. The impacts of this increase will be considered as part of the Site Waste Management Plan. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
10. Water	The changes to the Scheme would not alter the findings of the 2020 ES assessment and no additional mitigation would be required as part of the ongoing package of compensation and mitigation measures. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
11. Climate	The amended scheme considered as part of the S73 amendments has been concluded to increase greenhouse emissions as a result of construction which is considered a temporary impact and will be mitigated through use of conditions on construction management. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.
12. Vulnerability to climate change	Under the 2020 ES the Scheme included mitigation to avoid, minimise or reduce potential impacts from changes in climate. The ES Addendum considers impacts during construction, such as the likelihood for extreme weather events, which remain unchanged with the approved mitigation. The significant effects assessed during operation presented in the 2020 ES, also remain unchanged.
13. Cumulative and In-Combination effects	The 2020 ES reported that with mitigation, there would be no adverse cumulative or in-combination effects that would be significant arising from the development. The ES Addendum concludes that there would be no change to the cumulative and in-combination effects arising during construction or from the operation of the completed development. All relevant committed mitigation can continue to be applied as envisaged in the 2020 ES which was encapsulated in the conditions and S106 obligations. As such, there would be no change to the significance of effects reported in the 2020 ES. The design in the Reserved Matters Application for the Phase 3 main embankment is consistent with that considered in the 2024 ES Addendum and as such no changes to the conclusions are anticipated.

(iv) Conditions and S106 Obligations

- 7.31 The Hybrid Consent, as proposed to be amended by APP/24/00312, includes a series of pre-commencement conditions which relate to all development forming part of the Approved Scheme and others that relate to each phase of the Approved

Scheme. The planning history section of the report outlines the conditions which have been submitted to date.

- 7.32 The Section 106 Legal Agreement also includes commitments which will need to be discharged prior to commencement of development (excluding site enabling works); those which relate to the Phase 3 Embankment are summarised as follows:

- Prepare a Detailed Biodiversity Mitigation and Compensation Strategy including a Landscape Ecological Management Plan (LEMP) (under consideration).
- Prepare a Travel Plan and Construction Traffic Management Plan (Agreed with HCC); and
- Prepare an employment and skills plan (Discharged 28/10/2022).

8. Conclusion

- 8.1 The Havant Thicket Reservoir is a regionally significant infrastructure project which benefits from planning policy support and planning permission. The principle of the development is therefore established in planning terms.
- 8.2 This application seeks approval with respect to Reserved Matters relating to the siting, scale, appearance and landscaping of the 'Main Embankment' that will form the third phase of this strategically important infrastructure project. It is considered that the RM details accord with the development principles set out in the Approved Scheme application and as amended and recommended for approval under S73 Application APP/24/00312. The Phase 3 Scheme has also been demonstrated to be in general conformity with all pertinent national and local planning policies.
- 8.3 The landscape, design and appearance to be created by the proposed development would be of a high-quality with an acceptable visual impact on the environment and landscape character. The environmental and ecological effects, noise, air quality, drainage, heritage and the cumulative impacts have also been considered. The landscaping, compensation and mitigation measures would improve the biodiversity and amenity value of the site and the wider area in respect visual amenity.
- 8.4 The amenity of the existing and future occupiers which surround the site will not be significantly affected, owing to the comparative distance between the embankment and valve tower structure and neighbouring land users; any visual changes will be localised. The extant hybrid planning permission is a material consideration and the parameters set at that time and as amended and recommended for approval by APP/24/00312. The current proposal has been treated on its individual merits and assessed against the current planning policy regime and the material objections received from all third parties.
- 8.5 Officers have given consideration to the desirability of preserving the setting of heritage assets in accordance with Section 66(1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). In accordance with the Council's statutory duties and relevant policies of the development plan, the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the setting of the nearby conservation areas and other heritage designations (statutory and non-statutory).

- 8.6 The Embankment design has been carefully considered within the context of landscaping, recreational opportunities, visual design and ecology. Whilst the objectors have questioned the RMA, its relationship to the outline approved scheme and the impact on safety and visual appearance, the applicant has sought to achieve a balance between the site constraints and the development parameters (which are adhered to) as set out in the development specification as approved under the extant hybrid permission, as amended by APP/23/00979 and recommended to be amended by APP/24/00312, as well as the design evolution since the grant of planning permission in 2021.
- 8.7 In accordance with section 38 (6) of the Planning and Compulsory Purchase Act 2004, officers have considered the planning application with regard to the requirements of the National Planning Policy Framework 2023 and are satisfied that the development would be in general compliance with the Development Plan for the Borough and that there are no material considerations of sufficient weight that would dictate that the application should otherwise be refused. Planning permission should be granted subject to the conditions.

9 RECOMMENDATION

That the Head of Planning be authorised to **GRANT RESERVED MATTERS APPROVAL** subject to:

- (A) Permission having been first granted for Planning Application APP/24/00312 - Application under Section 73 of the Town and Country Planning Act 1990 in respect of Conditions 2 and 3 of the Hybrid permission planning reference APP/20/00990 dated 15th October 2021 for proposed changes to the size and alignment of the main reservoir embankment (under consideration elsewhere on this agenda); 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):

Conditions:

1. Approved Drawings and Documents

Documents

- Covering letter
- Planning Statement
- Environmental Statement of Conformity (Main Reservoir Embankment, Culvert and Valve Tower)

Drawings:

HTR-GHD-ZZ-ZZ-DR-T-0021 Rev P02 Planning Strategy Key Plan;
HTR-GHD-ZZ-ZZ-DR-T-0019 Rev P03 Main Embankment Reserved Matters Application Area;
HTR-COF-EM-RE-DR-GE-4002 Rev P01 Main Embankment Proposed Site Layout ;
HTR-COF-EM-RE-DR-GE-4003 Rev P01 Main Embankment Cross-Sections;
HTR-GHD-ZZ-ZZ-DR-T-0013 Rev P04 Proposed Culvert and Valve Tower Site Layout;
HTR-GHD-ZZ-ZZ-DR-T-0020 Rev P07 Outlet Works Valve Tower & Culvert General Arrangement Plans and Sections;

HTR-GHD-ZZ-ZZ-DR-T-0015 Rev P04 Valve Tower General Arrangement Plan and Sections;
HTR-GHD-ZZ-ZZ-DR-T-0011 Rev P04 Main Embankment Landscape Plan;
HTR-GHD-ZZ-ZZ-DR-T-0018 Rev P02 Main Embankment Landscape Cross-Sections LA1-LA3;
HTR-GHD-ZZ-ZZ-DR-T-0040 Rev P01 Valve Tower Elevation

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

Reason - To ensure provision of a satisfactory development.

APPENDICES

- A. HTR-GHD-ZZ-ZZ-DR-T-0021 Rev P02 Planning Strategy Key Plan.
- B. HTR-GHD-ZZ-ZZ-DR-T-0019 Rev P03 Main Embankment Reserved Matters Application Area.
- C. HTR-COF-EM-RE-DR-GE-4002 Rev P01 Main Embankment Proposed Site Layout ;
- D. HTR-COF-EM-RE-DR-GE-4003 Rev P01 Main Embankment Cross-Sections.
- E. HTR-GHD-ZZ-ZZ-DR-T-0013 Rev P04 Proposed Culvert and Valve Tower Site Layout.
- F. HTR-GHD-ZZ-ZZ-DR-T-0020 Rev P07 Outlet Works Valve Tower & Culvert General Arrangement Plans and Sections;
- G. HTR-GHD-ZZ-ZZ-DR-T-0015 Rev P04 Valve Tower General Arrangement Plan and Sections;
- H. HTR-GHD-ZZ-ZZ-DR-T-0011 Rev P04 Main Embankment Landscape Plan;
- I. HTR-GHD-ZZ-ZZ-DR-T-0018 Rev P02 Main Embankment Landscape Cross-Sections LA1-LA3.
- J. HTR-GHD-ZZ-ZZ-DR-T-0040 Rev P01 Valve Tower Elevation