

Planning Application Response of Planning Policy

Application No:	APP/20/00990 and APP/20/00991
Address:	Havant Thicket Reservoir
Development:	Pumped storage water and pipeline
Case Officer:	Lewis Oliver
Comments by:	Jade Ellis
Date of Comments:	16 th February 2021

Policy Status

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the borough. The [Pre-submission Havant Borough Local Plan](#) (HBLP) was approved by the Council on 30 January 2019 and can be afforded limited weight.

The following policies are of relevance:

- AL1 – Presumption in Favour of Sustainable Development
- CS11 – Protecting and Enhancing the Special Environment and Heritage of Havant Borough
- CS13 – Green Infrastructure
- CS15 – Flood and Erosion Risk
- CS16 – High Quality Design
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM6 – Coordination of Development
- DM8 – Conservation, Protection and Enhancement of Existing Natural Features
- DM10 – Pollution
- DM11 – Planning for More Sustainable Travel
- DM12 – Mitigating the Impacts of Travel
- DM14 – Car and Cycle Parking on Development (excluding residential)
- DM20 – Historic Assets

- CS18 – Strategic Site Delivery: Havant Thicket Reservoir
- AL6 - Havant Thicket Reservoir Pipeline

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

- DR1 | Delivering Sustainable Development in Havant borough
- IN1 | Effective provision of infrastructure
- IN2 | Improving transport infrastructure
- IN3 | Transport and parking in new development
- E1 | High quality design
- E2 | Health and wellbeing
- E3 | Landscape and settlement boundaries
- E13 | Historic environment and heritage asset
- E14 | The Local Ecological Network
- E15 | Protected Species
- E16 | Recreation impact on the Solent European sites
- E19 | Managing flood risk in new development
- E22 | Amenity and pollution

- KP9 | Havant Thicket Reservoir

The Havant Borough Local Plan was submitted for examination on 12 February 2021 and must be afforded limited weight.

Approximately half the site lies within Havant Borough with the remainder of site within East Hampshire District (see the Strategic Site Profile in 2 in the Policy CS the Core Strategy and Figure 14 in the emerging Local Plan).

East Hampshire District Council has identified the site for the Havant Thicket Reservoir in Policy CP26 (Water Resources/Water Quality) in their Local Plan Part 1 (Joint Core Strategy) and Policy S31 in the emerging Draft Local Plan. Colleagues in the Planning Policy Team at East Hampshire will be able to offer further advice on the relevant policy considerations for the purposes of this application.

Principle of Development

The site lies within the area as defined by Policy CS18 (Havant Thicket Reservoir) of the Adopted Local Plan. This strategic site allocation is carried forward into Policy KP9 of the 2020 Pre-Submission Local Plan, with associated developer requirements largely transposed, with a number of key additional/expanded developer requirements (emphasis added) as follows:

j. Changes to the natural and rural character are mitigated in particular by:

.....i. Limiting impacts on biodiversity including the creation of additional habitats to ensure biodiversity net gain is secured.....

....v. Minimising the loss of ancient woodland and trees and compensating for the loss of irreplaceable habitat within a costed management strategy;

vi. A comprehensive mitigation strategy is secured for impacts to protected and notable species, including appropriate mitigation measures for Bechstein's bats in line with Policy E15.'

'm. Opportunities have been explored for the prior mitigation of minerals to the satisfaction of Hampshire County Council;

n. The potential impact of the development on the setting of the South Downs National Park has been assessed any necessary avoidance and mitigation measures are included in the scheme design.'

It should also be noted that specific developer requirement are also included in relation to the Registered Park and Garden – these is set out in detail below.

In addition to the above, Policy AL6 which relates to the pipeline route is subsumed into the latter part of Policy KP9.

For the avoidance of doubt, the principle of the development of the site for the proposed reservoir is supported in policy terms subject to the relevant developer requirements being met.

Leisure and recreation facilities

Both ALP Policy CS18 and HBLP Policy KP9 affirm the need for the development to provide community benefits in terms of additional leisure opportunities which complement existing

provision in the borough and the surrounding area as an attraction for local communities. In this respect, it is noted the development proposals include the construction of a visitor centre / café, welfare facilities to be used for recreational and education purposes, together with picnic areas and children play areas and bird watching hide/screens. The Council's Communities Team should be consulted with regard to the proposed visitor and leisure provision.

The historic environment and heritage assets

Given the adjacent Sir George Staunton Conservation Area, which includes the Avenue and the Registered Park and Garden of special historic environment (grade II*), ALP Policies CS11 and DM20 are of relevance in assessing harm or loss to the significance of these heritage assets. Emerging Policy E13 in the HBLP being of relevance in the context of assessing of 'substantial harm' and 'less than substantial harm' to the Registered Park and Garden in particular. The Council's Conservation Team and Historic England will be able to offer further advice on this matter.

Ancient woodland

CS11 and DM8 of the ALP and emerging Policy E14 in the HBLP are of relevance given the presence of SINCs, and significantly, the areas of ancient semi-natural woodland and planted woodland present on site. Policy E14 indicates there is a presumption against any development involving the net loss of biodiversity or the loss of any natural features, unless there are wider public benefits that outweigh the harm of this loss.

Criterion j. v. therefore seeks to minimise the loss of ancient woodland and trees, and adequately compensate any loss within a costed management strategy. Natural England's representations to the 2019 Pre-Submission Plan indicate this is needed to address the impacts from increased recreational use associated with the reservoir proposal on the remaining ancient woodland, SINCs and associated habitats and species post-construction. This is to ensure this pressure is managed, monitored and biodiversity enhancements secured in perpetuity. Detailed consideration should also be given to the phasing and timing of any mitigation and compensation proposals.

Policy KP9 also advises that additional habitats should be created to secure net biodiversity gain (under criterion j. i.). This is required in order to address the loss of ancient woodland which is an irreplaceable habitat. DEFRA's Biodiversity Metric is one method of calculating net gain, but the Council's Ecologist and Natural England will be able to advise further in terms of whether the submitted Environmental Statement effectively addresses this matter.

Protected species

As the site is used by Bechstein's bat, Policy E15 is of relevance in terms of the survey methods which should be employed. Planning permission will only be granted where:

- 'c. Impacts on Bechstein's bat breeding habitat (i.e. net loss of/significant disturbance to woodland or trees containing roosts) are avoided;*
- d. Proposals include appropriate buffers to woodlands, trees, hedgerows and other flight corridors, considering the location of roosts and foraging/commuting habitats; and*
- e. Review and monitoring plans are put in place.*

Where the above measures cannot be met planning permission will be refused, unless the applicant can show, subject to meeting the tests of the Habitat Regulations, that there would not be an adverse effect on the population of the relevant protected species.'

The proposals will therefore require a project level Habitat Regulations Assessment (HRA) and if necessary, an Appropriate Assessment (AA).

Minerals

Two small parts of the north eastern boundary of the site lie in a Mineral Safeguarding Area as defined by the Hampshire Minerals and Waste Plan because it is likely to be underlain by brick-making clay. Criterion m. of Policy KP9 therefore expects opportunities for the prior extraction of minerals to have been explored. This is reinforced by the Minerals & Waste Safeguarding in Hampshire SPD which confirms the LPA should consult Hampshire County Council as the total area is over 3 hectares. It is therefore recommended that HCC are consulted.

The pipeline route

ALP Policy AL6 and emerging HBLP Policy KP9 do not specifically refer to this element of the development, but generally seek to safeguard the pipeline route's buffer zone so as not to prejudice its delivery.

Summary

The application proposals are supported in policy terms, subject to relevant environmental considerations (as set out above) being appropriately addressed. In addition, it will also be of importance to ensure that the scheme delivers appropriate community benefits which mitigate the loss of the recreation opportunities currently offered by the site.