Site Address: Land south of Lower Road, Havant
Proposal: Erection of 50 new dwellings together with access, landscaping and open space (Revised Scheme).

Application No:	APP/20/01031	Expiry Date:	15 February 2021
Applicant:	Bargate Homes		
Agent:	Luken Beck	Case Officer:	Daphney Haywood
Ward:	Bedhampton		

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

Density: 22.6 dwellings per hectare

HPS Recommendation: **GRANT PERMISSION**

Executive summary

The proposal is for a development of 50 new homes with 1.59 hectares (ha) of open space on greenfield Grade 1 and 2 agricultural land of 3.8 hectares (ha). The developable area is 2.21ha and the proposed density is 22.6 dwellings to the hectare (dph).

The application is a resubmission following the refusal by the Development Management Committee of APP/19/00427, now the subject of an appeal to the Planning Inspectorate with a Public Inquiry scheduled to commence on the 2 February 2020. As in the case of the appeal application the proposal is for 50 dwellings. The main difference between the current application and the appeal proposal relates to the siting of the proposed dwellings in respect to the boundary with the Manor Farm element of the Conservation Area. The dwellings proposed near this part of the site have been set further off the boundary and additional open space/landscaping provided in this area. Additionally, the proposal has been modified to ensure full compliance with the Nationally Described Space Standards.

The site is located to the south of Lower Road, adjoining the Old Bedhampton Conservation Area as extended under the recent review, and to the north of the railway and A27. The site is identified as a secondary support site for Solent Waders and Brent Geese, is within the Bechstein's bat area of search and covered by an Area Tree Preservation Order. The key matter of principle in dealing with this application is whether it should be considered prior to the submission and adoption of the Havant Borough Local Plan 2036 and if so whether the proposal represents sustainable development.

In terms of the principle of development, the site is not allocated in the development plan. As such, it is advertised as a departure from the development plan. However, since the Havant Borough Local Plan (Core Strategy) and the Havant Borough Local Plan (Allocations Plan) were adopted an assessment of the housing need for the borough now shows that significantly more homes are needed and therefore all possible sites must be re-assessed and considered as to whether their development would be sustainable. An initial re-assessment of all potential housing sites was undertaken through the now revoked Local Plan Housing Statement (Adopted December 2016) and continues to evolve through the emerging Havant Local Plan 2036. The site was included in the Housing Statement. It is also a proposed allocation in the Pre-Submission Havant Borough Local Plan 2036.

It is accepted that elements of the proposal do not fully comply with elements of emerging policies in the Local Plan 2036, with specific regard to infrastructure for electrical vehicle charging. However, the scheme does provide elements which meet or exceed emerging

policies, particularly with regard to significant open space provision for existing and future residents; and a fully compliant provision of technical housing standards meeting the Nationally Described Space Standards (NDSS). The NPPF (paragraph 48) sets out that weight can be given to relevant policies in emerging plans depending on, amongst other things, the stage of preparation of the emerging plan and the extent of unresolved objection to individual policies. At the current stage where the Local Plan 2036 has been published but not yet submitted, and in combination with the level of objection to these policies, they can be afforded only limited weight at this time.

Whilst the scheme is contrary to the development plan, national policy is a material consideration. This includes the Borough's performance against the NPPF's requirement to demonstrate a five year supply of deliverable land for housing . The Borough's housing land supply was updated in December 2020. This shows that the Borough now has a 4.8 year housing land supply with a 5% buffer applied. This represents a materially changed position relative to the previous application when the Council had a 5.4 year housing land supply and the supply now falls below the Governments five year supply threshold.

The development proposed by this planning application is included within the housing land supply calculations and is equivalent to 0.1% of that supply. As such, without the proposed development at Lower Road, the Borough would have a 4.7 year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application.
The proposal which has been amended in response to the Heritage-led refusal reason for APP/19//00427 is supported by specialist reports in respect to the key issues, including a revised heritage assessment, landscape impact, ecology, archaeology, highways and drainage. Full publicity has been undertaken on the new application including consultation, notification of neighbours, site notices and advert in the press.

The proposal is for a cul-de-sac development with dwellings of traditional design, ranging in size from 2 bed to5 bed and in height from single to 2 storeys. The proposed dwellings would be constructed to a high design standard in high quality materials. 30% of the dwellings would be affordable. Vehicular access would be off Lower Road and would take the form of a single vehicular access. Pedestrian and cycle links connect the site to Lower Road with proposed connection around the communal open space, which would provide a community orchard, and children's allotments, with opportunities for outdoor activity.

Following review and consultation in respect to vehicle, pedestrian and cycle access to the site, the submitted Highway details in respect to APP/19/00427 were amended in agreement with the Highway Authority This has been carried forward to the current application with the modelling of the assessed junctions extended to 2024 including the 'Forty Acre Farm' site (planning reference APP/18/00450) as a committed development. The Highway Authority does not consider that the development will lead to an unacceptable impact on highway safety or a severe impact on the road network and as such no objection has been raised in relation to this issue.

The impact, including access, of the development on Heritage has been carefully assessed in the light of the revisions made to the proposals for the site. Section 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 Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area. Whilst the site in question does not lie within the Old Bedhampton Conservation Area, it does affect that Conservation Area's setting.

It is therefore relevant to take account of paragraph 194 of the NPPF, which states

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration, destruction, or from development within its setting), should require clear and convincing justification’…

In the case of APP/19/00427, the officer report identified that less than substantial harm would result to the setting of the Conservation Area through the development proposals. It was considered, however, that that harm could be moderated through the careful design and layout of the proposals. In the case of the current application, and notwithstanding the revisions proposed to the layout, officers remain of this opinion. In accordance with the NPPF, that is a matter which needs to be weighed against the public benefits of the proposal and the overall planning balance.

In respect to the landscape impact, there is a negative, especially in the short term and this needs to be given weight in the overall balance of the planning considerations.

The site is in flood zone 1 and the Environment Agency and Local Lead Flood Authority have raised no objection to this development subject to conditions, and are content with the measures in place to ensure that the development is free from the risk of flooding and that the site is sustainably drained.

The Council has conducted a Habitats Regulations Assessment (HRA) of the proposed development under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, this includes an Appropriate Assessment under Regulation 63. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several of the Solent’s European Sites. The subsequent Appropriate Assessment included a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy, Position Statement on Nutrient Neutral Development and the Solent Waders and Brent Goose Strategy Guidance together with a Construction Environment Management Plan. The Appropriate Assessment concluded that this is sufficient to remove the significant effect on the European Sites which would otherwise have been likely to occur. Natural England were consulted and concur with the findings of the Habitats Regulations Assessment.

To conclude, it is considered that the scheme would contribute to the need for housing in the Borough, providing both market and affordable dwellings on a sustainable site which has been allocated for housing in the draft plan. As such this should be given substantial weight. The revised layout, whilst improving the relationship with the setting of the Old Bedhampton Conservation Area, still results in less than substantial harm. In assessing the proposal (including associated evidence) against the adopted local plan, the National Planning Policy Framework (NPPF), in combination with the direction of travel of the emerging local plan, and given the need to maintain a five year supply of deliverable housing sites, officers consider that, as with APP/19/00427, the benefits are considered to outweigh the harm and the proposal is recommended for permission.

1 <u>Site Description</u>

1.1 The site is located on Lower Road in Bedhampton to the west of Havant town centre and to the north of Langstone Harbour and comprises approximately 3.8ha of arable agricultural land (classification of Grades 1 and 2). It is located approximately 1km west of Bedhampton railway station, Bidbury Mead Recreation Ground and Bidbury school.

1.2 Bedhampton is predominantly a low rise residential area, of varying styles and

materials. With the exception of the Old Manor Farm development, the development that has taken place is mostly north of the development site.

1.3 To the east of the site, beyond an existing mature line of conifer trees which enclose the eastern boundary, the area is designated as a Conservation Area (CA) – the Old Bedhampton Conservation Area. This area to the east comprises the main part of the Conservation Area and is divided into two by the railway line which was constructed in 1847. The boundary of the Conservation Area was reviewed in 2019 and now includes the Old Manor Farm site, which adjoins the northern boundary of the site.

1.4 The Conservation Area includes a number of listed buildings, including The Old Rectory, The Manor and Bidbury House. Part of the site (north facing) fronts onto Lower Road with the remaining northern boundary abutting the small development of farm buildings that have been converted into residential dwellings (Old Manor Farm). The western boundary is not defined and is part of the open field. The southern boundary faces the railway line with some landscaping whilst further to the south is the A27 (Havant Bypass).

1.5 The site boundary to Lower Road comprises mature hedging, broken by a gap in the north east corner to provide access. Along Lower Road, adjacent to the site are a number of dwellings which vary greatly in their vernacular style. Dwellings range from small period terraced cottages to large detached two storey houses, with a number of single storey and chalet style bungalows

1.6 To the east of the site is the Old Bedhampton Conservation Area, divided into two by the railway line which was constructed in 1847. Compared to the density of Bedhampton as a whole the density of the Conservation Area is relatively low and features a number of character buildings. The materials found in the Conservation Area are predominantly brick with tiled roofs, some with parapet detailing as with The Old Rectory and Bidbury House. Most buildings do not exceed 2.5 storeys and generally feature a pitched roof structure. A Heritage Statement dated November 2020 has been submitted in support of this planning application.

1.7 The site, which is located within Flood Zone 1, is covered by an Area Tree Preservation Order in respect to the now mature conifer trees on the eastern boundary. The land is located south of Portsmouth Water Ground Water Source Protection Zone One (SPZ1) and the southern part provides secondary habitat for Brent Geese and Waders. Overall the land falls by around 3 metres towards the west/south corner.

2 Planning History

2.1 GEN/17/00884 - Development Consultation Forum (DCF) on 23 May 2018 – in respect to a residential proposal for 50 new homes (30% affordable housing).

2.2 APP/19/00427- Development of 50 new dwellings together with access, landscaping and open space. Refused 26 March 2019. This decision is the subject of an appeal, and the related Public Inquiry is scheduled to commence on the 2 February 2021.

Refusal Reasons:

1
The proposed development would adversely affect the open character and appearance of the setting to this part of the Old Bedhampton Conservation Area by reason of the scale of the development and the loss of agricultural land which provides a setting to the Conservation Area. These adverse effects are not outweighed by the benefits of the scheme. The proposal is therefore contrary to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and the National Planning Policy Framework.

2
Binding arrangements are not in place to secure the following aspects of the development, as a result of which it is not considered that the development could be undertaken in a satisfactory manner:

1. Affordable Housing

2. S106 monitoring fee

3. Open Space, orchard, children's allotments and associated infrastructure should be provided by the developer and arrangements for maintenance incorporated in the Management Plan. Including measures to ensure that the open space is managed in a Nutrient Neutral manner

4. Solent Recreation Mitigation Strategy contribution currently £33,975.70

5. SUDS bond

6. A contribution towards Health of £8,000

8. Mitigation Payment to the SWBGS of £329,036.40 for loss of secondary support habitat

7. Permissive paths

8. A contribution towards a Community worker of £12,500

9. Delivery of site access works via a S278 agreement, prior to commencement of development.

10. Financial contribution of £23,489 to be paid towards the route to school improvements identified in drawing number ITB12174-GA-007 Rev A prior to occupation of any dwelling.

The carrying out of the development in the absence of such provision would result in an unsatisfactory and unsustainable form of development having due regard to Policies CS1, CS7, CS8, CS9, CS11, CS13, CS15, CS16, CS19, CS20, CS21, DM13 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011; Policies DM20, DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014; the Conservation of Habitats and Species Regulations 2017 (as amended); and the National Planning Policy Framework.

2.3 The Old Bedhampton Conservation Area Appraisal and Management Plan (CAAMP) was adopted by the Full Council on 25th September 2019 – it incorporates 'Character Area 5', which includes the Old Manor Farm buildings adjacent to the development site.

3 Proposal

3.1 The proposal is for the erection of 50 dwellings including a 30% provision of affordable homes, provision of public open space, community orchard, allotments and associated infrastructure.

3.2 The development, which would be accessed off Lower Road, would provide a variety of dwellings ranging from 2 to 4 bedrooms in size comprising 22 x 2 bed, 18 x 3 bed and 9 x 4 bed and 1 x 5 bed. The majority of the development would consist of 2 storey houses, with some single storey bungalows (5) adjacent the northern boundary with Old Manor Farm. The proposed development will embrace a very traditional appearance, taking inspiration from the surrounding vernacular, particularly the older properties located in the Old Bedhampton area and the Old Manor Farm development. Clay and slate tiled roofs, brick chimneys with brick elevations are proposed with some timber boarding to key buildings, garages, car barns and porches. The window fenestration will have Georgian and cottage style glazing bars to give a traditional appearance, and the built form would incorporate Brick Chimneys, Timber Boarding, Black Rainwater Goods, Exposed Rafter Feet, Timber Framed Porches and Dormer Windows.

3.3 The application proposes the ultimate replacement of the mature TPO conifers enclosing the eastern boundary of the site, once the proposed planting to the east has established they are to be replaced with native species of a similar mix to the planting proposed to the east, namely; field maple, alder, oak and holm oak standards with a native understorey of field maple, hazel, hawthorn, holly and blackthorn to ensure a good mix of fast-growing and legacy species with native species for biodiversity and to respect the character of the paddocks to the east with the added screening benefit of evergreens.

3.4 The proposed scheme for the site has evolved since the refusal of APP/19/00427 in response to the reason for refusal. The main amendment made to the scheme comprises the set back of the development from the north and west boundaries of the site with the Old Manor Farm part of the Conservation Area, by approx. 5m in respect to this part of the northern boundary and approx. 7.5m in respect to this part of the western boundary. This has increased the separation distances as follows:

Northern boundary:Plots 22 to 25

- Rear of bungalows min of 20m to boundary with Manor Barn
- Rear garden boundaries of bungalows min of 10m to boundary with Manor Barn.
- Back to back distances between these plots and the dwelling on Manor Barn min. of 27m.

Western boundary:Plot 7

- Side of bungalow min of 11m to boundary with 1 Farm Cottages

Parking court:

- Minimum of 17m to boundary with 5 Old Manor Farm.

3.5 This allows for additional landscaping incorporating a new footpath which extends from the vehicular access, along the west of plots 7 and 10 and north of plots 22-25 to join up with the parking court serving plots 26-28. This results in the development being relocated further into the site, creating a greater separation buffer from the shared boundary with the Old Manor Farm character area of the Old Bedhampton Conservation Area.

Nature of housing proposed

3.6 In terms of the proposed 50 dwellings (22 No. 2 bed, 18 No. 3 bed 9 No 4 bed and 1 No. 5 bed)), 30% (15 dwellings, 7 No. 2 bed houses, 4 No. 2 bed bungalows and 4 No. 3 bed houses) would be delivered as affordable units.

Drainage

3.7 The development provides approximately 1.59ha of open space and a Sustainable Urban Drainage scheme (SUDs) would deal with surface water flows at the site. This is outlined in section 7 of this report.

Allotment and Orchard

3.8 The proposal includes the provision of approximately 1.59ha of open space including allotments and an orchard, which are located to the south of the residential development.

Proposed Access and parking

3.9 The site would be served by a single vehicular access onto Lower Road and car parking within the scheme accords with the Havant Borough Council Parking SPD (July 2016, revised 2019). In accordance with this document there is a total of 136 parking spaces with 125 spaces for residents and 11 visitor parking bays The development would also provide 120 cycle parking spaces in accordance with adopted standards.

3.10 The planning application includes the following documents:

Statement of Community Involvement
Noise and Vibration Impact Assessment
Planning, Design & Access Statement
Heritage Statement
Flood Risk Assessment and Drainage Report
Transport Assessment
Affordable Housing Statement
Tree Survey Report and Tree Protection Plan
Ecology Assessment and Ecology Assessment Addendum
Archaeological Assessment
Landscape & Visual Impact Appraisal
Statement of Conformity with the emerging Local Infrastructure Delivery Statement
Conformity Check with the Emerging Local Plan

4 Policy Considerations

National Planning Policy Framework 2019

The National Planning Policy Framework (the 'NPPF') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. There is a general presumption in favour of sustainable development unless material considerations indicate otherwise. The three dimensions of sustainability are to be

sought in mutually supportive ways: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment). Local circumstances should also be taken into account, so they respond to the different opportunities for achieving sustainable development in different areas.

The Development Plan

Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) require a local planning authority determining a planning application to do so in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for Havant Borough consists of the Havant Borough Local Plan (Core Strategy), the Havant Borough Local Plan (Allocations Plan) and the Hampshire Minerals and Waste Plan. The proposed development is not supported in principle by the Development Plan.

Havant Borough Local Plan (Core Strategy) March 2011

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS8	(Community Safety)
CS9	(Housing)
DM1	(Recreation and Open Space)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM6	(Coordination of Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

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

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
DM23	(Sites for Brent Geese and Waders)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

The emerging Havant Borough Local Plan

Local Plan Housing Statement

The Local Plan Housing Statement (the Housing Statement) was adopted by the Council on 7 December 2016. It represented the first stage in the preparation of the Havant Borough Local Plan. The Housing Statement also identified that it was necessary to maintain a supply of housing onto the market in order to meet the

requirements for a five year housing land supply.

As such, sites were identified for ‘early release’ and that the Council would support the principle of development on the sites prior to the adoption of the Havant Borough Local Plan. The Housing Statement was revoked at the same time as the 2019 Pre-Submission Havant Borough Local Plan was approved by the Full Council. Nonetheless, the preparation of the site began during the lifetime of the Housing Statement and it represents a significant step to the site coming forward.

Pre-submission Havant Borough Local Plan

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

The Council subsequently consulted on the proposed changes to the Pre-Submission Plan under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 3 November 2020 to 17 December 2020.The proposed changes include a strategic mitigation solution for addressing nutrient neutrality. After this period, the next stage in the plan’s preparation will be its submission for independent examination and thereafter adoption.

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

The relevant planning policies of the emerging Local Plan are:
DR1 – Delivering Sustainable Development in Havant Borough
DR2 - Regeneration
IN1 - Effective Provision of Infrastructure
IN2 – Improving Transport Infrastructure
IN3 – Transport and Parking in new development
IN5 – Future management and management plans
E1 – High Quality Design
E2 - Health and wellbeing
E3 – Landscape and settlement boundaries
E6 – Best and most versatile agricultural land
E9 - Provision of public open space in new development
E12 – Efficient Use of Resources and Low Carbon Design
E13 – Historic Environment and heritage assets
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, hedgerows and woodland
E19 – Managing flood risk in new development
E20 – Drainage infrastructure in new development
E22 – Amenity and pollution

H1- High Quality Homes
H2 – Affordable Housing
H3 – Housing Density
H4 – Housing mix
H5 – Retirement and specialist housing
H20 – Land at Lower Road

Supplementary Planning Documents
The following Supplementary Planning Documents (SPDs) are also relevant:
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Listed Building Grade: No Listed Buildings lie within the application site.
Conservation Area: Site lies adjacent to the Old Bedhampton Conservation Area.

5 Statutory and Non Statutory Consultations

NB At the time of drafting this report a number of statutory and non-statutory consultation responses are outstanding, and members will be advised of any updates prior to, or at the Committee meeting. Given the fact that the application site and quantum of development of this revised application accords with that the subject of previous Application APP/19/00427, the final comments of any outstanding consultees on that earlier scheme are included here for information, prefaced "*Final comments made in respect of APP/19/00427".*

Planning Policy

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 particular relevance:

- • CS17 – Concentration and Distribution of Development within Urban Areas
- • AL2 – Urban Area Boundaries and Undeveloped Gaps between Settlements

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

- • DR1 | Delivery of sustainable development
- • E3 | Landscape and settlement boundaries
- • IN1 | Effective provision of infrastructure
- • IN3 | Transport and parking in new development
- • IN5 | Future management and Management Plans
- • E1 | High quality design
- • E2 | Health and wellbeing
- • E9 | Provision of open space in new development
- • E12 | Low carbon design
- • E13 | Historic environment and heritage asset
- • E16 | Solent Special Protection Areas
- • E17 | Brent Goose and Wader feeding and roosting sites
- • H1 | High quality new homes

- • H2 | Affordable housing
- • H3 | Housing density
- • H4 | Housing mix
- • H20 | Land south of Lower Road

In addition to the above, the Council published changes to the Pre-Submission Plan which were approved at Full Council on 9 September 2020.
These changes to the Pre-Submission Plan are considered to have limited weight in development. This is because they are intended to address the main issues arising from the Regulation 19 consultation at the beginning of 2019 and indicate the direction of travel of the Local Plan.

Principle of Development:
In the adopted local plan, the site lies outside of the urban area as defined by policies CS17 and AL2 of the adopted plan. These policies seek to restrict development in these locations, except in exceptional circumstances. I do not consider that any of the exceptions in the policy apply here, the proposal being a residential development on greenfield land.

The site is however identified as a proposed allocation in the 2019 and 2020 versions of the Pre-Submission Local Plan under Policy H20. This continues the direction of travel that was set out in the Local Plan Housing Statement (now revoked) in 2016 and the subsequent Draft Local Plan consultation in 2018.

Overall, whilst the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle, and this must be given weight in the determination of this application

Development Requirements:
The emerging site allocation policy sets out development requirements which should be considered in the determination of this application.

High Quality Design and Heritage:
The development proposals are subject of a detailed planning application reflecting the proximity of the Old Bedhampton Conservation Area in line with Policy H20.

Criteria b. of the emerging policy (H20) sets out which nearby heritage assets and their setting must be addressed, including the Old Bedhampton Conservation Area, its rural setting and access through it, in order to retain the “village” feel.

The Council’s Conservation Officer will be able to advise whether these have been satisfactorily addressed as part of the applicant’s Heritage Statement.

Ecology:
The site is identified as a Low Use Site for Solent Waders and Brent Geese (SWBG) under emerging policy E17 in the Pre-Submission HBLP 2036, and within the Brent Goose and Wader Strategy (October 2018) (SWBGS). Development proposals on, or adjacent to, sites which are used by Solent Waders and/or Brent Geese need to be assessed in line with the appropriate regulations. The proposals will, therefore, require a project level Habitats Regulations Assessment (HRA) and, if necessary, an Appropriate Assessment (AA).

Policy E17 (as amended) states that development proposals on Secondary Support Areas will only be permitted where:

g. A suitable replacement habitat is provided on a like for like basis on or within the locality of the site which is agreed and secured through a costed Habitat Management and Monitoring Plan; or

h. Where it can be demonstrated that criterion g) is not practicable, a smaller suitable replacement area is agreed and secured through a costed Habitat Management and Monitoring Plan and a financial contribution is provided consistent with the SWBG Strategy..

On this basis, the submitted Ecological Assessment suggests the development proposals will contribute to appropriate avoidance measures through a Section 106 agreement.

The site also lies in an Opportunity Area as defined by the Local Ecological Network Map where there are opportunities to recreate or restore habitats. The Council's Ecologist will be able to provide further advice on this matter.

Source Protection Zones:

The site is located close to, but outside of a Source Protection Zone 1.. It is also noted that there are multiple mapped 'solution features' within 500m of the site.
The Environment Agency and Portsmouth Water will be able to provide further advice in terms of where solution features are present, and if any conditions should be imposed.

The site also overlays a Principal Aquifer and the developer should be aware of the possible constraints to construction methods with regard to protection of the water environment in line with policy E21 and/or further advice from Portsmouth Water.

Conclusion
The principle of the development of this site is supported by the emerging policy position in the Pre-Submission HBLP 2036.

In terms of the detailed development management policy considerations, an assessment will need to be made regarding the weight which should be afforded to emerging policies. The applicant's statement of conformity with the emerging Local Plan should be used to inform that assessment.

Conservation Officer

Background

The application site comprises a parcel of land located south of Lower Road in Bedhampton. It is currently used as farmland along with the two adjacent fields. The site is adjacent to the Old Bedhampton Conservation Area (CA), which includes 5no. character areas. The CA was reviewed in 2019, including a change to its boundary and the inclusion of three further character areas – Bidbury Mead, Bedhampton Road and Old Manor Farm. The closest character area to the application site is Old Manor Farm character area, which is separated from the other areas of the CA. To the south of the site lies the railway line and further south of this is the A27.

The site has been identified as a housing allocation site (Policy H20) in the new Draft

Local Plan 2036, which is currently going through the adoption process. It was also proposed as a housing site in the Council's Local Plan Housing Statement 2016, which identified the site in principle for up to 50 dwellings.

There are some site constraints set out in Draft Policy H20 which relate directly to heritage. These are as follows:

- The site is adjacent to the Old Bedhampton Conservation Area
- The Old Manor Farm is adjacent to the north and is of local historic interest
- The site is near the Grade II listed buildings of the Church of St Thomas, the Old Mill House, the Elms, Manor Cottage, Bidbury House, Spring Lawn and Manor House.

The previous application APP/1900427 was also for 50no. dwellings with access taken from Lower Road. This application was refused by the Development Management Planning Committee in March 2020. An appeal has been lodged against the decision and is due to be heard at Public Inquiry in February 2021.

Proposal

The current proposal is a revised scheme which seeks to overcome the previous refusal. Overall the scheme proposes the same number of dwellings, based on a similar layout with access still taken from Lower Road and includes a mixture of single storey and two-storey dwellings. In the northern part of the site, the dwellings would be set back from Lower Road with the existing hedgerow retained and include detached dwellings, with single storey dwellings adjacent to the Old Manor Farm buildings. The development includes a central green space and also a landscaping buffer to the rear of the site, which will include an attenuation basin. The footbridge over the railway (not a PROW) will remain in situ. The new dwellings would be of a traditional design, proposing materials such as clay and slate roofs, brick, chimneys, black rainwater goods, timber windows, and timber framed porches.

The main changes are as follows:

- Introduction of a new footpath which extends from the vehicular access, along the west of plots 7 and 10 and north of plots 22-25 to join up with a parking court serving plots (26-28). This results in the development being relocated further into the site, creating a greater separation buffer from the shared boundary with the Old Manor Farm character area of the Old Bedhampton Conservation Area.

- Recognition and retention of historic track along the east boundary of the site.

Policy Considerations

Section 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 Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

The recently published Good Practice Advice Notes 1, 2, 3 from Historic England, supersede the PPS 5 Practice Guide which has now been withdrawn by Government. The Historic Environment Good Practice Advice (GPA) in Planning Note 2, states at

paragraph 4: The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

Of particular relevance for this application, given its location adjacent to the conservation area, is Good Practice Advice (GPA) Note 3 – The Setting of Heritage Assets. This note provides advice on understanding setting, how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting. This guidance note also advises that setting is not a heritage asset or a designation in itself, but its importance lies in what it contributes to the significance of the heritage asset.

The National Planning Policy Framework (NPPF) 2019 sets out the policies that the Council must take into account when determining planning applications. The NPPF sets out, in Section 16, the Conserving and Enhancing of the Historic Environment. The following paragraphs are of particular relevance:

Para. 189 advises that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting.

Para. 192 advises that in determining applications, local planning authorities should take account of:

a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

b) The positive contribution that conservation of heritage assets can make to sustainable communities including economic vitality; and

c) The desirability of new development making a positive contribution to local character and distinctiveness.

Para. 194 states that any harm to the significance of a designated heritage asset requires clear and convincing justification. It should also pass certain tests depending on the magnitude of harm caused.

Para. 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed up against the public benefits delivered by the proposals.

Current Local Plan Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) at section 4, advises that planning permission will be granted for development whereby it protects and where appropriate, enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic

or architectural interest.

Policy DM20 from the adopted Allocation Plan 2014 advises that planning permission will be granted for development that conserves and enhances the historic assets of the Havant Borough and are expected to provide a heritage statement for developments which have the potential to affect heritage assets.

Emerging Policy E13 from the Draft Local Plan 2036 provides similar advice to existing Policy CS11, but also adds that where harm cannot be avoided, mitigation must be proportionate to the impact and the significance of the heritage assets and fully incorporated into the development proposals.

Assessment

With regards to the previous application, the heritage position was as follows:

The Conservation Area's setting to the south and south west is dominated by open countryside. The Conservation Area derives part of its significance from this setting, which contributes to the rural character of the Conservation Area and is important in supporting its historic separation, both physically and in terms of character, from 20th century developments that encroached onto the area.

The introduction of new dwellings south of Lower Road, will alter the landscape and increase the urban boundary southwards towards the railway line and closer towards Old Manor Farm, although this will be separated by a narrow landscape buffer and rear gardens of only single storey dwellings. The proposal would also extend development into the wider open countryside setting that contributes to the significance of the Conservation Area, diminishing the perception of largely unaltered rural surroundings.

However, as in the case of the impact on the setting of the conservation area, detailed above, it is considered that the overall extent of harm to the setting of the consideration area, would be **less than substantial.**

This view is formed by the understanding that the direct impact to the listed buildings and their immediate settings would be low and that the proposed development has been designed in such a way that it would minimise harm (to a degree) through the proposed site layout.

The proposed development would be set back from the existing dense boundary hedgerow to the south of Lower Road and would be only marginally visible from further up Lower Road, when travelling south, moving outside of the conservation area boundary. The lowest density of housing is proposed near the Lower Road boundary and this will include extensive landscaping and be well spaced to provide a sense of openness and a rural character. Traditional style materials are proposed which is positive, which appear to be well suited to the palette of materials in the local vernacular.

Overall, it is considered the development would not either preserve or enhance the setting of the conservation area subject to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character

and appearance of that area.

However, as the harm to the significance of the heritage asset can be moderated to a degree, it is concluded that less than substantial harm would result. In accordance with NPPF, this is a matter which needs to be weighed against the public benefits of the proposal and the overall planning balance.

An updated Heritage Statement by Terence O'Rourke Ltd has assessed the impact on the nearby heritage assets including the recently extended CA boundary which now includes Old Manor Farm, which shares a boundary with the CA. It reiterates the measures taken to reduce the impact on the CA which includes; the location and layout of open space, retention of site vegetation and new planting, the landscape strategy, the forms of buildings, orientation and integration of parking areas and the variation of density and provision of setbacks from the road and Manor Farm. The lowest density development is proposed to the east of the site and gardens and hedges have been orientated to add an impression of spatial separation. It advises that the development has been set further back from the boundary with Old Manor Farm in order to preserve the views southwards. The connection to the agricultural land holding will remain with a dedicated farm access provided through the landscaped areas. The rural origin of the buildings and their historic and functional setting therefore will remain legible.

As with the previous application, these mitigation measures are recognised, and it is the view that the changes made to the scheme do not increase the level of harm to the CA which was identified in the first application.

The introduction of a wider landscaping and footpath buffer around the shared boundary with Old Manor Farm is an improvement. However, the number of dwellings remain the same and will still alter the landscape and increase the urban boundary southwards towards the railway line and closer towards Old Manor Farm, although this will be separated by a now wider landscape buffer and rear gardens of only single storey dwellings. The proposal would still extend development into the wider open countryside setting that contributes to the significance of the Conservation Area, diminishing the perception of largely unaltered rural surroundings.

Overall, whilst some improvements have been made and the mitigation measures are still proposed, it is considered that the overall extent of harm to the setting of the conservation area would be the same as before which is '**less than substantial'.**

Conclusion

It is considered the development would not either preserve or enhance the setting of the conservation area subject to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

However, as the harm to the significance of the heritage asset can be moderated to a degree, it is concluded that less than substantial harm would result. In accordance with NPPF, this is a matter which needs to be weighed against the public benefits of the

proposal and the overall planning balance.

Historic England
On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Hampshire Highways
Thank you for consultation on the above planning application. The Highway Authority previously recommended no reasons for refusal, subject to S106 obligations and conditions, to a previous application under planning reference APP/19/00427. This application featured the same development proposals as the new application for 50 dwellings and associated vehicular access.

The Highway Authority has reviewed the latest Transport Statement which does not include any new information above and beyond that which was assessed and agreed under the previous application. The application still proposes the erection of 50 new dwellings and the site access proposals remain as agreed under drawing number MJA 5992:601 Rev C.

As per the Highway Authority's previous response dated 14th November 2019, no objection is raised to the application, subject to the following conditions and obligations:

S106 Obligations
Financial contribution to be paid towards the route to school improvements identified in drawing number ITB12174-GA-007 Rev A prior to occupation of any dwelling.

Site access works, as detailed in drawing number MJA 5992:601 Rev C, to be delivered prior to occupation of any dwelling.

Conditions
Prior to first occupation the visibility splays shown for the vehicular access and two pedestrian accesses shall be provided so that any obstruction within the splays between 0.6m. and 3m. above the level of the carriageway shall be removed. These splays shall be maintained in this condition thereafter.
Reason: In the interest of highway safety

Prior to use at least the first 16m. of access measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material and shall be maintained in this condition thereafter.
Reason: In the interest of highway safety

A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This should include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction.
Reason: In the interest of highway safety

Arboriculturalist
A comprehensive survey and tree protection plan has been supplied by the applicant’s Arboricultural Consultant which covers he constraints on this site in terms of trees and

development.

I note the following:

Two lower quality trees will need to be removed to facilitate development – these are BS 5837 C category Trees and if removed there should be scope to plant better quality trees to allow for sustainable canopy cover in the area.

The shelterbelt on site is in what can be described as 'mixed condition' and extensive works will be required to manage this hedgerow to an acceptable arborcultural standard – these works would be needed for safety reasons regardless of any redevelopment proposals.

Extensive new planting must be undertaken on the east side to eventually allow for the eventual removal of the hedge due to its poor condition so as to mitigate for the eventual loss of this important amenity for the area. (The hedge is in decline and will at some point reach the end of its safe useful life expectancy – bacterial canker is present throughout the canopies)

In conclusion if permission is given for this site then the BJH reports to include the Tree Protection Plan and also additionally a pre commencement site visit between Tree Officers, Arboricultural Consultant and Site Manager must form part of any set of conditions.

New tree planting must also be agreed with CELT so as to enhance the tree coverage in the area.

No arboricultural objection raised.

Building Control, Havant Borough Council
Final comments made in respect of APP/19/00427:
No adverse comments

Community Infrastructure, Planning Policy & Urban Design
The development is CIL Liable, in accordance with our CIL Charging Schedule: http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf

The amounts in the Charging Schedule are indexed according to the year in which permission is issued, if a permission is issued in 2021 the amount of indexation would be 48.66%, this is likely to change on 1/1/2022.

As there is an element of Social Housing, CIL Form 10 will be required to consider granting of Mandatory Social Housing Relief.

Garages and Car Barns are CIL Liable and we have queried with the agent (email sent 27/11/20 but reply not yet received) as to whether the GIA for both of these types of car storage have been included within the figures supplied on the CIL 'Additional Information' Form 1 noted as being received by the council on 13 Nov 2020. Particularly as the figures supplied are lower than those submitted to support the previous application.

We have also requested that the agent submit readable Accommodation Schedules for both Affordable and Market Housing showing the GIA in square metres including 'CIL liable parking' to support and correspond to the figures supplied in CIL Form 1.

S106
This would arise from consultee responses and could include:

1. Affordable Housing
2. HBC Monitoring Fees*
3. HCC Monitoring Fees (£500 per HCC Head of Term, capped at £10K
4. Management Company
5. Management Plan (may include SUDS)
6. Solent Recreation Mitigation Strategy (see further information)** - an on site payment may also be necessary
7. Nutrient Neutrality
8. Education (HCC)
9. SUDS/SUDS Bond (Bond not necessary if Southern Water have agreed to adopt SUDS once installed)
10. Highway Works (HCC)
11. Site Specific Transport Improvements (HCC)
12. Footpath and access (HCC)
13. Community Worker
14. Health Contribution
15. Others arising out of consultee responses

County Archaeologist, Strategic Environmental Delivery Group, HCC
Thank you for your recent consultation. I would draw your attention to the archaeological evaluation report submitted which I would endorse to you, and the section on archaeological matters (section 7) within the Design and Access Statement which I would not endorse. The Heritage Statement does not address archaeological matters.

Section 7 of the Design and access section makes reference to an archaeological desk based assessment which is not submitted (but if this is a reference to the desk based assessment by LP Archaeology submitted with application 19/00427 I would refer you to my consultation response dated 9 May 2019 for a review of this document). The discussion of archaeological matters within Section 7 is less than perfunctory. It fails not note the results of the archaeological evaluation, as submitted with the planning application, nor does it set out for the planning authority how archaeological matters beyond the evaluation and in the light of its results, will be addressed.

However an archaeological evaluation has been carried out and the results are set out in the archaeological evaluation report that is submitted with this application. This has identified that archaeological remains do exist at the site of late prehistoric and potentially also of Roman date. The results of the archaeological evaluation do not suggest an overriding archaeological constraint at the site. The impact of development on archaeological remains at the site can be mitigated by a programme of archaeological recording to be implemented prior to development commencing.

I recommend that an archaeological condition is attached to any planning permission which might be issued to secure a programme of archaeological investigation of the

development site ahead of development. Whilst it would have been helpful for the scope of such investigation to have been set out for the planning authority within the appropriate sections of this application any planning condition will require the submission of a written scheme of investigation (WSI) to be approved by the planning authority and this WSI will need to set out in detail the archaeological work that is planned to the satisfaction of the planning authority. I look forward to reviewing any such WSI in due course should planning permission be issued subject to an archaeological condition.

Further Comments in respect to the written scheme of investigation (WSI)

this is a reasonable archaeological mitigation response to the results of the archaeological evaluation, and as such I would endorse it to you. It opens out quite a large area around where archaeology was found within the evaluation trenches and also allows for 'chasing' the archaeology if it seems to be spilling beyond the margin of that area.

Officer comment: *A condition is proposed re the above recommendation.*

Crime Prevention -Major Apps

Thank you for your letter of the 20th November 2020 and the opportunity to comment upon the application. Having considered the application, I have the following comments to make with reference to crime prevention.

The National Planning Policy Framework makes clear the Governments continuing commitment to "create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience".

National Planning Practice Guidance advises, that planning has a role in preventing crime and malicious threats. It reminds Local Authorities of their obligations under Section 17 of the Crime and Disorder Act 1998 (as amended), specifically "to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder."

The guidance continues "Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.", it continues, "Good design that considers security as an intrinsic part of a masterplan or individual development can help achieve places that are safe as well as attractive, which function well and which do not need subsequent work to achieve or improve resilience." "Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult."

Clear definition of the different spaces within the development reduces the opportunities for crime and disorder.

Access to the elevations of the dwellings from the public realm must be prevented. All dwellings must sit within an area of private space. The private space to the rear of the dwelling must be enclosed by a robust boundary treatment at least 1.8m high. The semi-private space to the front of the dwelling must be enclosed within a robust boundary treatment 1m high. There appear to be a number of dwellings with no, or very

little defensible space to the front of the dwelling (Plot numbers 3 to 5, 10 to 12, 26 to 28 are examples of this, there are others); which increases the opportunities for crime and disorder. To reduce the opportunities for crime and disorder defensible space must be provided to the front of all dwellings. If this space cannot be provided Hampshire Constabulary object to this aspect of the application.

To the rear of plot numbers 33 to 39 is an area of Public Open Space (POS), there is no natural surveillance of this space from the dwellings, which increases the opportunities for crime and Anti-Social Behaviour (ASB). To reduce the opportunities for crime and ASB there must be natural surveillance of the POS from the nearby dwellings. The dwellings should be separated from the POS by a roadway, vehicular access to the POS must be prevented. Within this area of POS children's allotments are shown. Allotments are places that suffer crime and ASB to reduce the opportunities for crime and ASB the allotments must have good natural surveillance from the nearby dwellings and be enclosed within a robust boundary treatment (perhaps hoop topped railings) at least 2m high.

The shortening of the gardens to the rear of plot number 23 to 25 has created an area of POS to the rear of these dwellings, which increases the opportunities for crime and ASB. To reduce the opportunities for crime and ASB some consideration should be given to returning the rear gardens to their original length.

Rear boundary treatments that can be accessed from areas of POS should be constructed as 1.8m closed boarded fence, topped with 300mm of trellis, giving an overall height of 2.1m. The boundary treatments should be further protected by prickly planting along the length of the boundary treatment within the POS.

A number of acquisitive crimes such as burglary and theft are often facilitated by easy access to the rear of the dwelling. Rear garden access for a number of the dwellings is via a communal rear garden access path (plots 42 and 43 are examples of this, there are others) or from a rear parking area, this increases the opportunities for crime and Anti-social Behaviour (ASB). To reduce the opportunities for crime and ASB all rear garden access must be in curtilage. However, if the planning committee are minded to allow this scheme with these accesses to provide some mitigation a gate should be fitted at the junction of the footpath and the public realm and each rear garden access gate should be fitted with a robust key operated lock that operates from both sides of the gate.

For plots 1 and 7, the pedestrian pathway to the front access door leads from the parking area (there are other plots with similar access arrangements). This is not ideal and may lead to the damage of motor vehicles parked within these spaces. Pedestrian access to all dwellings should be directly from the public highway.

A car barn is shown within which is a combined cycle and bin store, this increases the opportunities for crime and ASB. To reduce the opportunities for crime and ASB, the cycle and bin stores must be separate stores each with their own entrance. The cycle store should be fitted with a single robust door. Persons accessing the store using the double doors within the car barn might damage the motor vehicle parked in the space adjacent to the cycle and bin store. For this reason the current arrangement of the doors is not acceptable, the accesses into the cycle and bin store should be from the public realm.

To provide for the safety and security of residents and visitors lighting throughout the development should conform to the relevant sections of BS 5489-1:2020.

Officer comment: *In respect to the siting of plots 3 – 5, 1 – 7 and boundary with the POS, this has not changed from the previous layout and was not a reason for refusal. Boundary treatment is the subject of a condition requiring the submission of further information and matters such as fencing, prickly hedging and locking gates could be secured under the condition to satisfactorily address the issues identified by the Crime Prevention Officer.*

County Minerals
I can confirm we are happy for mineral matters for application APP/20/01031 to be dealt with through the condition you have sent through:

No development shall commence within any phase (as identified in the Phasing Plan reserved for approval under condition 3) until a Minerals Recovery Strategy for the relevant phase or phases has been has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the relevant phase or phases of the development must not be carried out other than in accordance with the approved strategy. The strategy must include the following:
a) A method for ensuring that such minerals that can be viably recovered during the development are recovered and put to beneficial use; and
b) a method to record the quantity of recovered mineral (re-use on site or offsite)

Education Department
Thank you for the opportunity to comment on the planning application for 50 dwellings at Lower Road, Havant. This development sits in the catchment areas of Bidbury Infant and Junior Schools and Warblington Secondary School. The anticipated yield from the development is 2 pupils per year group.

Although the Bidbury pair of schools are full they only achieve this by out catchment recruitment. The yield from the development at Lower Road will be able to be accommodated at the Bidbury Schools without the need for any expansion as the out catchment recruitment can diminish over time with these out catchment pupils being able to be accommodated in their catchment school. Consequently, I will not be seeking a contribution from the developers to provide any additional primary school places.

Similarly, there are places available at Warblington Secondary School to accommodate the yield of pupils at secondary age and, again, I will not be seeking a contribution to provide any additional secondary school places.

Environmental Health Manager, Community Group
Noise
The development shall be built in accordance with the noise mitigation recommendations outlined in the acoustic report provided by 24 Acoustics (Technical Report: R6954-1 Rev 2 dated 28th October 2020) attached to the planning application namely:

The specification measures outlined in Parts 5.7 - 5.10 of the report.
The agreed details shall be fully implemented, and validation test results submitted to the Planning Authority before the use hereby approved is commenced and/or any part of the development is occupied.

The measures are based on the units being of cavity masonry construction. Any divergence from this method of construction would require a further acoustic report to

reflect the changes to be submitted, as further mitigation measures may be required in that instance.
Reason - To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

Construction and Environmental Management Plan (CEMP)
No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved Plan shall be adhered to throughout the construction period.

The plan should include, but not be limited to:

 An indicative programme for carrying out of the works
 Procedures for maintaining good public relations including complaint management, public consultation and liaison
 Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 The arrangements for deliveries associated with all construction works
 Loading and unloading of plant and materials
 Storage of plant and materials used in constructing the development
 Location of temporary site buildings, compounds, construction material, and plant storage areas
 Access and egress for plant and machinery
 Protection of pedestrian routes during construction
 All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08 00 - 18.00 hours on Mondays to Fridays and 08 00 and 13 00 hours on Saturdays and; at no time on Sundays and Bank Holidays
 Procedures for emergency deviation of the agreed working hours
 Control measures for dust and other air-borne pollutants
 Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 The parking of vehicles of site operatives and visitors
 The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 Wheel washing facilities
 A scheme for recycling/disposing of waste resulting from demolition and construction works
Reason: To protect the amenities of nearby residential premises during the demolition/ construction phase of the development

I have reviewed the revised scheme, alongside comments previously offered by the Environmental Health Service in respect of contamination, pollution, air quality and drainage (SuDS & Pollution Control).
The comments of other relevant consultees are noted, and in general are supported. Most notably, it is acknowledged that;
• • Portsmouth Water Company has indicated a low level of concern in respect of the aquifer serving the public potable supply even where ‘deep bore’ (~16m) soakaway drainage features are proposed,

• • The County Highways service agrees the access strategy and estimates transport demands, and;
• • The Traffic Team has raised concerns about the apparent absence of visitor parking, contrary to SPD.

The latter is likely to be more of a 'landscape and visual' & 'highway (parking overspill)' issue than one materially affecting air quality. As is acknowledged, the site is relatively sustainably located, and an under-provision of visitor parking could be argued to 'encourage sustainable travel modes'.

I note that SPD compliant cycle parking is to be provided *'…on site either inside garages, sheds in back gardens or secure cycle stores'*, and similarly that independent direct access to private rear gardens is to be provided (as under the previous scheme). No design response has been made to emerging policy IN3 j (proportionate provision of EV charge points), or apparently explicitly in relation to emerging policy E12, or E23 a. All of these policies are 'air quality relevant', but I acknowledge the 'adopted pre-submission' status of the LP2036, and the limitations that this imposed on the requirements of these policies.

In terms of the layout changes of the revised scheme, I do not note any material impact upon the impact of the development on local air quality – risks to future residents are considered to be negligible against current standards, and the landscaping scheme is expected to make a net-positive contribution.

In terms of noise, I note that the distance between extant and proposed dwellings has been increased, the boundary vegetation enhanced, and sub-station retained in the position previously proposed. The risk of nuisance noise between dwellings may be marginally reduced as a result, and the noise exposures of the properties closest to external strategic infrastructure sources (road & rail) are essentially unchanged.
My colleagues will be looking at this consultation with a specific focus on nuisance & amenity impacts, however I am aware of the urgency in responding to this consultation so felt that it might be helpful to make some preliminary general comments, in case it is not possible to secure a detailed response in the shortened consultation period.

Summary
• • Contamination: no material changes to prior advice – watching brief should be conditioned. See APP/19/00427 (CONS/19/00834) dated 31/05/2019 for detailed comments, suggested condition wording reproduced below for completeness.
• • Air Quality; No material concerns
• • Noise; expect proposed layout changes to be broadly neutral in respect of noise exposures. Marginal reduction in potential for nuisance noise between proposed and existing residential property. Further comments may follow under separate cover.

[Condition 1] Implementation of Remedial Measures, and Verification Reporting (Bespoke)
The development hereby permitted shall be carried out in accordance with the recommended Remedial Works and Contamination Discovery Strategy outlined in sections 11.2 & 13.0 of the Geo-Environmental Services Ltd. Ground Appraisal Report (Ref GE16507-GAR-NOV17 v1.0 08/11/2017), unless otherwise agreed in writing by the Local Planning Authority.

Prior to the occupation of any relevant part of the permitted development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The verification report must;

a) demonstrate the adequate segregation of made soils deemed inappropriate for use in private garden areas, and either the appropriate 'off-site disposal' or 'within-development placement' of this material to ensure that no unacceptable exposures arise, and;

b) document any assessments &/or remedial actions required to be taken in accordance with the Contamination Discovery Strategy, or if no actions were required; provide a positive declaration that no relevant discoveries of previously undocumented 'suspected contaminated' soils were made.
Reason: *Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], contamination impacted soils have been identified within a discrete deposit at the site where contaminants are likely to exceed levels considered appropriate for use private gardens, allotments or soft-landscaped public amenity land. This condition aims to secure an appropriate use or destination for these soils, to ensure that no unacceptable exposure to harmful contaminants may occur.*

Hampshire Fire & Rescue
Advice provided on access for firefighting, water supplies, fire protection, fire safety systems, and timber framed buildings.

Housing Manager (Development)
Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), and the Governments Ministerial Statement published during the summer of 2016, mean that developments of 11 units or more would be required to provide 30-40% affordable housing on site; The Pre-Submission Havant Borough Local Plan 2036 (HBLP 2036) was approved by the Council on 30/01/2019 can be afforded limited weight at this time.

The demand for affordable housing remains high within Havant borough; as at 10 December 2020 there were 2467 households registered on Hampshire Home Choice seeking accommodation in our area, and of these 47% are seeking either 2, or 3-bedroom homes.

The applicants are proposing 15 (30% if the 50 units are realised) affordable units comprising of a mixture of 2, and 3bedroom homes:

Bedroom size	Number of units	Size of units S q m
2 BH F1	3	79
2 BH F2	4	70
2 B Bung	4	62
3 BH	4	82
TOTAL	15	

HBLP 2036 at paragraph 6.3 requires all residential development to meet the nationally described space standard, or any subsequent Government standard.

The sizes of the affordable units have been increased since the last submission and now appear to meet those standards. The 2BH at 79sqm will accommodate 4 persons, whilst those at 70sqm will accommodate 3 persons. The 3-bedroom houses will be for 4 people, and the bungalows will suit a household with 3 persons as a maximum.

Taking account of the overall size of the site, and its access arrangements, I appreciate the applicants desire to keep household density in check and therefore accept this mix of house types.

The applicants have provided details of the location, and house type, however I cannot see any note of the proposed tenure split. I am satisfied that the affordable units are well distributed around the site, will be indistinguishable from the open market homes, and I would expect a 67/33 tenure split, Affordable or Social Rent/Shared Ownership, as this would satisfy the definition in Annex 2 of the NPPF which states that 10% (gross) of the total number of new homes, as part of the affordable provision, should be an "other affordable route to home ownership".

To address locally identified need the HBLP 2036 states that, as this site is 50 dwellings, 2% of the overall housing provision should be designed to meet the wheelchair accessible homes standard. This would equate to 1 of the 15 affordable homes proposed. I am happy to see several 2-bedroom bungalows included in the proposals as these could/could be made, accessible for tenants with mobility issues, or wheelchair users.

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

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

The location of the development on; this area is served by buses that provide transport around the borough i.e. Havant where retail, medical, and educational opportunities are available, and this should help to create a mixed and well-integrated community.

Should this proposal eventually lead to development of the site Housing would support the application pending confirmation of the exact number, type, size, internal area, and tenure of the affordable homes

Landscape Team
The revised scheme does not have any significant changes in relation to the previous revision as such from a landscape perspective we have no adverse comments.
Officer comment: *A landscaping condition is recommended to secure the information the Landscape Team were seeking in respect of previous Application APP/19/00427.*

Langstone Harbour Board
The Board's Planning Sub Committee has considered this application and wish to **OBJECT** to the proposals.

The land concerned is currently agricultural and is categorised in the Solent Wader and Brent Goose Strategy as a Secondary Support Area for SPA bird species. The Langstone Harbour Management Plan states that "The open area around the harbour is part of the harbour's landscape and nature conservation value and should be retained and managed for these purposes in association with the harbour itself".

Officer Comment*: This matter is considered further by Natural England and the Council's Ecologist below.*

Communities Team
Final comments made in respect of APP/19/00427:

Contribution of £12,500 towards a community officer, to help new residents in the development integrate into existing communities required.

Natural England
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

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

With regard to the deterioration of the water environment, it is noted that achieving a position where there are no net nutrient emissions into European Sites from this development involves the use of specific on-site avoidance and mitigation measures. Provided the necessary measures can be fully secured; Natural England raises no further concerns.

Loss of supporting SPA habitat

The loss of a Secondary Support Area will be offset by a contribution to enhance, manage and monitor the wider Solent Wader and Brent Goose ecological network and secured by legal agreement. Natural England is satisfied with this approach which is in line with agreed offsetting and mitigation guidance.

We understand that Havant Borough Council has a number of options that are being progressed to address the loss of Low Use and Secondary Support Areas in the Borough, which are coming forward in the planning system. We recommend that the confirmed offsetting option is secured with any planning permission. Provided the strategic schemes are in place in time to offset the loss of the Secondary site, Natural

England raises no further comments.

Construction impacts on supporting habitat

It is noted that a Construction Environment Management Plan is referenced in the AA. Natural England is satisfied that a noise restriction and an appropriate Construction Environmental Management Plan, which is agreed with Natural England before implementation, would resolve the adverse impacts.

A suggested condition is as follows:

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive).

If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service.

Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

We advise that the key measures that relate to the qualifying features of the internationally designated sites are detailed in the AA and will need to be secured with any planning permission.

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

Council Ecologist

The application is accompanied by an Ecological Assessment (Aluco, April 2019) and an Addendum report (Aluco, October 2020) which together provide a sound appraisal of the site's ecological features: the update confirms that the site essentially remain unchanged since the previous assessment. The site comprises an arable field with narrow margins and bordered by mature vegetation such as tree lines and dense scrub. Overall, the site is a fairly typical area of south Hampshire farmland and is of generally limited ecological value.

The site has been shown to support foraging/commuting bat species (primarily around the vegetated margins), a range of widespread bird species, and a small population of common reptile species.

Overall, the proposed landscaping scheme provides a useful area of open greenspace within the south of the site. This will include areas of sown species-rich grassland, native hedgerow, trees and scrub and wetland features and should provide a valuable range of habitats. Mitigation measures are provided for the identified ecological receptors, entailing timing vegetation removal to avoid nesting bird impacts and the use of habitat modification to encourage the translocation of reptiles from the northern boundary.

I am content with the overall proposed mitigation, compensation and enhancement measures (excepting impacts to SPA supporting habitat – see below) and, if you are

minded to grant permission, can I suggest that these are secured through a suitably-worded planning condition requiring the provision of a single, site-wide ecological mitigation strategy. This strategy should be in full accordance with any landscaping, drainage and lighting strategies.

Prior to the commencement of development activities, a site-wide ecological mitigation strategy shall be submitted for approval to the Local Planning Authority. This strategy shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the Ecological Assessment (Aluco, April 2019) and Addendum (Aluco, October 2020) and shall be in accordance with any submitted landscape, drainage and lighting strategies. All ecological mitigation, compensation and enhancement measures shall be implemented in accordance with the agreed details and maintained in perpetuity in a condition suited to their intended function, unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

In addition, I would suggest that a Construction Environment Management Plan (CEMP) is secured through condition, in order that potential ecological impacts are subject to assessment and avoidance/mitigation measures detailed.

Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted for approval to the Local Planning Authority. The CEMP shall be informed by the identified ecological receptors detailed within the Ecological Assessment (Aluco, April 2019). Development shall be implemented in accordance with the agreed CEMP unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011

The site forms part of the larger Solent Waders & Brent Goose Strategy (SWBGS) Site H05a, which is listed as a Secondary Support Area. As the proposed development will result in the loss of Special Protection Area (SPA) supporting habitat, a suitable mitigation package will need to be agreed. Whilst noting that the site has not been used regularly by SPA birds in recent years (due to the unfavourable nature of the site), the site nevertheless provides potential for SPA birds and, if in suitable condition, would most likely be attractive and contribute towards the overall SWBGS network. I note that the applicant has been in discussion with Natural England and the ecology report refers to the recently-published Mitigation Guidelines produced to accompany the SWBGS. For impacts to Secondary Support Areas, a costed mitigation and monitoring package is required which provides for either a like-for-like replacement area within the same locality or a mix of on-site recreational greenspace and a proportionate financial contribution towards the protection of the wider SWBGS network. As with the previous application, further detail is required in relation to mitigation proposals for SPA supporting habitat impacts. At this stage there is no information provided on the proposed mitigation measures for loss of SPA supporting habitat and this information must be provided prior

to determination.

The site also falls within 5.6km of the Solent SPAs and will therefore contribute towards a cumulative impact from recreational disturbance. In line with the Solent Recreation Mitigation Strategy, financial contributions will be required on a per-dwelling basis.

Network Rail
Due to the close proximity of the proposed works to Network Rail's land and the operational railway, Network Rail requests the applicant / developer contacts Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionWessex@networkrail.co.uk prior to works commencing. Our Asset Protection will ensure that the proposed development can be completed without any risk to the operational railway. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/.

Our Asset Protection Team (ASPRO) require the applicant to submit for ASPRO design acceptance and if needed, risk assessment & method statement (RAMS) for any work within Network Rail (NR) zone of influence such as:

• Traffic incursion risk assessment and management plan

• Drawings & RAMS for fence- based on trespassing risk assessment including that regarding access to the bridge and additional RAMS covering; drainage, vehicle incursion & vegetation management adjacent to NR boundary.

• Drawings & RAMS for drainage, landscaping works adjacent to NR boundary.

NB: No soakaways should be installed within 20m from NR boundary, bridge, embankment toe.

As well as contacting Network Rail's ASPRO Team, the applicant / developer must also follow the attached Asset Protection informatives (compliance with the informatives does not remove the need to contact ASPRO).

Officer comment *– The agent has been made aware of Network Rail's comments.*

Portsmouth Water
Portsmouth Water have reviewed the revised development scheme for this site. Our response dated 15th May 2019 under planning application reference APP/19/00427 remains valid due to no fundamental changes to the site location and drainage proposal. Please see below our previous response for ease of reference.

Portsmouth Water have no objections to the proposed development, the site is located outside a Source Protection Zone and flow of water is away from the springs and associated Source Protection Zone.

<u>Drainage</u>
The proposed surface water drainage strategy is the combination of SuDS systems with final disposal via deep bore soakaways. Prior to disposal surface water will pass through several treatments in addition the soakaway features are located to the far

southern boundary of the site and therefore we have no concerns on the surface water strategy for the site.

The foul drainage strategy is disposal to an existing main sewer, this is acceptable to Portsmouth Water in relation to groundwater protection. Portsmouth Water have no further comments on foul water drainage for the site.

Portsmouth Water are not the foul water undertaker for the area and the Flood Risk Assessment & Development Drainage Strategy report by MJA Consulting incorrectly identifies and references Portsmouth Water throughout this report. Southern Water are the foul water undertakers for the area and Portsmouth Water are a supply only water company.

Piling & Foundations
Portsmouth Water have no concerns regarding foundations for the site as the site is located outside a Source Protection Zone for our public water supply sources.

Officer comment*: See comments from Southern Water below.*

Southern Water
Has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this following consideration of the development programme and the extent of network reinforcement required.

Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of any works required.

Southern Water endeavour to provide reinforcement within 24 months of planning consent being granted (Full or Outline) however for large developments our assessment of the timescales needed will require an allowance for the following which may result in an extension of the 24-month period:

- Initial feasibility, detail modelling and preliminary estimates.
- Flow monitoring (If required)
- Detailed design, including land negotiations.
- Construction.

Southern Water has undertaken a desktop study of the impact of the proposed development on the existing public surface water network. The results of this assessment indicate that with a connection at the “practical point of connection”, as defined in the New Connections Services implemented from 1st April 2018, there is an increased risk of flooding if the proposed surface water run off rates are to be discharged at proposed connection points.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDs component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/
ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include 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 Council’s Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The Council’s technical staff and the relevant authority for land drainage should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Land uses such as general hard standing that may be subject to oil/petrol spillages should be drained by means of appropriate oil trap gullies or petrol/oil interceptors.

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

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Officer comment: *A condition is recommended in respect to the matters covered by the proposed informative.*

Environment Agency
We require further information before we can make a decision on whether to recommend to the Local Planning Authority that planning permission is granted.
Officer comment: *This relates to the further information submitted in respect to APP/19/00427 and has been requested.*

Final comments made in respect of APP/19/00427:
The Environment Agency requests that the following condition be attached to any planning permission granted, and that the details in relation to these conditions be submitted and approved by the Local Planning Authority.

Together with the following 2 e-mails, which were submitted to Havant Borough Council in association with the planning application.

-"Manor Farm, Bedhampton - EA Meeting 17.12.19". Stewart Smith , MJA Consulting, Wed 18/12/2019 17:23

With the following attachments
- MJA EA BARGATE 17.12.19 Meeting Minutes
- 5992-P01F Drainage strategy layout (002) – (Version F, MJA consulting, 18/12/2019)

-MJA to LLFA Response 4 - Manor Farm, Lower Road, Bedhampton" Stewart Smith , MJA Consulting, 19/12/202 15:30

With the following attachments

- RE_ Manor Farm_ Bedhampton - EA Meeting 17_12_19
- Drawing - 5992-P11A Sections Through Attenuation Basin-Reed Bed and Wet Pond
- Letter FAO Tom Wickens
- UFF Sizing Calculator BETA v3.0

We can confirm that we can accept the drainage strategy as proposed in "5992-P01F Drainage strategy layout (002) – (Version F, MJA consulting, 18/12/2019)". We

would agree that the pollution prevention control are satisfactory and the risks to controlled water quality are low. In particular we accept

- Given that this is a relatively small residential development, pollutant potential risks are limited. Principal risks are likely to be associated with minor roads and carparking.

- Minor roads will not drain directly to the infiltration channels but pass through a layer of topsoil prior to entering drainage network.

- The drainage plan utilises all potential shallow infiltration options prior to discharging to boreholes.

- Significant Pollution control, are present within the drainage strategy

We agree that the water discharging to the boreholes is likely to be free from elevated pollutant.

In order to completely verify though that there is no elevated pollutant in the discharge going to the boreholes, we would require monitoring to be undertaken of the surface water drainage. This monitoring should be undertaken over the first winter of occupation, on water immediately prior to entering boreholes.

Condition required in respect to the submission of scheme to monitor the drainage to boreholes of surface water quality.

Local Lead Flood Authority HCC
Final comments made in respect of APP/19/00427:
The County Council has reviewed the following documents relating to the above application:
• (MJA Consulting) Proposed Residential Development, Manor Farm, Bedhampton, Hampshire – Flood Risk Assessment & Development Drainage Strategy Rev B Sept. Ref: SS/19/0185/5992
• (MJA Consulting) Drainage Strategy Layout 5992:P01 Rev. G (14.10.19)
• (MJA Consulting) Level Strategy Layout 5992:P02 (Rev.)
• (MJA Consulting) Road and Sewer sections 5992:P10 (Rev.)
• (MJA Consulting) Surfacing Strategy Layout 5992:P05 (Rev. A)
• (MJA Consulting) Sections Through Attenuation Basin, Reed Bed and Wet Pond 5992:P11 (Rev. A)
• (MJA Consulting) Proposed Residential Development, Manor Farm, Bedhampton, Hampshire, SuDS Management & Maintenance Plan (Rev. B) Ref. SS/19/0185/5992
• (MJA Consulting) Exceedance Flow Plan 5992:P06 (Rev.)
• (MJA Consulting) Manor Farm, Bedhampton, Surface Water Network MicroDrainage Calculations
• (MJA Consulting) Response 4: 50 new dwellings together with access, landscaping and open space at Land at Lower Road, Havant, Bedhampton. APP/19/00427 MJA Ref: SS/19:0693/5992 (19/12/2019)
• Ground Appraisal Report Manor Farm, Lower Road, Bedhampton, Hampshire PO9 3NB (08/11/2017) Reference: GE16507-GAR-NOV1, Version: 1.0
• Geo-Environmental Letter Ref: GE17736/GR03/19040 (01/04/2019) “Groundwater monitoring borehole BH102”
• Geo-Environmental Supplementary Ground Investigation Letter Ref: GE17736/GR02/181102 (02/11/2018)
• (The Civil Engineering Practice Residential Development, Manor Farm,

Bedhampton, Note on Sustainable Drainage and Water Quality, Draft [No date or revision supplied]
• Design Data Up-Flo™ Filter
• Geo-Environmental Winter Groundwater Monitoring
• Bargate Homes letter to Tom Wickens [EA] 19/12/2019, Ref: 112/191219/RD
• Up-Flo Filter Sizing Calculator, 19/12/2019

The submitted information is considered to be acceptable at this stage such that further information can be addressed by condition.

We would recommend the following condition is applied to this application:

1. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles accepted under application reference APP/19/00427, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

o Provide unit type, and sizing for the Upflow unit and show it is sized adequately for the area it is draining. Please indicate type of unit (manhole or vault to be provided) and show this within the drawing.

o Due to the sensitivity of discharging to a deep borehole soakaway, please provide details of what emergency procedures would be in place to ensure an oil/contamination spillage is promptly dealt and the penstock shut-down mechanism activated to prevent any contamination from reaching the borehole.

o Provide details of the treatment level using the CIRIA Simple Approach Index level provided by the Multi-Stage Treatment Filter" from Hydro International unit. provided by the "Multi-Stage Treatment Filter" from Hydro International.

o Provide details showing how the top layer of the infiltration borehole will be sealed details of what measures such as screening will be provided to prevent entry of debris into the borehole soakaways.
Please note that Hampshire County Council as Lead Local Flood Authority will not comment on the foul drainage proposals as this is outside our remit.

Ramblers Association
The Ramblers Association have some concern about the extra traffic that will be generated on Lower Road. This road is a through route for cyclists and pedestrians although it is a cul-de-sac for motor traffic.
Otherwise we have no objection.

Royal Society for the Protection of Birds
Final comments made in respect of APP/19/00427:
Thank you for providing the further documentation which updates the proposed mitigation. In respect of the impacts to the Secondary Support SWBGS site the financial contribution in line with the Solent Wader and Brent Goose Strategy mitigation guidance should provide appropriate mitigation for the loss of this area. It will be important to ensure that indirect impacts from the construction and operation of the site are considered and appropriately addressed as part of a Construction Environment Management Plan.
***Officer comment*:** *see comments from Natural England who have raised no objection*

subject to mitigation.

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

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

The increased demand would be accommodated by the existing GP surgeries open to new registration requests from people living in the area of the proposed development; however additional workforce and building capacity within the premises will be required.

The CCG considers that the application should be required to make an appropriate financial contribution to the provision of capital and revenue investment that the NHS will make in this regard.

Please see below the NHS investment projection that the CCG will consider should the application be granted by the Council;

The proposed contributions formula for developments under 2000 dwellings is: 50 No. of dwellings x 2.4 divided by average list size (1800) x 16 (size of a consultation room (m^2) x £375 (cost of rent and other additional expenses with regard to premises) x 20 (number of years expected on a lease)
This means that South Eastern Hampshire CCG will be looking for a contribution of £8,000 of planning gain for health.

South Eastern Hampshire CCG identifies Bosmere Medical Practice, The Staunton Surgery and Homewell Curlew Practice could be impacted by this development in our CCG area. Therefore, we request that funding be made available from developer contributions to enable those practices impacted, to make suitable building adaptions to facilitate this growth.

Southern Electric
Final comments made in respect of APP/19/00427:
No response

Southern Gas Network
Final comments made in respect of APP/19/00427:
Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal. However, should your proposal change please contact us immediately and we will re-assess.

The pipeline is of prime importance to the gas supplies of this area. It is essential that you comply with the restrictions detailed below and in the document SGN/WI/SW2 in order to protect our plant and equipment and for the safety of your own operatives. A SGN representative must be contacted before any works commence.
Officer comment *– An informative is recommended.*

Traffic
The Traffic Team would raise the concern that there does not appear to be clearly defined the additional 20% parking allocation for visitor parking, as per HBC supplementary parking document July 2016.
Officer Comment*: Spaces now annotated. The submitted layout provides for parking in accordance with the adopted parking standards.*

Waste Services Manager
Re the attached Planning application, in regards to waste collections can you please consider the following;

Access Requirements:
 Access/Service Roads need to be capable of taking a 26 tonne Refuse Collection Vehicle (RCV).
 Access routes must allow for the safe passage of a standard RCV i.e.11.5 metre long.
 Any height restrictions must allow for the safe passage of a standard RCV i.e. 4.5 metres high.
 Parking needs to be controlled to allow to allow the RCV to safely manoeuvre and turn.
Officer comment: *Further information requested.*

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: 164

Number of site notices: 3

Statutory advertisement: Yes

At the time of writing the report 93 representations received of which 92 are objections.

Summary of representations

Principle of development
- This ‘new’ application does not resolve any of the many issues that apply to this sensitive site and therefore should be rejected, as were previous proposals including at Local Plan Inquiry.
- The Application APP/19/00427 was unanimously rejected by the HBC DMC in March of this year on the basis of the harm to this special area outweighing any benefit of this small number of dwellings. The appeal against this decision is in process to be heard in February 2021. In the meantime, the whole Local Plan is nearing its Examination in Public where the inclusion of the Lower Road site could be called into question.
- Premature as The Local Plan 2036 has yet to be the subject of an Independent Examination in Public, and the supporting documents have not been tested. The allocation of the site would be contrary to the NPPF 2019.

- The soundness of the draft local plan, vis a vis heritage protection and the development of H20, is being challenged. Little weight should be attached to the draft.
- The site was discounted as an allocation for 15 dwellings in the current local plan.
- This development of 50 homes must be assessed in the light of all the proposed developments close by, contained in the Draft Local Plan 2036: Forty Acres (320 dwellings – now approved), Campdown, Littlepark House and others.
- The cumulative growth in the whole residential area will put additional strains on the local infrastructure (traffic, school places, GP surgeries etc) which are not taken into account in this Planning Application. Sewerage pipes are near max capacity and will be over capacity if all applications are approved. Finally, entertainment for youths are non-existent.
- The introduction of the new dwellings would be against the Councils own Policy (AL8) on Local Green Space.
- Disbenefits of this development of 50 homes outweighs the benefits. Better sites elsewhere
- Not a sustainable location and future residents would need to drive to facilities causing pollution and discouraging walking and cycling with the associated health impact.
- The question of how this good agricultural land in a unique historic setting best serves the Borough should be discussed fully and openly at the Examination in Public of the Draft Local Plan 2036, only a few months away, before coming to a decision on this planning application
- Not a sustainable site. Insufficient infrastructure – schools, Health Centre
- The NPPF places no limit on the considerations that might be taken into account in evaluating harm versus public benefit. Issues such as sense of peace, belonging and history, safety, recognition of place and heritage, enjoyment and recreation options could all form part of this.
- many empty retail units in Havant and Leigh Park which are unlikely to ever return to former levels of occupation. Many of these buildings could be converted to housing, with little impact to the environment- better sites
- Brownfield sites should be prioritised over Grade 1 agricultural land
- Petition in 2018 of 1785 signature opposed to development of the site should not be ignored.
  Covid has resulted in a number of changes including highlighted how important the rural landscape is for the mental health of the community, requirement of individuals needing care, increase in online ordering of goods and associated deliveries.

Officer comment: *The application has been amended to address the previous heritage reason for refusal. The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. The Borough's housing land supply was updated in December 2020 and shows that the Borough now has a 4.8 year housing land supply with a 5% buffer applied, which falls below the Governments five year supply threshold.*

Impact on Heritage the Conservation Area, and character of the area.

- Old Bedhampton is an area of Special Interest, the Councils own report identifies:
  - Earliest surviving network of lanes and routes;
  - Sections of a surviving network passing east-west through the heart of the settlement;
  - Protected trees including those under specific Tree Preservation Orders;

- Natural springs, ponds and network of streams including The Brook;
- The Mill complex of buildings, a number of which are listed, upper and lower, associated millponds, mill races with heads and tails, sluices, weirs and dams and Hermitage Stream;
- Victorian railway bridge along Mill Lane;
- Church of St. Thomas's and its cemetery, listed Grade II;
- The Manor House of 17th century origins with timber framing to rear elevation, listed Grade II;
- The Old Rectory, listed Grade II;
- Manor Cottage, Grade II listed;
- The Elms and its front garden, gates and piers, listed Grade II;*
- Notable non-designated heritage assets including a Locally Listed Historic Park & Garden.
- Outside but adjacent to the boundary of the Conservation Area there remains:
- The sunken 'rural' lanes including King's Croft Lane and Bidbury Lane;
- Open green Bidbury Mead which creates a centre piece to the settlement;
- Rural and former coastal setting.

- negative effect on the setting of the Conservation Area and the setting of the Old Manor Farm.
- Remove the rural nature and destroy the historical landscape of Lower Road
- Our heritage is irreplaceable. We should be preserving and celebrating every piece we still have.
- The view from the bridge on Mill Lane has already been negatively affected by the allotments on Donkey Field. After the conifers are cut down the view will be spoilt further by this development.
- Bidbury Lane passes through the quietest part of the Conservation Area. The development will inevitably lead to an increase in traffic here as motorists seek a 'rat-run' to bypass the traffic lights on Bedhampton Road.
- Old Bedhampton is a rare gem, unique to the Borough and a wonderfully tranquil area far removed from the hustle and bustle of local roads and shops. If this development goes ahead the character and peacefulness of this area will be totally destroyed for future generations to enjoy.
- The Farm buildings setting related to adjacent fields lost.
- Erosion of sunken lane character of Lower Road by loss of hedgerow for accesses and extended sight lines and with widened access of the junction to assist turning ability of large vehicle
- The Elms, the most important Grade II* Listed building in the village (the star rating puts it into the top 8% in the country and one of only six in the Havant Borough) on one of the blind bends on Lower Road is missing from the application. It is a historic, prominent building, adding to the character of the village. The house is occupied by active older residents and the Waterloo Room is valued and used by the community for much needed local events. Safe access to this building by all is essential but will be compromised by the increase in traffic on the blind bend outside its gates. The proposals are likely to do substantial harm to The Elms.
- The traditional village layout and surrounding area to the harbour is beautiful and needs to be protected.
- Houses of poor mediocre design, adverse impact on current sense of identity.
- Parking is already a regular occurrence on the grass verge in front of the Elms and it is being damaged. This verge will be used by traffic as cars pass each other on the narrow road, which is likely to completely destroy it.
- The only access to this proposed new development is through the Conservation Area via Brookside Road or the single track Bidbury Lane. The 50 houses will create a massive increase in traffic which will shatter the peace and tranquillity of

the area.

- Many generations have enjoyed walking across this field to the harbour before the A27 severed the link. Ideally that right of way should be re-instated to allow a circular walk (enjoyed in recent years before the land-owner sealed it off) linking to the bottom of Mill Lane and back to St Thomas' Church.
- The ancient network of routes predates the settlement by thousands of years and thus its historic importance should not be judged solely on the past 300 years.
- The current proposal is likely to divert traffic from Brookside Road through Kingscroft Lane in order to reach Havant, thus increasing through traffic through the heart of Old Bedhampton. This arguably will undo the single most important factor that ensured the preservation of Old Bedhampton. Namely, the construction of a new turnpike along Bedhampton Road and Bedhampton Hill Road circa 1790 – 1810 resulting in the removal of through traffic. Possibly one of the Nation's "first bypasses", the powers of that time having foresight.
- There will be an adverse impact on ambiance, amenity, safety, wellbeing, soul and spirit resulting in significant harms. The balance of harm far outweighing good.
- There is now some expert acknowledgement that Narrow Marsh Lane could have existed in pre-settlement times. As such it is a non-designate heritage asset worthy of full protection and a suitable setting. Records of the Belmont Estate Deeds in 1747 show that 273 years ago it formed the historic boundary between land parcels that were owned by the 'great and the good' of Bedhampton but not the Lane. This provides an insight into the history of the settlement and the relationship of the setting with the core. At that time grazing land for trap and carriage horses would have been needed.
- There is no recognition of the 'sunken lane' character of Lower Road and its contribution, with Bidbury and Kingscroft Lanes, to both the original turnpike route and this extended network of ancient lanes. The access involves extensive hedge removal and will harm this character.
- It has not been demonstrated that a clear and convincing case has been made that the various harm that will be generated is necessary to achieve substantial public benefits.
- The proposal will create a jarring intrusion of suburban style architecture that is wholly unexceptional, uninspiring and unappealing. It will add nothing to the character of the Conservation Area or the setting.
- The land itself has historic interest regardless of any structures. It marks one of, if not the, oldest traces of pre-settlement human activity in the Borough and historically could have greater significance that the Conservation Area.
- The dominant setting of the Conservation Area is not 20th century development but the openness of the wide arc of land that it.
- The Narrow Marsh Lane is an historic route which should be protected and is currently being reviewed so that a permanent right of way can be established.
- The longer views across the site and from the nearby Mill Lane railway bridge are significant and locally important
- This site relies on this shelter belt of trees to protect it from the conservation area. Concern about replacing trees. HBC have a duty to protect heritage.

Officer comment *A full assessment of the Heritage considerations is provided in the Consultee responses and in Section 7.*

Highway issues

- Inadequacy of the highway infrastructure, extra traffic will impact on the B2177 junction with Broadmarsh roundabout, already the biggest 'snarl up' and scene of the most collisions we see each day. More traffic volume would also cause more

back-ups onto the A3M Broadmarsh junction, potentially creating queues onto the A3M itself. Impact cannot be overcome. The Transport Statement is inaccurate, inconsistent and misleading.

- Hazard from construction and subsequently with additional traffic, Shared surface is not safe, this has not been addressed. Conflict between motor vehicles and pedestrians/cyclist, plus impact on the access to residents of the care home and an elderly residential home.
- Lodge Road footpath 107 too narrow and not securely overlooked so not suitable as alternative route. The pavement along the south side of Bidbury Lane is not wide enough for a push chair or mobility aids
- The loading of additional traffic on local roads including Brookside Road, Kingscroft Lane, the Bedhampton Hill Roundabout (in all directions) and out onto the Rusty Cutter Roundabout has not been fully considered. Impact on traffic in the area will be significant resulting in delays, safety issues, tail backs, grid lock.
- Access from Brookside Road to Bedhampton Road is by turning left and feeding out to the main road to the mini roundabout. This is particularly difficult at most times and doubly so if you wish to go to Bedhampton or Havant by going round the roundabout
- The area around the Belmont roundabout would become increasingly congested. (More so recently since the new estates were built at the top of Maylands Road and off Portsdown Hill Road). In peak periods traffic backs up to the Rusty Cutter roundabout. It has been reported that to accommodate the extra cars this roundabout would be removed and traffic lights installed. This would mean residents of Lower Bedhampton and Nursery Road/Tulip Gardens wishing to drive east towards the Post Office, medical centre and shops would have to travel west down to the already congested Rusty Cutter roundabout to come back (or use the narrow single lane Bidbury Lane/Kingscroft Lane creating chaos).
- Use of Manual for Streets is designed to be a guide for urban straight streets and is not designed to be applied to semi rural bendy Lanes as exist in Brookside Road and Lower Road.
- Safety issues from increase in 'silent" electric vehicles to cyclist and pedestrians.
- Poor footpath provision.
- Highways England should sign off regarding any impact on the Rusty Cutter and Teardrop roundabouts as well as A3M and A27.
- Inadequate car parking
- The surrounding lanes (including sunken lanes) are not built to cope with the increased traffic from a 50 house development let alone all the heavy construction traffic.
- Proposal based on out of date information and the accuracy of the Transport Statement is questioned especially in the instances where two vehicles and pedestrians meet along the section of Lower Road between two blind bends with no pavement .There is a conflict between HBC's promotion of a national cycle route and a possible 'safe walking/cycle route' for school children from the Forty Acres development along Lower Road whilst nearly doubling the traffic at peak times along the same narrow road.
- The proposal does not consider the impact on children walking/cycling to school and Bidbury Mead park and mobility users. Nor the danger to children attracted by the railway bridge.
- The proposed development will effectively double the domestic traffic in Old Bedhampton, exacerbated further by delivery traffic using the route. Currently there are approximately 80 houses accessed via Lower Road, and this proposed development would increase this by two-thirds There are numerous cars (up to 13 have been noted at one time and frequently 6 - 8) parked on Brookside Road, reducing the width of the carriageway. This is dangerous for pedestrians in the

sections without pavements and dangerous near the junctions at both ends, where there are often cars parked too close to the junctions, narrowing the road and increasing the risk of cars colliding as they turn into/out of the road.

- The pavement along Bidbury Lane from the junction with Lower Road is too narrow for prams, pushchairs, wheelchairs, mobility aids - and even a parent trying to hold their child's hand. Pedestrians therefore are often seen walking in the road. Increased traffic obviously increases the risks to them.
- There is such limited access to the site, only through the Conservation Area via Brookside Road or Bidbury Lane which is single track and will be used by cars to and from the Havant area, adding to the congestion on Bedhampton Road at peak times.
- The increased traffic will put us all at risk as will the increased car fumes.
- Traffic Surveys are not reflective of the situation.
- No allowance has been made in these plans for any kind of scheme to ensure that cyclists and pedestrians are protected from the inevitable increase in traffic from these new homes
- An alternative access should be considered
- Lower Road is narrow and parking vehicles would interfere with junction.
- Parked cars in Brookside Road are a hazard and shared surface is unsafe.
- Lower Road forms part of a busy cycle way and adverse impact from extra traffic
- Among the consequential alterations to the layout is the intention to put parking in the middle of the landscaped courtyard of plots 10, 11 & 12.
- If development on these fields is to go ahead then Lower Road just to the east of the junction with Lodge Road should be stopped up and then open the western half onto the "Rusty Cutter" Roundabout. Restrict the housing development to the western end of the fields adjacent to the A3(M)
- A Technical assessment on the major Safety Hazards arising from shared surface between 2 blind bends in Lower Road identifies major mathematical errors in the submitted i-Transport Statement with startling different results to i-transport's "calculations". This significantly under estimates traffic flow.
- There have been a number of recent near misses, incidents and one accidents (no one damaged)

  Officer comment: *The National Planning Policy Framework (NPPF) at Paragraph 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The highway submission in respect to the application has been reviewed is considered to appropriately address the highway considerations and safety issues.*

  Additionally, HCC Highways have reviewed residents' technical assessment and advised that:- The Highway Authority has independently assessed the implications of the development and has reached its position having reviewed several factors, including vehicle speeds, inter-visibility between pedestrians and vehicles, accident history and traffic volumes to consider both the existing and forecast interaction between pedestrian and vehicles. As set out in our previous response, the Highway Authority is satisfied that the additional vehicular, pedestrian and cycle trips generated by this development are not considered to compromise the existing operation of the road.

Drainage and Flooding Issues

- Drainage issues, SuDS, Southern Water discharges into Chichester and Langstone Harbours are already a problem
- Site floods in heavy rain and Poor drainage regularly leading to up to half the road being flooded at the south-most bend, forcing southbound traffic onto the wrong side of the road as they approach a blind bend
- In the submitted FLOOD RISK ASSESSMENT & DEVELOPMENT DRAINAGE STRATEGY:
  Para 4.17 Artificial Sources states "no recorded incidents".
  The "18 inch" water main serving Hayling Island from the Portsdown Hill Reservoir along with the sewer under Lower Road ruptured flooding Old Manor farm properties and the north side of the H20 development site with contaminated water. There was months of disruption. This disingenuous omission questions the reports accuracy.
  4.25 "no flooding from sewers in the last 10 years". There is a section of Lower Road, that floods after every significant rainfall several times a year. Occasionally filling the whole carriageway. The developers, Bargate Homes are well aware of this problem having had it brought to their attention at DCF44
  Officer comment: *The foul and surface water proposals have been developed in consultation with the Environment Agency (EA), the Local Lead Flood Authority (LLFA) and the Southern Water (SW). The system has been designed in accordance with guidance which requires assessment against a 1 in 100 year event, plus a 40% allowance for climate change to mitigate any residual risk of surface water flooding to the site in its developed state. Connection to the Southern Water foul sewer would be the subject of an agreement with SW.*

Impact on Ecology, Natural Features and Environment

- The proposal would completely compromise the whole of H05A. No mitigation has been proposed against the loss of this SW&BGS study field H05A which is designated as a Secondary Support Area contrary to Policy E16.
- Assessment in support of planning applications should consider whether the cumulative effects of all proposed residential development, located within the zone of influence, in combination could lead to significant adverse impacts on the integrity of the European sites and water quality
- Loss of hedging for access. This is a greenfield site, development will degrade the value of the area for our wildlife which is already under pressure from climate change
- Fields opposite Lower Road are also a site for wildlife whose habitats are under increasing threat by the ever-constant building
- Brent geese are known to have used this field for feeding in the past, and are a threatened species.
- We are very concerned that using this site for development further depletes the capacity of the area to support birds and wildlife. Also, the further irreplaceable loss of grades 1 and 2 agricultural land is noted.
- As part of the mitigation package we would recommend a selection of bird nesting boxes and swift bricks designed into selected houses and a more generous tree planting programme.
- The light pollution that will occur within the night sky of the rural coastal strip that stretches along this part of the railway and A27 corridor and that could impinge upon the habitat of protected bats.
  The wildlife of the area has become far more noticeable during lockdown. We should be doing all we can to preserve good agricultural land and habitats for wildlife. An alternative use of the land could be to re-wild the whole area from the

A3(M)/A27 to Mill Lane and create a natural reserve with paths for walkers and families, connecting with the route to Broadmarsh Coastal Park.
Officer comment: *The proposal provides for ecological mitigation and enhancement and the key consultees including Natural England, and HBC Ecology, subject to securing these through conditions and a S106 agreement, support the proposal*

Residential Amenity

- Adverse health impact from air and soil pollution (nitrate saturation from agricultural use), noise and anxiety for future occupants of developing a site near major road, train station and flood zone
- Heavy goods vehicles would arrive before the conditioned work start time of 8am and park in local residential area streets, often with engines running, till they were allowed on site; If permission is granted for this application a meaningful Condition must be established to prevent this happening again.
- Why are there no electric charging points being provided
- Access to the adjoining field should be from down Lower Road past the Manor Farm buildings as the proposed access road takes it past the play and residential areas
- Overlooking, loss of privacy and over dominance
- Waste water collection in "ponds" should be assessed as there is a theoretical risk of foreign disease carrying insects being attracted to and inhabiting the ponds with global warming.
- The precedent set in items 2 & 3 of decision notice of APP/14/01040 (restricted opening and obscuration of all north facing windows, including ground floor) should be applied equally to the proposed new development. It should also be noted that the western elevation of the same property was required to be windowless, providing privacy to the western neighbour, and again this precedent should be continued in the new development.
- Inadequate consideration of the impact on the lifestyles of this mature community
- The development would overwhelm Lower Road.

Officer comment: *The development has been designed to accord with the guidance set out in the adopted Borough Design Guide meeting the requirements for garden sizes and privacy within the development and in relation to existing dwellings .*

Other Issues/comments

- The wildlife has become far more noticeable during lockdown and existing habitats, such as this site should be protected and enhanced.
- Inadequate preliminary archaeological investigation of the site.
- Narrow Marsh Lane is of archaeological and historical merit and should not be 'built over'. Rather it should be preserved and re-opened as a historical right of way allowing access to the lower end of Mill Lane and thus Langstone Harbour. It should be designated as heritage assets and for their inclusion in Old Bedhampton Conservation Area
- Adverse impact on the Conservation Area will adversely impact Tourism, as the area is highly valued by visitors.
- Enclosure will create a lack of integration with the established community
- Properties will not be affordable

In addition to the above, detailed reports and letters have been received from local residents in respect to the Conservation considerations, Transport Assessment and consideration, and the Policy position. These have been assessed by the Conservation Officer, the Highways Authority and the Planning Policy team, whose comments in respect to the proposal are set out in the Consultee responses above.

Matters raised which are not material planning considerations

- Loss of property value
- Loss of a private view/outlook

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 measures to control the impact on the environment during construction of the development. 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, Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 (August 2019), which reflects NEs current advice.

7.5 The Council's adopted Position Statement on Nutrient Neutral Development sets out that for development on agricultural sites, such as this one, that it would be expected that on-site avoidance and mitigation measures would be used to achieve nutrient neutrality. Natural England have produced 'Advice on achieving nutrient neutrality for new development in the Solent region'. This sets out a methodology to calculate the nutrient emissions from a development site. The applicant has used this methodology to calculate the nutrient emissions from the site. This calculation has confirmed that the site will not emit a net nutrient load into any European Sites. The budget prepared, which has been corroborated, shows that the site will in fact lead to a net reduction in the nutrient load emitted from the site into any European Sites.

7.6 Achieving a position where there are no net nutrient emissions into European Sites from this development involves the use of specific on-site avoidance and mitigation measures. Appropriate planning and legal agreement measures will be necessary to ensure it will not revert back to agricultural use, or change to alternative uses that affect nutrient inputs in the long term.

Wintering Birds

7.7 The principle of establishing permanent refuges for overwintering birds is a key feature of the most-recent Solent Waders & Brent Goose Strategy (SWBGS) and the Pre-Submission Havant Borough Local Plan 2036. 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 Secondary Support Areas, such as here at Lower Road the principle of mitigated loss through a financial contribution is acceptable. The applicant has agreed to provide a mitigation package of £329,036.40. This is in line with the methodology of the SWBGS. This element of the mitigation package will need to be secured through legal agreement.

Construction impacts

7.8 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

7.9 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.

7.10 In other respects, and having regard to the relevant policies of the development plan and all other material considerations it is considered that the main issues arising from this application are:

(i) Principle of development
(ii) Nature of Development
(iii) Impact on heritage asset
(iv) Impact on the Character and Appearance of the area
(v) Residential and Neighbouring Amenity
(vi) Access and Highway Implications
(vii) Flooding and Drainage
(viii) The Effect of Development on Ecology
(ix) Impact on Trees
(x) Impact on archaeology
(xi) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) Principle of development

7.11 As required by section 38(6) of the Planning and Compulsory Purchase Act (2004), applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan

7.12 The Development Plan consists of:
Havant Borough Local Plan (Core Strategy) (2011), the Havant Borough Local Plan (Allocations Plan) (2014), both of which cover the period until 2026. The development plan also includes the Hampshire Minerals and Waste Plan (2013). These plans continue to form the basis for determining planning applications in the Borough. The application site is located adjacent to, but outside of, the urban area. Policies in the adopted plans support appropriate residential development within the urban areas. “Exception schemes” are only supported in the countryside. This is not an exception scheme and the site is located in a non-urban area. Therefore, this application does not accord with the development plan (it has been advertised as a departure from it). Planning permission should therefore be refused unless other material considerations indicate otherwise.

Pre-submission Havant Borough Local Plan

7.13 The Council published the Pre-Submission Havant Borough Local Planfor public consultation between 1 February 2019 and 18 March 2019. The publication of this document followed a long period of public engagement between 2016-2018, including the now revoked Local Plan Housing Statement. The Lower Road site was one of those identified for ‘early release’ as part of the Local Plan Housing Statement, which was part of the site’s evolution. The emerging plan includes the Council’s proposed new housing allocations. The application site is identified within Policy H20 for residential development, capable of accommodating 50 residential dwellings. The application site is identified as one of those necessary to deliver the identified housing need for the Borough.

7.14 Therefore, while the site lies outside the urban area, as defined by policy AL2 of the

Havant Borough Local Plan (Allocations) and Policy CS17 of the Havant Borough Local Plan (Core Strategy) it nonetheless was a site identified for early release in the Local Plan Housing Statement, is one of the sites identified for allocation and forms the direction of travel for the emerging Local Plan.

Consistency with the National Planning Policy Framework.

7.15 The Secretary of State's National Planning Policy Framework (February 2019) is a material consideration which should be placed in the s.38(6) planning balance.

7.16 The NPPF's primary objective is to promote sustainable growth and development through a "plan-led" planning system. Paragraph 11 of the NPPF advises that a presumption in favour of sustainable development is seen as the golden thread running through both plan-making and decision making, which means; "approving development proposals that accord with the development plan without delay, and; where the development plan is, absent, silent, or out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

7.17 A robust assessment has taken place of land in the Borough to inform the Pre-Submission Havant Borough Local Plan through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. At the time of consideration of APP/19/00427 this demonstrated that at that time there was sufficient deliverable and developable sites upon which to meet the Borough's housing need, and the assessment of the application site by officers found it to be free of any significant constraint and capable of delivering houses in the short term. Since then the five year housing land supply has been updated (December 2020) and indicates the Borough now has a housing supply position of 4.8 years with a 5% buffer applied. This is below the five year supply threshold.

Five year housing land supply and delivery of housing need

7.18 The Government has an objective of significantly boosting the supply of housing. Under paragraph 73 of the NPPF, Havant Borough is required to have a rolling five year supply of deliverable housing sites. If this is not in place, then Paragraph 11 of the NPPF sets out that, in applying the presumption in favour of sustainable development, proposals for development should be granted permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. These areas and assets are set out in footnote 6 of the NPPF. The application site in question is not within any of these areas, however it does lie directly adjacent to a designated heritage asset;
  or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.19 The Borough's five year housing land supply was updated in December 2020. This shows that the Borough has a 4.8 year housing land supply with a 5% buffer applied and so does not have a five year housing land supply. This compares to a 5.4 year housing land supply which was the position at the time Application APP/19/00427 was determined.

7.20 The development proposed by this planning application is included within the housing land supply calculations and is equivalent to 0.1% of that supply. As such, without the

proposed development at Lower Road, the Borough would have a 4.7 year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application. As stated above, the changed 5 year supply position is a consideration which did not apply to the determination of the earlier Application APP/19/00427.

7.21 As such, notwithstanding that the site is located outside of the urban area in the development plan and is located in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development and it would also deliver measurable economic and social benefits.

7.22 The site is required to feed into the on-going requirement of the Borough for deliverable housing land to address the Borough's housing need, which is now more pressing given that the housing supply position has fallen below the five year requirement set out in the NPPF.

7.23 On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development. The justification for this conclusion is set out in more detail in the paragraphs that follow.

Deliverability

7.24 The NPPF, in annex 2, clarifies that:
"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."

7.25 An Infrastructure Delivery Statement (IDS) which considers the supply of water, electricity, gas and telecommunications to the site, in consultation with the utility providers has been provided for this site. This concludes that the development could be supplied with normal network service supplies without prohibitive reinforcements to networks. As such there would not appear to be significant off-site infrastructure works arising from the development which might delay the implementation of the development. Therefore, there are no evident barriers to the development coming forward within the current 5-year period, which weighs in support of the scheme.

Environmental Sustainability

7.26 Introducing a housing estate to an undeveloped field would alter its character but it is concluded that this would have a limited impact, as any harmful visual impact of the development would be localised. The additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development, whilst resulting in harm, would result in less than substantial harm to the significance of the Conservation Area. This needs to be weighed against the public benefits, and is considered in more detail further in this report. Furthermore, the provision of habitat mitigation open space comprising play areas, allotment and orchard provision is of significant benefit to this application.

7.27 In terms of the location of the site relative to services and facilities there is a local shopping parade with Convenience store and Post Office (less than 1km), Recreation

Ground 1km, Havant Industrial Estate (1.9km), Bidbury School (1.9km), Havant College 1.8km. In addition, Bedhampton railway station is 1 km from the site, which offers stopping services towards Brighton to the east, London to the north-east and Southampton and Portsmouth to the west, and the site is well served by bus with service numbers 21 and 23 serving the bus stops on Bedhampton Road, approximately a 500m walk. These operate 7 days a week with up to 10 services per hour on a weekday providing a frequency service to Portsmouth, Havant and Southsea.

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

Economic Sustainability

7.29 One of the core planning principles of the NPPF is proactively to drive and support sustainable economic development to deliver, amongst other things, the homes that the country needs.

7.30 The application would result in benefits from construction employment and operations and Local Authority benefits. As with any new housing the proposed development would bring people into the area which would be a continuing economic benefit that would support growth in the local economy. In addition, the development would also create construction jobs, which would contribute towards the local economy. Furthermore, the proposed development would result in financial contributions being secured to offset certain impacts of the development, such as transport contribution towards improvements in the local network and contributions towards the provision of enhanced community infrastructure.

7.31 Provided they are appropriately secured and address the adverse impacts of the scheme, these elements are all considered to be benefits in the planning balance and overall it is considered that the development would be economically sustainable.

Social Sustainability

7.32 In accordance with the local plan development is only to be permitted where adequate services and infrastructure are available or suitable arrangements can be made for their provision. Where facilities exist, but will need to be enhanced to meet the needs of the development, contributions are sought towards provision and improvement of infrastructure. A development should also offer a mix of house types and tenures to ensure a balanced and thriving community. The applicant has been working with the LPA on a draft S106 and has agreed to the principle of the obligations sought.

7.33 The application proposes a range of house types, sizes and tenures would be provided, including 30% affordable housing (shared ownership – 5 and affordable rented - 10) in accordance with Policy CS9 of the Core Strategy. The Council's adopted Affordable Housing SPD is also a material consideration, as is the NPPF which aspires to "deliver a wide choice of high quality homes in inclusive and mixed communities to meet the needs of different people".

7.34 The proposal also proposes significant areas of open space, which has a variety of uses, which could be used by both new and existing local residents and is considered to be a significant benefit in the overall planning balance. Contributions would also be secured through the Community Infrastructure Levy to improve off-site community infrastructure in accordance with relevant adopted policies and the adopted SPD on Planning Obligations.

Education and Health

7.35 The capacity of local schools has been considered in assessing the proposed development and infrastructure requirements. Hampshire County Council, as the Local Education Authority (LEA), has advised the development site is served by Bidbury Infant and Junior Schools and Warblington Secondary School. Although the Bidbury pair of schools are full they only achieve this by out catchment recruitment. The yield from the development at Lower Road will be able to be accommodated at the Bidbury Schools without the need for any expansion as the out-catchment recruitment can diminish over time with these out-catchment pupils being able to be accommodated in their catchment school. Consequently, a contribution from the developers to provide any additional primary school places is not required. Similarly, there are places available at Warblington Secondary School to accommodate the yield of pupils at secondary age and, again, and a contribution to provide any additional secondary school places is not required.

7.36 The Early Years requirement was assessed in respect to APP/19/00427 and given the size of this site and low child yield expected from this development, it was considered that there was unlikely to be a significant additional load on the childcare market.

7.37 The NHS Clinical Commissioning Group (CCG) have previously advised in respect to APP/19/00427 that the resulting growth in the local population will inevitably seek registration with a local GP surgery and place additional pressure on existing NHS services; in primary, community and secondary care settings. The CCG have outlined that the increased demand will be accommodated by the existing GP surgeries at Bosmere Medical Practice, The Staunton Surgery and Homewell Curlew Practice, however additional capacity within the premises will be required. As such a financial contribution was sought to enable those practices impacted, to make suitable building adaptions to facilitate this growth, and this will be secured through a legal agreement.

7.38 For APP/19/00427 the CCG considered that the application should be required to make an appropriate financial contribution to the provision of capital and revenue investment that the NHS will make in this regard. The requested contribution was £8,000 and this would be the subject of a legal agreement.

Prematurity

7.39 Concern has been expressed that the grant of planning permission would be premature in the terms of paragraphs 49-50 of the 2019 NPPF. They state: -

'…arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

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

7.40 In the light of this guidance, Officers are satisfied that the emerging plan, which has

not yet been submitted for examination, is not yet at such an advanced stage, nor is the development considered so substantial or its cumulative effect so significant, as to undermine the plan-making process. Therefore, prematurity may not be raised legitimately as a reason for not granting planning permission.

Undeveloped Gaps between Settlements

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

7.42 In conclusion on this issue,

(1) The scheme is contrary to the development plan
(2) National policy is a material consideration
(3) Housing supply at 4.8 years is below the five year supply threshold
(4) The presumption in favour of sustainable development applies
(5) The proposals would constitute sustainable development in policy terms.
(6) It is deliverable now.
(7) The scheme is not premature.
(8) Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan.

(ii) Nature of Development

7.43 The current application is for full planning permission for 50 dwellings with a single vehicular access off Lower Road. In respect of the proposal the following factors have been considered:

The density of residential development
The mix of dwelling sizes and tenures
The design and layout of the residential development

The density of residential development

7.44 The application seeks 50 No. dwellings which based on the developable area equates to approximately 22.6 dwellings per hectare(d/h). Core Strategy policy CS9 states that planning permission will be granted for housing proposals which (amongst other matters) *'Achieve a suitable density of development for the location, taking account accessibility to public transport and proximity to employment, shops and services in addition to respecting the surrounding landscape, character and built form'*.

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

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

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

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

7.46 Paragraph 6.23 makes it clear that *'It is not intended that density requirements should be too prescriptive as it is often a difficult balance between maximising the use of land and reflecting surrounding built character and the amenity of neighbouring residents. This is therefore best assessed through individual planning proposals through the development management process'*.

7.47 The NPPF states that *'To boost significantly the supply of housing, local planning authorities should, (amongst other matters) set out their own approach to housing density*'. Although this scheme represents a very low-density development, the proposed density of 22.6 dph is considered an appropriate density given the context of the site on the edge of the settlement, adjoining the Conservation Area, taking into account the character of the surrounding area, and site constraints such as the need for open space, protected trees, ecology, proximity to the A3(M), A27 and railway, and drainage requirements.

The Mix of Dwelling Sizes and Tenures

7.48 With regard to the type and size of proposed accommodation and its potential to create a mixed and integrated community, regard is to be had to Core Strategy policy CS9 which states that development should '*Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities*.' Paragraph 6.24 states that a mix of dwelling types is sought from terraces, semi-detached and larger detached houses. In this case, the proposal comprises a mix of detached and semi-detached houses and bungalows and short terrace housing. In terms of household size, the units vary in size from 2-bed to 5-bed accommodation. This is considered to be an acceptable mix for the site. 30% of the units comprising shared ownership units and affordable rent units would be affordable in accordance with policy CS9. The affordable units are located throughout the development, and in terms of building form they are reflective of the development in general, and overall are considered to be acceptably integrated.

The Design and Layout of the Development

7.49 The urban design qualities of the scheme pay particular regard to the character of the site layout in respect of storey heights, car parking/hardsurfaced elements, designing out opportunities for crime and having regard to its edge of settlement location and relationship with neighbouring properties. The proposed character of development comprises mainly 2 storey housing and a number of single storey properties adjoining a number of areas of open space. Garden sizes would comply with the supplementary planning guidance on this subject, and parking which overall complies with the adopted standards would be provided on curtilage or in small parking courts so as not to be over dominant.

7.50 Landscaping would include native open space trees, decorative street trees and native hedging species. The development has been carefully designed to retain the hedging on the boundary with Lower Road and new hedging would be provided to the site boundaries. In respect to the mature leylandii hedge/tree planting to the eastern boundary, ultimately this would be replaced once the proposed planting to the east has established. This additional replacement planting would comprise a similar mix to the

planting proposed to the east, namely; field maple, alder, oak and holm oak standards with a native understorey of field maple, hazel, hawthorn, holly and blackthorn to ensure a good mix of fast-growing and legacy species with native species for biodiversity and to respect the character of the paddocks to the east with the added screening benefit of evergreens, providing longer term benefit to both landscape character and ecology.

7.51 The layout has been influenced by its constraints including its proximity to the A3(M), A27, railway line and its siting relative to the Conservation Area. The layout is traditional in its form, with the proposed housing being designed to mainly address the roads, creating active frontages and a sense of enclosure to the new streets, together with overlooking of the public areas.

7.52 The proposed dwellings would be a mix of single and two storeys with pitched and hipped roofs, and in response to the character of the area and adjoining Conservation Area are of high quality design to be constructed of stock bricks, timber cladding with clay and slate tiles.

7.53 The development will provide significant areas of Public Open Space and overall the form of development is considered to have regard to the site's context and will form an appropriate transition from the verdant character of the surrounding area, into this development.

Pre-Submission Local Plan

7.54 The Pre-Submission Local Plan requires enhanced standards in certain policies, which are above and beyond current adopted policy requirements. An assessment of this scheme against these relevant emerging policies is considered below.

Vision and delivery strategy

7.55 Policy DR1 – Delivery of Sustainable development outlines the council's strategy with regards to delivering sustainable development as outlined in the NPPF. This policy outlines the amount of development required, ensuring the delivery of sustainable development, ensuring appropriate co-ordination of development. In addition, the policy focuses on innovation and the acceleration of housing delivery.

7.56 Policy DR2 – Regeneration outlines the Council's vision for regeneration. This encompasses both a Council led programme of regeneration and the effective use of brownfield land. This policy also focuses on boosting local skill levels and community integration. As part of this element the policy outlines that developments of this nature will contribute towards a community officer, to help new residents in the development integrate into existing communities. Following negotiations with the applicant, they have agreed to make this contribution, and as such this application does comply with this emerging policy.

Infrastructure Policies

7.57 Policy IN2 – Improving Transport Infrastructure requires amongst other strategic transport requirements to facilitate the proposed development within the plan. In this case the application proposes off-site transport enhancements to the footpath provision/crossing points along Bidbury Mead to improve safety for pedestrians.

7.58 Policy IN3 – Transport and Parking in new development broadly follows the requirements of adopted policy CS20 of the Core Strategy. This proposal does fully comply with parking standards for each dwelling, and visitor parking. . This policy additionally requires that electric vehicle charging infrastructure is provided for each residential unit with private off-street parking. The plans provide the infrastructure for

electrical charging points for all garages to private dwellings, and sites with private parking which equates to the majority of the plots.

Environment Policies

7.59 Policy E9 of the emerging Local Plan provision of public open space in new development - seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through requiring the provision of a certain level of public open space. This policy requires that public open space is provided to a standard of 1.5ha per 1,000 population and on greenfield sites, part of this requirement is provided in the form of a community growing space. This generates a need of approximately 0.3 ha of open space. The proposal includes extensive areas of open space totalling approximately 1.59ha which includes central open space, southern open space with community orchard and children's allotments. As such this proposal significantly exceeds the requirements in the emerging policies.

7.60 Policy E12 – Low Carbon Design seeks to ensure that new development addresses climate change through low carbon design. In residential schemes, this requires a reduction in CO2 emissions of at least 19% in the Dwelling Emission Rate compared to the Target Emission Rate required under part L of Building Regulations. In addition, the policy seeks to ensure that the development has demonstrated its long-term sustainability in the form of an assessment under the Home Quality Mark (HQM). The applicant has confirmed that this requirement will be fully met.

7.61 Policy E14 – The Local Ecological Network requires that new development results in biodiversity net gain. An ecology strategy has been developed that recognises the key nature conservation features of the site. A key part of the landscape masterplan is the proposal for a number of attenuation basins and swales which not only provide valuable habitat in their own right, but increase the value of existing, retained habitats. Additional features have been incorporated such as the creation of species rich grasslands and tree planting, together with the installation of bat and bird boxes and reptile refuges. These features have been designed to complement habitats in the wider area., and the development is considered to achieve net gain in biodiversity, over the existing agricultural use.

Housing policies

7.62 Emerging Policy H1 of the Local Plan seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through, inter alia, appropriate internal space standards for new dwellings.

7.63 The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25th March 2015.This statement should be taken into account in applying the NPPF. New homes need to be high quality, accessible and sustainable. The Council does not have an adopted Local Plan policy to require compliance with these standards. Policy H1 is proposed within Draft Local Plan which would secure new housing developments to provide adequate internal and external space to ensure appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. This application proposes that all 50 of the dwellings would comply with the Nationally Described Space Standards. As such this proposal fully complies with the emerging requirements in this policy.

7.64 Policy H3 – Housing density requires that development within the Borough provides minimum housing densities, depending on their location. This is to ensure that development maximises the finite amount of land in a full and sustainable manner. The proposal delivers 22.6 dwellings per hectare based on the developable area of 2.21 ha. Whilst this is below the minimum of 40 dph expected by the emerging policy, it is

consistent with the proposed site allocation under Policy H20 for ‘about 50 dwellings’. Given the context in respect to the setting of the Conservation Area and the amount of development it is considered appropriate and accords with the figure in the draft allocation.

7.65 Policy H4 - Housing mix outlines that development will be expected to provide a range of dwelling types and sizes to meet identified local housing need; and incorporate approximately 35% as two-bedroom homes as part of the overall housing mix mix unless locally identified need evidence indicates an alternative approach should be taken. This proposal does provide a range of 2, 3, 4 and 5-bedroom units. The proposal provides 22 two-bedroom units, which is 44 % of the total number of homes. As such this proposal complies with this emerging policy.

7.66 In conclusion on this matter, the Pre-Submission Havant Borough Local Plan has not yet been submitted for examination to the Secretary of State. As such in accordance with paragraph 48 of the NPPF, and having regard to extent to which there are unresolved objections, at this point, , it is considered that only limited weight can be attributed to the policies within it. Notwithstanding this, a number of relevant emerging policies have been fully or partially met, and this has been weighed into the overall planning balance made on this application.

(iii) Impact on Heritage Assets

7.67 The application site, whilst not within the Old Bedhampton Conservation Area, adjoins Farm Cottages which were included in the Conservation Area under the 2019 review. Local Plan policy CS11 - Protecting and Enhancing the Special Environment and Heritage of the Borough advises that development should protect and where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to consideration areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, building of local historic or architectural interests.

7.68 The Conservation Officer has provided a detailed response setting out the considerations in respect to the impact on Heritage Assets and this is reproduced below.

Policy Considerations

7.69 Section 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 Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

7.70 The recently published Good Practice Advice Notes 1, 2, 3 from Historic England, supersede the PPS 5 Practice Guide which has now been withdrawn by Government. The Historic Environment Good Practice Advice (GPA) in Planning Note 2, states at paragraph 4: The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

7.71 Of particular relevance for this application, given its location adjacent to the Conservation Area, is Good Practice Advice (GPA) Note 3 – The Setting of Heritage Assets. This note provides advice on understanding setting, how it may contribute to

the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting. This guidance note also advises that setting is not a heritage asset or a designation in itself, but its importance lies in what it contributes to the significance of the heritage asset.

7.72 The National Planning Policy Framework (NPPF) 2019 sets out the policies that the Council must take into account when determining planning applications. The NPPF sets out, in Section 16, the proposals regarding Conserving and Enhancing of the Historic Environment. The following paragraphs are of particular relevance:

7.73 Para. 189 advises that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting.

7.74 Para. 192 advises that in determining applications, local planning authorities should take account of:

a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
b) The positive contribution that conservation of heritage assets can make to sustainable communities including economic vitality; and
c) The desirability of new development making a positive contribution to local character and distinctiveness.

7.75 Para. 194 states that any harm to the significance of a designated heritage asset requires clear and convincing justification. It should also pass certain tests depending on the magnitude of harm caused.

7.76 Para. 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed up against the public benefits delivered by the proposals.

7.77 Current Local Plan Policy CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) at section 4, advises that planning permission will be granted for development whereby it protects and where appropriate, enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to Conservation Areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.

7.78 Policy DM20 from the adopted Allocations Plan 2014 advises that planning permission will be granted for development that conserves and enhances the historic assets of the Havant Borough and that a heritage statement is expected for developments which have the potential to affect heritage assets.

7.79 Emerging Policy E13 from the Draft Local Plan provides similar advice to existing Policy CS11, but also adds that where harm cannot be avoided, mitigation must be proportionate to the impact and the significance of the heritage assets and fully incorporated into the development proposals.

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Assessment

7.80 The NPPF makes clear the importance of identifying and assessing the particular significance of any heritage asset and explains that this needs to be taken into account when considering the likely impact that development proposals may have. The NPPF

also requires that '*a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it'*.

7.81 The NPPF also advises that *'the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.'*

7.82 In this regard the heritage assets are the Old Bedhampton Conservation Area and the listed and locally listed buildings which form part of the Conservation Area. The significance of the Old Bedhampton Conservation Area derives from a dispersed pattern of development, with expansive green spaces and fields to the East, South and South West. There is an eclectic mix of dwellings of varying styles and ages, reflective of the village's incremental historic growth. Overall, this results in an informal, loose knit appearance, which is reinforced by the network of narrow, often windy lanes and the predominance of mature trees and hedges, both within gardens and as property boundaries. This gives the Conservation Area a sense of tranquillity and rural character, in spite of its proximity to the more suburban development that sits to the west and north of the area.

7.83 Part of the analysis on the impact on setting, is to establish whether the setting of an affected heritage asset makes a contribution to its significance and the extent and/or nature of that contribution. Both setting, and views which form part of the way a setting is experienced, may be assessed additionally for the degree to which they allow significance to be appreciated.

With regards to the previous application, the heritage position was as follows:

7.84 The Conservation Area's setting to the south and south west is dominated by open countryside. The Conservation Area derives part of its significance from this setting, which contributes to the rural character of the Conservation Area and is important in supporting its historic separation, both physically and in terms of character, from 20th century developments that encroached onto the area.

7.85 The introduction of new dwellings south of Lower Road, will alter the landscape and increase the urban boundary southwards towards the railway line and closer towards Old Manor Farm, although this will be separated by a narrow landscape buffer and rear gardens of only single storey dwellings. The proposal would also extend development into the wider open countryside setting that contributes to the significance of the Conservation Area, diminishing the perception of largely unaltered rural surroundings.

7.86 However, as in the case of the impact on the setting of the conservation area, detailed above, it is considered that the overall extent of harm to the setting of the consideration area, would be **less than substantial.**

7.87 This view is formed by the understanding that the direct impact to the listed buildings and their immediate settings would be low and that the proposed development has

been designed in such a way that it would minimise harm (to a degree) through the proposed site layout.

7.88 The proposed development would be set back from the existing dense boundary hedgerow to the south of Lower Road and would be only marginally visible from further up Lower Road, when travelling south, moving outside of the conservation area boundary. The lowest density of housing is proposed near the Lower Road boundary and this will include extensive landscaping and be well spaced to provide a sense of openness and a rural character. Traditional style materials are proposed which is positive, which appear to be well suited to the palette of materials in the local vernacular.

7.89 Overall, it is considered the development would not either preserve or enhance the setting of the conservation area subject to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires planning authorities, when considering whether to grant planning permission for development which affects a Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

7.90 However, as the harm to the significance of the heritage asset can be moderated to a degree, it is concluded that less than substantial harm would result. In accordance with the NPPF, this is a matter which needs to be weighed against the public benefits of the proposal and the overall planning balance.

7.91 An updated Heritage Statement by Terence O'Rourke Ltd has assessed the impact on the nearby heritage assets including the recently extended CA boundary which now includes Old Manor Farm, which shares a boundary with the CA. It reiterates the measures taken to reduce the impact on the CA which includes; the location and layout of open space, retention of site vegetation and new planting, the landscape strategy, the forms of buildings, orientation and integration of parking areas and the variation of density and provision of setbacks from the road and Manor Farm. The lowest density development is proposed to the east of the site and gardens and hedges have been orientated to add an impression of spatial separation. It advises that the development has been set further back from the boundary with Old Manor Farm in order to preserve the views southwards. The connection to the agricultural and holding will remain with a dedicated farm access provided through the landscaped areas. The rural origin of the buildings and their historic and functional setting therefore will remain legible.

7.92 As with the previous application, these mitigation measures are recognised, and it is the view that the changes made to the scheme do not increase the level of harm to the CA which was identified in the first application.

7.93 The introduction of a wider landscaping and footpath buffer around the shared boundary with Old Manor Farm is an improvement. However, the number of dwellings remain the same and will still alter the landscape and increase the urban boundary southwards towards the railway line and closer towards Old Manor Farm, although this will be separated by a now wider landscape buffer and rear gardens of only single storey dwellings. The proposal would still extend development into the wider open countryside setting that contributes to the significance of the Conservation Area, diminishing the perception of largely unaltered rural surroundings.

7.94 Overall, whilst some improvements have been made and the mitigation measures are still proposed, it is considered that the overall extent of harm to the setting of the

consideration area, would be the same as before which is '**less than substantial'.**

Conclusion

7.95 It is considered the development would not either preserve or enhance the setting of the conservation area subject to Section 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 Conservation Area, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

7.96 However, as the harm to the significance of the heritage asset can be moderated to a degree, it is concluded that less than substantial harm would result. In accordance with the NPPF, this is a matter which needs to be weighed against the public benefits of the proposal and the overall planning balance.

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

7.97 In addition to the impact on Heritage Assets, it is necessary to consider the impact of the proposed scheme on its wider environs.

7.98 The site is within Local Character Area (LCA) 13: Historic Bedhampton and comprises Landscape Character Type H: Open lower harbour plain. The key considerations in this respect relate to:

- Protect existing natural and heritage assets and the character of the Conservation Area – this has been considered in section (v) above
- Taking design cues from the surrounding character area, avoiding suburbanisation and,
- Protect and enhance existing habitat and green infrastructure.

7.99 The application is supported by a Landscape & Visual Impact Assessment (LVIA) which considers the relationship of the proposed development to the existing landscape character and context of the site in terms of views of it. The LVIA notes that the site would have a strong relationship with residential properties in Lower Road occupying a 'settlement edge' and that the coniferous shelterbelt serves to separate the more sensitive Conservation Area from the proposed development site. The LVIA categorises the effects of development on difference parts of the LCA in terms of its severity and time frame over which the impact will be felt.

7.100 The LVIA assesses the impact under 3 areas, and concludes in respect to Area 1 (Old Manor Farm including application site), on balance, the proposed development would result in a high adverse magnitude of effect **mainly affecting the site** with the rest of the LCA less affected. Combined with a medium sensitivity, the overall landscape effect would be major/moderate adverse. This effect is considered significant in line with the methodology, and is to be expected as a result from development of the site. The remaining Area 2 (19th and 20th Century housing) would experience a low adverse magnitude of landscape effect; whilst Area 3 (Old Bedhampton Conservation Area (north)) would experience a neutral effect. In respect to the Wider LCA it is concluded that the impact would be moderately adverse, but would diminish over time.

7.101 The moderately adverse impact reflects the fact that the change from countryside to residential would be a clear, irreversible impact that would be incapable of full

mitigation, particularly when viewed close-up, however once developed and additional landscaping provided, the scheme would be viewed prominently through trees, or against the existing built up area such that the site would have limited impact on the wider LCA.

7.102 The impacts on visual receptors (dwellings and user of roads and footpaths), local residents and those travelling along Lower Road would be major/moderate adverse at the Site level only, reducing to low adverse/neutral with distance. Therefore, the effects would, at worst, be major/moderate adverse for the parts of the Site proposed for built development at the construction and operational stage (Year 1). This is due to the change in character from farmland to a residential.

7.103 However, as the planting associated with the green infrastructure areas matures through time, the landscape, ecology and visual effects would improve, so that at site level, these are expected to be no greater than minor negative due to the additional physical enclosure, landscape integration and visual softening and screening provided by the proposed planting. In turn, the effects on the parts of the character area surrounding the site would also be further tempered in the medium to long term. Furthermore, the development with a mixed planting of broadleaved and native species would provide enhancement through contributing to local green infrastructure.

7.104 In longer views from the south, views of the development site would be more distant and would be seen in the context of the existing development and overall the character and amenity of the panoramic views would be retained.

7.105 The proposed development would extend the defined settlement boundary, but given the landscape setting proposed and the characteristics of the surrounding land and the proximity of the existing development, it is considered that it would appear as a modest extension to the existing settlement.

7.106 Overall, it is considered that the layout responds to the constraints and natural assets of the site and the principle of residential development on this site is considered acceptable in terms of landscape impact and is not contrary to the objectives of saved policies or emerging planning policies.

(v) <u>Impact upon residential amenity</u>

Impact on existing residents

7.107 The main impacts in terms of residential amenity relate to the adjoining properties on the south side of Lower Road and the properties on the opposite side of Lower Road, together with wider traffic impacts which are considered further below in Section (vi).

7.108 In respect to the properties on the opposite side of the road these are elevated in respect to the application site and the road provides separation. As such the proposed development is not considered to result in unacceptable loss of light and overlooking. In respect to the properties adjoining the site boundaries to the north, and in particular Manor Barn, separation distances for habitable rooms achieve a minimum of 27m which exceeds the 20 metres distance set out in the Borough Design Guide SPD and additionally the proposed dwellings backing onto these properties are single storey. Hence there is not a requirement to obscure glaze or restrict opening. There would be an impact on outlook, but given the separation distances and single storey form of the proposed development adjoining this dwelling, a refusal on over-dominance could not be substantiated.

7.109 In respect to Farm Cottages, the nearest proposed dwelling is a bungalow which is set

off the boundary on falling ground and as such would not be over dominant, and in accordance with the Design Guide the separation distances between the existing and proposed dwellings are appropriate to retain amenity. As such there would be no significant loss of amenity to existing residents and the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

7.110 Regarding the general impact of increased traffic on the highway network the scale of development is relatively low and the road configuration limits speed, such that the associated loss of amenity is not so great as to support refusal.

Impact on future residents

7.111 Policy CS16 states that proposals for noise-sensitive development, including residential uses, which would result in the occupiers of such development being exposed to unacceptably high levels of noise will not be permitted. This policy is consistent with that of Paragraphs 170 and 180 of the NPPF, which respectively require that planning should always seek a good standard of amenity for existing and future occupiers of land and buildings, and that the planning system should prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, amongst other things, unacceptable levels of noise pollution.

7.112 A Noise and Vibration Impact Assessment has been provided taking into account noise generated from traffic on the A3(M), A27, and railway line. The noise assessment glazing and ventilation specifications have been determined and standard thermal double-glazing specification should achieve a satisfactory internal environment in all habitable rooms. The report concludes that development can be delivered without causing significant harm to the amenity of future residents. The assessment has indicated that vibration on the area of the site proposed for development is insignificant. A post construction verification condition is proposed to ensure compliance with this requirement.

7.113 The Environmental Health Officer has assessed the impacts including, air quality, noise, vibration and contamination and has raised no objection and is satisfied that subject to conditions a satisfactory environment for future residents can be achieved.

(vi) <u>Access and Highway Implications</u>

7.114 The National Planning Policy Framework (NPPF) at Paragraph 109 states that, in relation to development proposals, decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 of the NPPF also states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

7.115 The application provides for a Transport Statement which includes the Technical Note required by the HCCH in respect to APP/19/00427.. As part of this the following junctions have been modelled to 2024, including the ‘Forty Acre Farm’ site (planning reference APP/18/00450) as a committed development.

- Site Access/Lower Road;
- Brookside Road/Bedhampton Road; and
- Bedhampton Road/Bedhampton Hill Roundabout.

7.116 A subsequent sensitivity test has been undertaken to model the aforementioned junctions to 2024. Under this scenario, the Portsdown Hill Road arm of the Bedhampton Road/Bedhampton Hill Roundabout increases to a capacity of 0.92 and 1.08 in the AM and PM peaks respectively, where 1.0 would represent the theoretical capacity. Whilst the latter is noted to be overcapacity, this is primarily caused by background growth at the roundabout, with the vehicular traffic from this development predicted to only result in 1 additional movement every 4 minutes across the peak hours. The predicted vehicular flows through this junction in 2024 represent an overall increase in vehicular flow of 0.75% and 0.58% in the AM and PM peaks respectively. For this reason, mitigation from this development is not considered necessary or justified.

7.117 The accessibility work highlighted that a number of the identified schools sit close to the maximum preferred walking distance. As a result, a route to school audit was requested on the main route to these schools to understand whether there are any improvements required as part of this development to maintain safety and encourage sustainable modes travel to school. Through this assessment, a number of improvements were identified, as detailed in drawing number ITB12174-GA-007 Rev A. The Highway Authority previously reviewed these improvements, and this is considered adequate mitigation for the forecast increase in vehicular and pedestrian movements on routes to school. A S106 is required to secure a contribution towards the improvements.

7.118 Extensive representations have been received by interested parties raising concerns as to the highways impacts and related accessibility issues of this proposal. In particular concerns are raised that the existing highway network in the vicinity and in particular Lower Road is unsuitable for the extra traffic that would be generated by the development, with the absence of footways and presence of tight bends resulting in safety issues and conflict between vehicles and pedestrians with pedestrians having to walk in the road along Lower Road, Brookside Road and Bidbury Mead. Lower Road is a minimum of 4.7m wide, with a width of around 5.5m between the bends and Brookside Road. It generally has footways on one side although there are two short sections near the site without footways. Survey work carried out by the applicant identify that Lower Road, which has a good safety record, acts as a shared surface for motor vehicles, cyclist and pedestrians. This characteristic is not considered likely to alter with the development of the application site for 50 dwellings.

7.119 The concerns in particular relate to the intensification of use of these roads by vehicles including mobility scooters, cyclists and pedestrians including a 50m section of Lower Road with no footway. A number of improvement options have been explored; however, the limited width of the highway constrains what is achievable here. The Highways Authority has carefully considered the impact of the development on the current layout Vehicle use is forecast to increase by 26 trips in the AM and PM peak hours and pedestrian use by 12 in the AM peak and 8 in the PM peak. Vehicle speeds are low in the area, with 85th percentile speeds of 18.1mph eastbound and 15.7mph westbound (adjusted for wet weather). Hampshire County Council's safety auditor reviewed the impact of the development on this section of highway in respect to APP/19/00427 and considered that the safe operation of Lower Road would not be affected by the additional vehicular and pedestrian flows.

7.120 Additionally there is also an alternative walking route utilising Footpath 107, which is accessed from Lodge Road. However, this is only partially lit and surfaced and of restricted width, and whilst this offers an alternative route for some users it is not

accessible to all users.7.129 Lower Road does not contain a footway. To address this matter, a 2m wide footway is proposed internal to the site, linking to the junction with Lodge Road to the west via tactile paving. Signage towards Footpath 107 and Lodge Road would be provided. These improvements together with the improvements to the route to school satisfactorily address the concerns of the Highways Authority and as such it is considered that the development generated traffic can be satisfactorily accommodated on the local highway network and the residual impacts of the development falls well short of the “severe” test set by the National Planning Policy Framework.

(vii) Flooding and Drainage

7.121 The site is not located within an area at risk from flooding and the latest Environment Agency ‘Flood Zone Map’ (March 2019) indicates the site is located within the lowest risk category - Flood Zone 1. ‘Flood Zone 1’ is land assessed as having a less than 1 in 1000 (<0.1%) annual probability of flooding from a main river in each year and is not within an area of recorded river flooding. Additionally, the site is not at risk of flooding from all ordinary watercourses within the locality of the development, nor from tidal flooding.

Surface Water Management

7.122 The surface water management proposals have been developed in consultation with the Environment Agency (EA) and the Local Lead Flood Authority (LLFA) and comprise a SuDS scheme to collect, attenuate and convey the surface water runoff from the proposed development. Surface water from the development will be conveyed to the south of the site using swales which will connect into attenuation basins. The attenuation basins are linked to a borehole to dispose of surface water. The system has been designed in accordance with guidance which requires assessment against a 1 in 100 year event, plus a 40% allowance for climate change.to mitigate any residual risk of surface water flooding to the site in its developed state.

7.123 A management company is proposed, and a Section 106 Agreement will require full details of how the SUD’s are managed and maintained to ensure the optimum operation of the system.

Foul sewerage

Southern Water have identified that, without network reinforcement, the additional foul water flows from the proposed development may lead to an increased risk of foul flooding from the sewer network. However, Southern Water have also confirmed that it will provide any network reinforcement that is deemed necessary

(viii) The Effect of Development on Ecology

7.124 The site overall comprises a fairly typical area of south Hampshire farmland and is of generally limited ecological value. The site has been shown to support foraging/commuting bat species (primarily around the vegetated margins), a range of widespread bird species, and a small population of common reptile species.

7.125 The proposed landscaping scheme would provide a useful area of open greenspace within the south of the site. This will include areas of sown species-rich grassland, native hedgerow, trees and scrub and wetland features and should provide a valuable range of habitats. Mitigation measures are provided for the identified ecological receptors, entailing timing vegetation removal to avoid nesting bird impacts and the use of habitat modification to encourage the translocation of reptiles from the northern boundary

7.126 The site forms part of the larger Solent Waders & Brent Goose Strategy (SWBGS) Site H05a, which is listed as a Secondary Support Area. The proposed development will result in the loss of 3.85ha Special Protection Area (SPA) supporting habitat and a mitigation package comprising a mix of on-site recreational greenspace and a proportionate financial contribution equalling £329,036 towards the protection of the wider SWBGS network is proposed in accordance with the required SWBGS.

7.127 The Council's Ecologist and Natural England have confirmed that the proposed mitigation, compensation and enhancement measures are acceptable.

(ix) Impact on Trees

7.128 A number of poor quality trees are shown to be removed as they are unsuitable to be protected by a Tree Preservation Order. These include the TPO'd conifer belt on the eastern boundary, which are approaching the end of their life, and are non-native. The remaining trees on and offsite can be adequately protected during the course of development by the protective fencing proposed and the Council's Arboriculturalist has concluded that the tree work specified to be carried out in the method statement is appropriate and necessary. The trees to be removed are all of low grading, and as such should not be considered a constraint to development. They do however provide extensive ecological benefit to the site, and the proposed landscaping plans provide mitigation planting with native species. In summary provided that the methodology set out in the arboricultural reports is strictly adhered to there is no arboricultural objection.

(x) Impact on archaeology

7.129 The site has previously been considered for its below ground archaeological potential as part of an Archaeological Desk Based Assessment which was submitted as part of planning application APP/19/00427. Additionally an archaeological evaluation has been carried out and the results are set out in the archaeological evaluation report that is submitted with this application. This has identified that archaeological remains do exist at the site of late prehistoric and potentially also of Roman date. The results of the archaeological evaluation do not suggest an overriding archaeological constraint at the site. The impact of development on archaeological remains at the site can be mitigated by a programme of archaeological recording to be implemented prior to development commencing.

7.130 In terms of relevant nationally significant designated heritage assets, no World Heritage sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites are identified and the site contains no designated or undesignated heritage assets currently recorded.

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7.131 The representations received raise concern that the proposed development will result in potential destruction of archaeological material in respect to Narrow Marsh Lane. The County Archaeologist previously has assessed this matter and advised that *archaeology 'below' the lane is least likely to survive. Long lived routeways tend to be eroded features that cut into the ground and are brought back up by successive surfacing.* In respect to ownership of Narrow Marsh Lane the agent has confirmed that it falls within the land covered by the Notice to owners.

7.132 In conclusion, subject to a condition in respect to the submission and approval of a programme of archaeological investigation of the application site ahead of

development, there is no objection on archaeology grounds.

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

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

7.134 The development is CIL liable. Additionally, having regard to the consultation responses received and the planning considerations set out above a S106 Agreement will be required in respect of the following matters: -

1. Affordable Housing
2. S106 monitoring fee
3. Open Space, orchard, children's allotments and associated infrastructure should be provided by the developer and arrangements for maintenance incorporated in the Management Plan. Including measures to ensure that the open space in managed in a Nutrient Neutral manner
4. Solent Recreation Mitigation Strategy contribution currently £33,007.70975.70
5. SUDS bond
6. A contribution towards Health of £8,000
8. Mitigation Payment to the SWBGS of £329,036.40. for loss of secondary support habitat
7. Permissive paths
8. A contribution towards a Community worker of £12,500
9. Delivery of site access works via a S278 agreement, prior to commencement of development.
10. Financial contribution of £23,489 to be paid towards the route to school improvements identified in drawing number ITB12174-GA-007 Rev A prior to occupation of any dwelling.

8 Conclusion

8.1 The development site lies outside of the built-up area and is not provided for in current adopted Local Plan policy - as a result the proposal is contrary to development plan policy. The development plan is a pre-eminent consideration which must be outweighed by other material considerations in cases of conflict before permission can be recommended.

8.2 Notwithstanding that the site is located outside of the urban area in the development plan in the countryside, it is proposed for development in the emerging Havant Borough Local Plan. It is reasonably proximate to facilities and services. There are no overriding environmental objections to its development. It would also deliver significant economic and social benefits. Furthermore the Borough's five year housing land supply figure was updated in December 2020. This shows that the Borough now has a 4.8 year housing land supply with the necessary 5% buffer applied based on the results of the housing delivery test. The development proposed by this planning application is included within these five year supply calculations and is equivalent to 0.1% of that 5 year supply. As such, without the proposed development at Lower Road, the Borough would have a 4.7 year housing land supply, further reducing the ability of the Borough to demonstrate its required housing land supply. This is a material consideration of great weight, especially in the light of the acute need for

affordable housing and the 30 per cent contribution of this scheme, and falls to be part of the planning balance in the determination of this planning application. The changed 5 year supply position is also a consideration which did not apply to the determination of the earlier Application APP/19/00427. On that basis, officers consider that in the particular circumstances that prevail at this time, if the applicant's scheme is granted planning permission, it would constitute sustainable development, and this is a compelling material consideration, which indicates that that a decision could be taken that departs from the development plan.

8.3 The setting of the Conservation Area which lies to the south, and south west is dominated by open countryside. The Conservation Area derives part of its significance from this setting, which contributes to the rural character of the Conservation Area and is important in supporting its historic separation, both physically and in terms of character, from 20th century developments that encroached onto the area.

8.4 The introduction of new dwellings south of Lower Road will alter the landscape and increase the urban boundary southwards towards the railway line and closer towards Old Manor Farm (a locally listed building, within the Conservation Area), although this will be separated by a landscape buffer and rear gardens of only single storey dwellings. The proposal will also extend development into the wider open countryside setting that contributes to the significance of the Conservation Area, diminishing the perception of largely unaltered rural surroundings and as such must be taken into account in the balance of considerations. As such the development of this open site would have an adverse impact on the setting of the Conservation Area, although this has been found to be less than substantial, but must be taken into account in the balance of considerations.

8.5 In respect to listed buildings and their settings given the degree of separation and respective distances the direct impact of the built form would be negligible and any impact from traffic would replicate with those on the Conservation Area generally.

8.6 In respect to the landscape impact, the additional landscaping that is proposed would reduce, and mitigate to a degree, the landscape impact of the development and overall the development would not unduly affect the character and appearance of the wider area. In the longer term the replacement of the conifer tree line with native species would bring both landscape and ecological benefit.

8.7 The Appropriate Assessment concluded that the four avoidance and mitigation packages proposed are sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment. The applicant has indicated a willingness to enter into a legal agreement and appropriate conditions to secure the mitigation packages.

8.8 With regards to highways concerns, the proposal incorporates measures to improve road safety. Whilst these measures are limited owing to the existing constraints, the scheme, which has previously been subject to a Road Safety Audit, will allow connection from the site to Bedhampton and Havant providing acceptable sustainable access to the site and key facilities. Overall the impacts on the highway network could not be considered to be severely harmful to the safety or free flow of the highway network and as such the development should not be refused.

8.9 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of paragraph 11 of the NPPF, coupled with the Council's current

housing land supply position, it is considered that there are public benefits from the environmental, social and economic dimensions that can be captured from this proposal, and as such the proposal does constitute sustainable development. Accordingly, in what is a challenging and complex balance of heritage impact and sustainable development principles, and notwithstanding the development plan position in relation to the site, the application is recommended for permission.

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9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01031 subject to:

(A) completion of a Section 106 Agreement as set out in paragraph 7.134 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:

Planning

Application Form

Infrastructure Delivery Statement

CIL Assumption of Liability Form

CIL Additional Information Form

Planning Design & Access Statement

Affordable Housing Statement

Statement of Community Involvement

Architect's Plans

Location Plan 100Rev A

- 17.043.102 Rev U – Site Layout
- 5992-601-C- GENERAL HIGHWAY ARRANGEMENTS
- 200 Rev E- House Type A
- 201 – House Type B Rev D

- 202 – House Type C Rev D
- 204 Rev E – House Type E Rev
- 17.043.205 Rev E – House Type F terrace
- 17.043.205A Rev A – House Type F Terrace
- 17.043.205B Rev B – House Type F Terrace Affordable
- 17.043.206 Rev E – House Type F – Semi - Affordable
- 207 – House Type G Rev D
- 208 - House Type H Rev C
- 209 - House Type JRev D
- 211 - House Type K Elevations Rev C
- 212 - House Type L Plans Rev D
- 213 - House Type L Elevations Rev D
- 214 House Type M AFF Rev C
- 17.043.215 Rev E – House Type N – Affordable
- 17.043.216 Rev F – Car Barn and cycles
- 218 Rev C – Double detached garages
- 219 Rev C – Single detached garages
- 17.043.220 Rev E – House Type HA
- 221 – House Type AA Rev C
- 222 – House Type JA Rev C
- 223 – House Type ORev D
- 224- House Type A No Bay Rev B
- 231 House Type P
- 17.043.225 Rev C – Sub-Station
- 17.043.226 Rev C – Street Scenes 1
- 17.043.227 Rev C – Street Scenes 2
- 1860-TF-00-00-DR-L-1002 Landscape Rev U (sheet 1 of 5)
- 1860-TF-00-00-DR-L-1003 Landscape Rev U (sheet 2 of 5)
- 1860-TF-00-00-DR-L-1004 Landscape Rev U (sheet 3 of 5)
- 1860-TF-00-00-DR-L-1005 Landscape RevU (sheet 4 of 5)

- 1860-TF-00-00-DR-L-1006 Landscape Rev U (sheet 5 of 5)

1860-TF-00-00-DR-L-1007 Landscape Rev U (site wide)

- (MJA Consulting) Drainage Strategy Layout 5992:P01 Rev. G (14.10.19)

- (MJA Consulting) Level Strategy Layout 5992:P02 (Rev.)

- (MJA Consulting) Road and Sewer sections 5992:P10 (Rev.)

- (MJA Consulting) Surfacing Strategy Layout 5992:P05 (Rev. A)

- (MJA Consulting) Sections Through Attenuation Basin, Reed Bed and Wet Pond 5992:P11 (Rev. A)

- (MJA Consulting) Proposed Residential Development, Manor Farm, Bedhampton, Hampshire, SuDS Management & Maintenance Plan (Rev. B) Ref. SS/19/0185/5992 (MJA Consulting) Exceedance Flow Plan 5992:P06 (Rev.)

- (MJA Consulting) Manor Farm, Bedhampton, Surface Water Network MicroDrainage Calculations

- EV Charging point plan

Highways

Transport Statement 09 November 2020

Ecology

Ecological Assessment (Aluco), April 2019 and Addendum Oct 2020

Miscellaneous

Acoustic report provided by 24 Acoustics

Archaeological Evaluation Report March 2020

Archaeological written scheme of investigation (WSI)

Flood Risk Assessment & Development Drainage Strategy Rev C (MJA Consulting) November 2020

Bernie Harverson's Arboricultural Method Statement and Tree Protection Plan November 2020

Ground Appraisal Report (Ref GE16507-GAR-NOV17 v1.0 08/11/2017)

Noise and Vibration Impact Assessment 28 October 2020

SuDs management and maintenance plan

3 **<u>Landscape and materials</u>**

No above ground development shall take place until a further detailed Scheme

of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

i) Written specifications (including cultivation and other operations associated with plant and grass establishment,

ii) Planting methods, tree pits & guying methods,

iii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate,

iv) Retained areas of grassland cover, scrub, hedgerow, trees and woodland,

v) Manner and treatment of watercourses, ditches and banks,

vi) Details of all hard-surfaces, such as paths, access ways, seating areas and parking spaces, including their appearance, depth and permeability,

vii) Means of enclosure, in particular boundary walls and planting around properties and including their frontages, including any retaining structures,

viii) The type of street lighting including calculations, contour illumination plans and means to reduce light pollution

ix) A timetable for implementation of the soft and hard landscaping works.

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

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

4

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Ecology and trees

5

Prior to the commencement of development activities, a site-wide ecological mitigation strategy shall be submitted for approval to the Local Planning

Authority. This strategy shall be in accordance with the outline ecological mitigation, compensation and enhancement measures detailed within the Ecological Assessment and Addendum (Aluco, April 2019 and Oct 2020) and shall be in accordance with any submitted landscape, drainage and lighting strategies. All ecological mitigation, compensation and enhancement measures shall be implemented in accordance with the agreed details and maintained in perpetuity in a condition suited to their intended function, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

6 Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted for approval to the Local Planning Authority. The CEMP shall be informed by the identified ecological receptors detailed within the Ecological Assessment (Aluco, April 2019). Development shall be implemented in accordance with the agreed CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

7 Prior to any demolition, construction or groundwork commencing on the site the approved tree protective measures, including fencing and ground protection, as shown on Bernie Harverson's Arboricultural Method Statement and Tree Protection Plan November 2020shall be installed. Following this an on site pre-commencement meeting shall be held between the Arboricultural Consultant, Site Manager and the Council's Tree Officer prior to the commencement of development. No arboricultural works shall be carried out to trees other than those specified and in accordance with the submitted Tree Survey. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

Environmental

8 No development shall take place until a site-specific Construction Management Plan has been submitted to and been approved in writing by the Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved Plan shall be adhered to throughout the construction period. The plan should include, but not be limited to:

• An indicative programme for carrying out of the works

• Procedures for maintaining good public relations including complaint management, public consultation and liaison

• Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)

• The arrangements for deliveries associated with all construction works • Loading and unloading of plant and materials • Storage of plant and materials used in constructing the development

• Location of temporary site buildings, compounds, construction material, and plant storage areas

• Access and egress for plant and machinery

• Protection of pedestrian routes during construction

• All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 - 18.00 hours on Mondays to Fridays and 08 00 and 13 00 hours on Saturdays and; at no time on Sundays and Bank Holidays • Procedures for emergency deviation of the agreed working hours

• Control measures for dust and other air-borne pollutants • Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination

• The parking of vehicles of site operatives and visitors

• The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate • Wheel washing facilities

• A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of nearby residential premises during the demolition/ construction phase of the development and having regard to PolicyCS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Environmental – Soil, contamination

9 The development hereby permitted shall be carried out in accordance with the recommended Remedial Works and Contamination Discovery Strategy outlined in sections 11.2 & 13.0 of the Geo-Environmental Services Ltd. Ground Appraisal Report (Ref GE16507-GAR-NOV17 v1.0 08/11/2017), unless otherwise agreed in writing by the Local Planning Authority.

Prior to the occupation of any relevant part of the permitted development, a verification report shall be submitted to and approved in writing by the Local Planning Authority. The verification report must;

a) demonstrate the adequate segregation of made soils deemed inappropriate for use in private garden areas, and either the appropriate 'off-site disposal' or 'within-development placement' of this material to ensure that no unacceptable exposures arise, and;

b) document any assessments &/or remedial actions required to be taken in accordance with the Contamination Discovery Strategy, or if no actions were required; provide a positive declaration that no relevant discoveries of previously undocumented 'suspected contaminated' soils were made.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], contamination impacted soils have been identified within a discrete deposit at the site where contaminants are likely to exceed levels considered appropriate for use private gardens, allotments or soft-landscaped public amenity land. This condition aims to secure an appropriate use or destination for these soils, to ensure that no unacceptable exposure to harmful contaminants may occur.

Noise

10 The development shall be built in accordance with the noise mitigation recommendations outlined in Noise and Vibration Impact Assessment report provided by 24 Acoustics (Technical Report: R6954-1 Rev 2 dated 28th October 2020) attached to the planning application namely:
The specification measures outlined in Parts 5.7 - 5.10 of the report.

The agreed details shall be fully implemented, and validation test results submitted to the Planning Authority before the use hereby approved is commenced and/or any part of the development is occupied.

The measures are based on the units being of cavity masonry construction. Any divergence from this method of construction would require a further acoustic report to reflect the changes, to be submitted, as further mitigation measures may be required in that instance.

Reason - To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded in the interest of residential amenity and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Drainage and Flood risk

11 No development shall begin until a detailed surface water drainage scheme for the site, based on the principles accepted under application reference APP/20/01031, has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include:
o Provide unit type, and sizing for the Upflow unit and show it is sized adequately for the area it is draining. Please indicate type of unit (manhole or vault to be provided) and show this within the drawing.
o Due to the sensitivity of discharging to a deep borehole soakaway, please provide details of what emergency procedures would be in place to ensure an oil/contamination spillage is promptly dealt and the penstock shut-down mechanism activated to prevent any contamination from reaching the borehole.
o Provide details of the treatment level using the CIRIA Simple Approach Index level provided by the Multi-Stage Treatment Filter” from Hydro International unit. provided by the “Multi-Stage Treatment Filter” from Hydro International.
o Provide details showing how the top layer of the infiltration borehole will be

sealed details of what measures such as screening will be provided to prevent entry of debris into the borehole soakaways.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to reduce the risk of flooding from blockages to the existing culvert, and to reduce the risk of flooding to the proposed development and future occupants. This condition is required in accordance with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Local Plan (Core Strategy) 2011.

12 The development hereby permitted shall not be commenced until a scheme for water quality monitoring of surface water drainage discharging to the boreholes, has 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 ensure controlled waters (groundwater) are protected, and that there is no direct discharges of pollutants to groundwater in line with paragraph 170 of the National Planning Policy Framework, and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy).2011.

Highways

13 Prior to first occupation the visibility splays shown for the vehicular access and two pedestrian accesses shall be provided so that any obstruction within the splays between 0.6m and 3m above the level of the carriageway shall be removed. These splays shall be maintained in this condition thereafter.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

14. Prior to use at least the first 16m of access measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material and shall be maintained in this condition thereafter.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

15 A Construction Traffic Management Plan shall be submitted to, and approved in writing, by the Local Planning Authority (in consultation with Hampshire County Council Highway Authority) before development commences. This should include construction traffic routes and their management and control, parking and turning provision to be made on site, measures to prevent mud being deposited on the highway, adequate provision for addressing any abnormal wear and tear to the highway, and a programme for construction. Thereafter, throughout such site clearance and implementation of the development, the approved construction traffic access, turning arrangements, mud removal provisions, parking provision and storage compound shall be kept available and used as such.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve each individual dwelling hereby permitted shall be made fully available for use prior to that dwelling being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Archaeology

17 The development shall be carried out strictly in accordance with the submitted Archaeological Written Scheme of Investigation unless otherwise agreed in writing by the Local Planning Authority.

Reason: to establish the location, extent and character of any archaeological remains within the site and to secure the archaeological investigation of any archaeological remains identified and an appropriate reporting and recording of those results. and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

18 Following completion of archaeological fieldwork a report shall be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2019.

Water efficiency/sustainability

19 The development hereby permitted shall not be occupied until:

- 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
- 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.

20 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.

Electric Charging points

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

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

22 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order (as amended), no extension, building or structure permitted by Part 1, Classes A/B/C and E of the 2015 Order, as amended, shall be erected within the curtilage of Plots 1, 10, 11, and 22 to 28 inclusive without the prior written approval of the Local Planning Authority.
Reason: To safeguard the amenities of the Conservation Area and occupiers of neighbouring property and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011and the National Planning

Policy Framework.

Appendices:

(A) Location Plan
(B) Layout Plan
(C) Proposed site plan overlaid with previous layout – Nov 2020.
(D1) Street Scenes
(D2) Street Scenes
(E) Conservation Area Boundary