

Recommendation: **GRANT PERMISSION**

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

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

5 Statutory and Non Statutory Consultations

County Minerals

No response received.

Developer Services, Southern Water

Southern Water would have no objections to the above proposal.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Officer comment: Informative recommended

Hampshire Highways

Havant Borough Council agents had previously commented on the application, highlighting that additional information was required prior to making a recommendation on the planning application. In response to these comments, the applicant has now sent through further information.

Visibility Splays

The applicant has provided visibility splay drawings, shown on Google Maps, at both the existing access and the proposed location of the new access. These drawings are not suitable for comment, and it is advised that the applicant approaches a qualified transport engineer to provide more accurate and detailed drawings showing the visibility splays at both access points. A drawing showing forward visibility will also be required for vehicles travelling in both directions on Havant Road for both the existing and proposed access points.

Visibility splays will need to be based on measured speeds in this location and shown to the nearside kerb line. Whilst the applicant has suggested that speeds at the proposed new access location are between 20-25mph, speed surveys data has not been provided so therefore the appropriate visibility splays cannot be confirmed at this stage. For the proposed new access, speed surveys should be undertaken 60m either side of the proposed location. For the existing access, speed surveys should also be undertaken 60m either side of the access.

Vehicle Tracking

Annotated drawings have been submitted showing the routes of vehicle tracking at the existing and proposed access. These sketches are not of a suitable quality, and as per the comments regarding the visibility splays, it is advised that these drawings are produced by a qualified transport engineer and for the following vehicle sizes:

- Pantechicon – 9.57m in length 2.52m in width.

- Large Family Car – 4.89m in length 1.94m in width.
- Tractor - Size of largest tractor owned with a drawbar trailer.

Summary

The highway authority requires further information as listed below prior to making a recommendation on this application.

- Speed Survey data provided at the location of the proposed new access point.
- A plan showing the visibility splays of both the proposed and existing access based on speed survey data.
- Vehicle tracking drawings provided for the current and proposed accesses.

Further information was submitted and after re-consultation, the following response was received on 11 June 2020:

Thank you for re-consultation on the above planning application. Further to the Highway Authority's response dated 28th March 2019, the applicant has submitted updated plans for the proposed access onto Havant Road. The suitability of these plans is addressed below.

Vehicular Access

To address the comments raised in the Highway Authority's original response, updated access plans have been submitted to show the available visibility splays from the new access (drawing number RPF/192/105), the visibility envelope to the back of a vehicle queuing to turn right into the site (drawing number RPF/192/107 Rev A), tracking for an articulated vehicle (drawing number RPF/192/106) and a Stage 1 Road Safety Audit (RSA).

Visibility splays have been provided commensurate with the recorded speeds along Havant Road which are 32mph northbound and southbound. The tracking for an articulated vehicle shown in drawing number RPF/192/106 indicates that there is sufficient room for an artic to turn into the new access from Havant Road.

The Personal Injury Accident (PIA) data gathered for the surrounding road network indicated 6 accidents have taken place over the 5-year period of the data, an issue which was raised by the RSA. The RSA also commented on the restriction due to overgrown vegetation on the southbound forward visibility available to the back of the queuing vehicle waiting to turn into the site.

In August 2018, Hampshire County Council undertook retexturing works on the A3023 to reduce the number of accidents along the road. Since the retexturing works took place, only 1 accident has occurred across the study area, indicating that the works have improved driver safety along the A3023. The accident occurred on the northern bend on the A3023, away from the proposed access. As such, the provision of the new access into the farm shop would not exacerbate any existing accident trends within the vicinity of the proposed access.

To improve the southbound forward visibility to the back of a queuing vehicle, the hedgerow on the northern side of the carriageway will be maintained to stop any overhanging vegetation obstructing visibility. The applicant has agreed to approach the landowner to maintain the hedgerow throughout the year. Should this not be accepted, the Highway Authority will execute its powers under the Highways Act 1980 to ensure appropriate maintenance of the hedgerow in question.

The items raised within the Road Safety Audit are therefore considered to have been

suitably addressed and there are no further outstanding matters of concern to the Highway Authority.

To implement the access, the applicant should apply for a Section 184, details of which are available on the following link:

<https://www.hants.gov.uk/transport/developers/section-184>. To maintain the required visibility splays from the access, a suitable condition is required. The Highway Authority also require a condition for the access to be utilised by delivery vehicles to the farm shop only. Should vehicular access be required for any alternative reason, a separate planning permission should be submitted and the Highway Authority consulted on the proposals.

Recommendation

The Highway Authority raise no objection to the proposal subject to the following conditions:

Visibility splays as detailed in drawing number RPF/192/105 are to be maintained by the applicant to ensure sufficient sightlines are provided from the access.

Reason: In the interest of highway safety.

Access to the development is restricted to vehicles delivering to the existing farm shop. Any alternative usage for the access will require separate planning approval and consultation with the Highway Authority:

Reason: To prevent inappropriate or intensified use of the access.

Officer comment: Conditions and informative recommended

Highways Engineer, Development Engineer

The Highway Authority requires the following information;

1. A plan showing the sight available and the length of kerbing that needs to be dropped for the proposed vehicular crossing and the sight lines available at the site's existing road junction.
2. A plan showing the existing tracking of vehicles using the current access and the proposed crossing.
- 3 Information on the measured speed of vehicles using Havant Road at the proposed and existing farm access.
4. Traffic modelling will be required to assess the effect on the busy Havant Road by turning traffic using the proposed crossing,

Natural England Government Team

Biodiversity Mitigation and Enhancement Plan

Natural England recommend that the planning application is accompanied by an up to date ecological survey. In addition, we recommend that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been agreed by a Hampshire County Council (HCC) Ecologist. This will ensure the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement as set out in National Planning Policy Framework paragraphs 8, 170, 174 and 175d. The scope of the BMEP should be agreed with the HCC Ecologist and will need to consider great crested newts, reptiles, bats, hazel dormice, and nesting birds.

The application should include a consideration of what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

We recommend the applicants make use of the Defra biodiversity metric, which is a clear and methodical calculation for net gain in biodiversity for individual planning proposals.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Officer comment: Whilst the comments above have been noted, given the scope of the development it is considered the recommendations are not viable in this instance and it would be unreasonable to impose any conditions relating to the above advice.

County Ecologist

The application is not accompanied by any ecological information and I have therefore carried out my own, non-exhaustive desk-based assessment using the application documents, online sources and recent GIS mapping. The area of proposed works appears to contain established vegetation including a roadside hedgerow and areas of taller herbaceous vegetation and grassland. These habitats are likely to support legally-protected or notable species.

I would recommend that the applicant commissions a Phase 1 ecological survey of the site: this should include an assessment of the potential for the site to support protected species (to be provided by a qualified ecologist (see Natural England guidance on finding a suitably-qualified ecologist). The Chartered Institute of Ecology and Environmental Management (CIEEM) (www.cieem.net) holds a database of suitably-qualified ecologists.

NPPF, Circular 06/2005 and Natural England Standing Advice on Protected Species, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the LPA prior to determination, particularly in the case of protected species, which are a material planning consideration. This will enable the LPA to determine the application on the basis of full knowledge about the ecological impacts of the proposal and to ensure that any impacts can and will be mitigated, and are acceptable. 14/03/20

A Preliminary Ecological Appraisal was submitted on 2 July 2020 and after re-consultation, the following response was received on 3 August 2020:

Thank you for your consultation for the proposed access for farmland vehicles along the A3023, the application is supported by Preliminary Ecological Appraisal by Jenny Bennett Ecology (June 2020).

It is understood that the field containing the site was recently stripped of vegetation. While it is recognised that cutting of the field may be a regular part of agricultural operations, in the context of development, there has been a net loss of habitat. Based on aerial imagery, the field appears to have supported some well-established tall ruderal vegetation which was one of the few less managed areas of habitat in the vicinity.

The National Planning Policy Framework (NPPF, 2019) encourages measures that minimise 'impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF, 170, (D)). The 'environmental' dimension of sustainable development – the central tenet of the NPPF – is afforded equal emphasis to the 'economic' and 'social' dimensions. In addition to the NPPF, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

I would therefore ask that in addition to the enhancement measures made in the ecological report to plant the gaps of linear features with trees, compensation measures for the loss of vegetation are also implemented. I would suggest the most appropriate measure, in this case to contribute to biodiversity, would be for the applicant to restore an area of bare ground of at least 500m² to grassland habitat. This can be achieved by, seeding the ground with an emorsgate grassland mix and managing the grassland as a tussocky semi improved grassland. Information on meadow management can be found here;
<https://wildseed.co.uk/page/management-of-meadows-and-grassland>.

The ecology report has made recommendations to retain and protect the mature trees and scrub habitats close to the works, and that there shall be no proposed lighting to avoid impacts to foraging and commuting bats.

Provided that these measures are implemented, I would have no concerns over these proposals. If you were minded to grant permission, I would simply suggest that the following condition be added to the decision notice:

Condition:

Development shall proceed in accordance with the measures set out in Section 4 of the Preliminary Ecological Appraisal by Jenny Bennett Ecology (June 2020). In addition, compensation for the loss of established tall ruderal grassland shall include the restoration of grassland habitat of at least 500m² within the area of bare ground.

Reason; *In accordance with DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Local Plan.*

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: 10

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I support the making of a safe exit but I would like to see more detail about the hedging and the trees that will be added . They are on the plan 'existing screening maintained and new native hedging incorporated' - but a written commitment about what they are going to add - species ,size etc would be helpful. A new fence has already been put up and existing vegetation/ hedging cleared - will this be put back as part of the planning ?	See section 7.

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Highway implications
- (iii) Effect on the streetscene
- (iv) Effect on neighbouring properties
- (v) Ecology

(i) Principle of development

7.2 The application site is located outside the defined urban area on Hayling Island. Policy AL2 of the Allocations Plan sets out the criteria regarding development in such locations, and allows, in principle, for exceptional development in 'rural areas', set out in the NPPF, this proposal is a form of development, which is essential in the countryside to support the farming enterprise. As such the principle of development is

considered acceptable in this circumstance subject to its impact on the character of the area and other development management criteria as laid out in the Local Plan.

(ii) Highway implications

7.3 Havant Road, Hayling Island, the A3023 is a classified road and policy IN4 of the emerging local plan 2036 states:

a. Proposals for additional accesses onto classified roads, or an intensification of use of existing accesses, will only be permitted where the arrangements on the site allow vehicles to turn, so they can enter and leave the site in forward gear.

b. Notwithstanding criterion a), on the A3023 at Langstone and Hayling Island additional access points, or an intensification of use of existing accesses, will not be permitted, unless

i. they form part of a proposal to deliver a development site allocated in this Plan and the proposal includes a satisfactory highways mitigation scheme designed to minimise friction; or

ii. the access is specifically part of a transport mitigation scheme.

7.4 However, this policy only has limited weight at the time of the determination of this application and due process was followed to ensure the viability of the proposal.

7.5 As part of the application process, detailed discussions have taken place between the applicant and the Highways Authority and updated information was submitted in response to comments raised in their initial response. This information included plans to show the available visibility splays from the new access, the visibility envelope to the back of a vehicle queuing to turn right into the site, tracking for an articulated vehicle and a Stage 1 Road Safety Audit (RSA).

7.6 The Highways Authority confirmed the visibility splays are appropriate, however, to improve the southbound forward visibility to the back of a queuing vehicle, the hedgerow on the northern side of the carriageway will be maintained either by the landowner or the Highway Authority to stop any overhanging vegetation obstructing visibility. The tracking for an articulated vehicle indicates that there is sufficient room to turn into the new access from Havant Road.

7.7 The outcome of retexturing works by Hampshire County Council In August 2018 indicate that driver safety has been improved along the A3023. As such, the provision of the new access would not exacerbate any existing accident trends within the vicinity of the proposed access.

7.8 The items raised within the Road Safety Audit are therefore considered to have been suitably addressed and there are no further outstanding matters of concern to the Highway Authority. As such the proposal is not considered to have a significant adverse impact on the safety and freeflow of the highway network and complies with policy CS20 of the Core Strategy 2011.

(iii) Effect on streetscene

7.9 This part of Havant Road is semi-rural and it is considered a break in the fencing and vegetation to provide a new access is part of the nature of the immediate vicinity. Therefore, the effect on the street scene is considered to be acceptable.

(iv) Effect on neighbouring properties

- 7.10 The nearest residential properties are in excess of 45 metres away and there are no dwellings on the northern side of this part of Havant Road. Furthermore, extensive information has been provided to alleviate any concerns raised by the Highway Authority. Consequently, it is considered that the proposed new access would not be detrimental to the amenities of the occupiers of these neighbouring properties.

(v) Ecology

- 7.11 Following initial consultation, a Preliminary Ecological Appraisal was submitted on 2 July 2020. The submitted ecology report identifies that the site negligible potential to support protected or notable species. The ecology report has made recommendations to retain and protect the mature trees and scrub habitats close to the works, and that there shall be no proposed lighting to avoid impacts to foraging and commuting bats. The ecology team have requested that an area of land be set aside for grassland improvements, given the limited nature of the proposed development, that cutting of the field may be a regular part of agricultural operations and that it has been demonstrated that the site is not used for protected species, it is not considered reasonable to insist on this requirement, in accordance with the tests laid down in the PPG. The proposed enhancement measures, as outlined the ecologist will mitigate any impact of the development and is therefore considered acceptable.

8 Conclusion

- 8.1 The proposed access would not exacerbate any existing accident trends within the vicinity or result in any undue harm to the streetscene. It is therefore considered to be acceptable in principle and in terms of its impact on the character and appearance of the surrounding area and nature conservation and is therefore considered to be appropriate subject to conditions and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00083 subject to the following conditions

- 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 visibility splays as detailed in drawing number RPF/192/105 are to be provided and maintained at all times to ensure sufficient sightlines are provided from the access to egress the Highway network.
Reason: In the interest of highway safety in accordance with policy CS20 of

the Havant Borough Local Plan Core Strategy 2011.

- 3 The access hereby approved is restricted to vehicles delivering to the existing farm shop only. (Note to applicant: Any alternative usage for the access will require separate planning approval from the Local Planning Authority in consultation with the Highway Authority).

Reason: To prevent inappropriate or intensified use of the access onto Havant Road, which is sensitive in terms of traffic flow and generation, in accordance with policy CS20 of the Havant Borough Local Plan Core Strategy 2011 and emerging policy IN4 of the Havant Borough Local Plan 2036.

- 4 Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within Section 4 of the Preliminary Ecological Appraisal by Jenny Bennett Ecology (June 2020), unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be permanently retained and maintained in accordance with the agreed details.

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

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

Location plan

Drg No. 1 - Proposed block plan

Drg No. RPF/192/102 - Pantechicon Swept Path

Drg No. RPF/192/104 - Existing Access Large Articulated Vehicle

Drg No. RPF/192/105 - Revised Layout

Drg No. RPF/192/106 - Large Articulated Vehicle Swept Path

Drg no. RPF/192/107 - Additional Vehicles and SSD Stopped Behind Turning Vehicle

Speed Measurement Data

09/12/2019 - Northbound

Speed Measurement Data 09/12/2019 - Southbound

Stage 1 Road Safety Audit Report

Preliminary Ecological Appraisal June 2020

Reason: - To ensure provision of a satisfactory development.