



Planning Department
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

FAO: Daphney Haywood

11th September 2019

Dear Mrs Haywood,

PLANNING REFERENCE: APP/18/00724
LAND AT SINAH LANE, HAYLING ISLAND

I write further to the submission of the above planning application which was submitted to Havant Borough Council in July 2018 and most subsequently to our meeting with yourself and Steve Weaver on 7th August 2019.

Since the submission of the original application, external and internal consultation responses have been received which has resulted in a full suite of amended plans, submitted in July 2019.

For the purposes of this response, I have sought to address the points raised in your email dated 7th August 2019 (in numbered order) together with the consultation responses received following the submission of the amended plans.

1: Conformity with policies in the emerging draft Local Plan

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, determination of this planning application should be made in accordance with the development plan 'unless material considerations indicate otherwise'. For the avoidance of doubt, the statutory 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.

In February-March 2019, Havant Borough Council consulted on a pre-submission draft Local Plan. Paragraph 48 of the NPPF indicates that this, as an emerging plan, is capable of being a material consideration. Paragraph 48 confirms that the 'weight' that should be afforded to emerging plans is dependent on three factors:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

In relation to these 3 criteria, it is important to note that:

- (a) HBC have undertaken a 'Regulation 19' consultation and are satisfied that it should progress further, although it has not yet been submitted for examination and we understand this is not scheduled until at least November 2019¹.
- (b) HBC do not appear to have published the results of the consultation on the Submission Draft plan, and the degree of unresolved objections is therefore unclear;
- (c) The degree of consistency with the NPPF has not yet been examined, and in the absence of publically available representations on the Submission Draft plan, it is unclear what issues may have been raised on this by consultees.

Given this position, the draft Local Plan can be afforded some weight in the decision-making process, particularly in relation to its overall proposals for the amount, distribution and location of development. HBC has been clear as to its proposals in this respect, which flow on from the previous Local Plan Housing Statement and evidence base studies which confirm that the Sinah Lane site is suitable for

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828047/expected-plan-submissions-6-months.pdf

development. In order for the authority to sustain a sufficient 5-year supply of housing, it will be necessary for the application site to come forward early.

However, in our view it is not possible for HBC in determining this application to attribute full weight to individual Development Management policies. These policies have not been the subject of Examination, have evolved since the submission of the application, and are likely to evolve further.

Overall, as identified in the Statement of Compliance, this application performs well in relation to emerging Development Management policies in the draft plan. Insofar as there are differences from HBC's aspirations in the draft plan, there are sound material reasons for the approach taken. Hence, in the decision-making process HBC should take a balanced view and (under NPPF para 38) seek to approve this application for sustainable development.

Emerging draft Policy H1 – Nationally Described Space Standards (NDSS)

Whilst not all of the proposed dwellings meet the Nationally Described Space Standards, we have provided a schedule which highlights the proportion of dwellings which do meet the standards in accordance with emerging policy H1. Please refer to the NDSS House Type Area Check , which I attach to this letter. It should be noted that although the private units differ from NDSS, the affordable units overwhelmingly do. As stated within the updated conformity statement submitted, it should be borne in mind that Nationally Described Space Standards do not currently form part of the statutory Development Plan. They can only be applied once they have been through an examination in public as part of a Local Plan where impact on viability has been considered. This has not yet taken place and the process is unlikely to conclude for another 9-12 months. Accordingly, only limited weight can be given to the policy for the purpose of determining this application. We would also highlight a number of significant drawbacks with the NDSS approach:

- a. NDSS raises the prices of smaller new-build homes, by approximately 5%;
- b. NDSS leads to a reduction in the number of new homes per site (on average 7%) due to land-take requirements;
- c. This has a disproportionate impact in areas of higher affordability problems, particularly in the South East;
- d. NDSS does not, in Barratt's experience, actually address the most commonly expressed items of concern;

- e. There is no evidence that a smaller non-NDSS home, with a garden, adversely affects health and wellbeing compared with the same home built to NDSS.

Overall the intended draft policy requirement for NDSS should be afforded little weight in this application.

Emerging draft Policy H1 – private amenity space

Barratt David Wilson Homes considers that we have met the requirements of Policy H1 with regards to the provision of amenity space. As criterion (d) of that policy states, this refers to '*sufficient private and/or communal outdoor space*'. Following our meeting, we understand that the Council had concerns with regards to the private amenity space provision for the proposed flats and had requested the provision of balconies. As discussed, we have provided communal open space for the proposed flats at ground floor level which will be enclosed for use by the residents only. Based on the draft wording of H1(d), the provision of balconies is not required to demonstrate compliance with this policy. We would refer to Barratt's concurrent application at Forty Acre Farm, which has recently received a resolution to grant planning permission from HBC. This also included proposed flats and did not contain balconies. This scheme was assessed in accordance with the emerging Local Plan and on this basis, it is clear balconies are not required to demonstrate compliance with H1.

Emerging Policy E12- Low Carbon Design

Barratt David Wilson Homes are in full agreement with the principle of low-carbon design which lies behind policy E12. Efficient house design reduces energy consumption and helps to provide a more sustainable future for our customers and lower carbon emissions over the lifetime of the homes we build. To increase energy efficiency, reduce carbon emissions and lower energy costs for our customers, we follow a 'fabric first' approach to building design which maximises the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. A 'fabric first' approach includes higher levels of insulation, higher performing windows and doors, increased air tightness and maximising passive solar gains. We continue to review and apply new technologies that help deliver energy efficiency such as waste water heat recovery, improved insulation around windows and doors and energy efficient boilers. As a result, 98% of our housetype range currently in use are designed with the intention to meet an EPC rating of 'B' or above when constructed. This makes them eligible for the Barclays Green

Home Mortgage product, introduced during this year to provide an interest rate discount and additional incentive for customers to purchase an energy efficient home. When customers occupy their new homes they receive a guide to its sustainability features. All these measures we are undertaking are not only helping us safeguard the environment but are also positive for the customer in reducing their ongoing energy costs.

Whilst the application does not fully comply with the precise aspiration under E12(f) in relation to the 19% reduction compared with Building Regulations Part L, it should be emphasised that it is not currently possible for HBC to require this in relation to an unexamined draft policy, and in addition the appropriate vehicle for setting standards for building design is Building Regulations. However, HBC can be confident that the application is consistent overall with the aims of emerging policy E12 in relation to addressing climate change through low carbon design.

Emerging Policy IN3- Electric Charging Infrastructure

Consistent with our response in relation to low-carbon design, provision is made in this application for electric charging infrastructure, which will be provided for each new residential unit with a garage. Please see the attached plan (PL-13). Whilst not going as far as draft policy IN3(j)(i) which seeks to progress towards charging infrastructure on all dwellings with private off-street parking, this is a major step-change consistent with the aims of IN3 and has been included notwithstanding that this policy remains in draft, has yet to be tested and was published for consultation after the application was submitted. The grant of permission for this application does not preclude the later retro-fitting of further electrical charging points for other dwellings on the site at the post-occupation stage, and the proposed design and layout would enable this.

Emerging draft Policy DR2- Regeneration

Barratt David Wilson Homes acknowledge the requirements of Policy DR2 and agree to a financial contribution towards a community officer and the requirement to provide an Employment Skills Plan. This will be secured through the S106 Agreement.

2. Clarification of developable site area

I have attached for your information a copy of the Developable Area Plan (PL-12). The total area is noted in the key for ease of reference. Whilst it was raised at the meeting on 7th August regarding the provision

for allotments on this site, it must be acknowledged that the Councils Adopted CIL Regulation 123 list does state that Havant Borough Council may wholly or partly fund by the CIL, community and cultural facilities. As discussed, Barratt David Wilson Homes are committed to paying the CIL contribution for this development. However, and notwithstanding the above, we would be happy to review the requirement for allotments on this scheme. If you could advise us on the extent of the requirement for allotments that would be greatly appreciated, so that this can be reviewed.

3. Parking provision

With regards to the proposed parking provision, we have now reviewed the parking provision that was approved in relation to the Oysters development (Application Reference: APP/15/00919) against the parking provision proposed for the development at Sinah Lane- our assessment concluded the following;

Oysters

- The scheme which was approved was for 76 dwellings;
- The residential parking standards which were applied at the time the application was approved were the March 2010 standards;
- 178 spaces were provided in total for the development (171 for use by the residents and only 7 for visitor use) - the standards did not reference any guidance in relation to visitor parking.

Sinah

- The current scheme is for 195 dwellings;
- The standards which have been applied to the current application is the residential parking standards which were adopted in 2016;
- Barratt Homes are providing 411 spaces for residents and 39 visitor parking spaces.
- Barratt Homes are therefore providing 450 spaces in total, which is significantly more than the Oysters development.

We do not consider the requirement for an additional 83 spaces (as stated in your email of 7th August 2019) to be appropriate as this would inevitably compromise the high quality place that Barratt are seeking to achieve through the development. This would result in a “sea” of parking which would result in an undesirable appearance, thus resulting in the loss of landscaping in order to accommodate this provision, and precisely contradicting objectives relating to landscaping and avoiding large swathes of

parking. Landscape and design quality are provided for under development plan policy, whereas parking standards are secondary, being contained within SPD. As such, in our view it is the former that should take precedence.

We have also reviewed the requirements of the emerging Policy IN3 which states that development proposals will be permitted provided that provision is made for the parking of cars, motor cycles and cycles in line with the Councils standards which we are in compliance with. There are no figures referenced or stated within the emerging policy regarding parking provision which differs from the adopted standards and as such Barratt Homes considers that we are in full compliance with this policy. I would refer you to the Transport Assessment submitted with this application.

4. Landscaping

Barratt Homes do acknowledge the comments received by the Councils Landscape Team and have sought advice from our Landscape Consultant to identify whether any further street trees could be provided. I can confirm that the proposed strategy in relation to tree planting follows advice from the NHBC. If the tree species are to be replaced with larger native species as recommended in the consultation response, this is likely to affect the foundations of the proposed properties. Our consultants are currently reviewing their drawings to see if any further trees can be incorporated within the streetscape following the further comments received and we will update you on this in due course. However, and for the avoidance of doubt, Barratt Homes would be happy for the detailed soft landscaping for the scheme to be controlled by way of a formal planning condition. For your information, within the public open space, larger native trees have been included such as Oak, Beech and Wild Cherry.

With regards to the concerns raised regarding the additional northern access onto the Hayling Billy Trail and the request for construction details, I can advise that Barratt Homes would also be committed to this element being controlled by way of a planning condition.

In your letter you raise two areas where you consider there to be inappropriate 'swathes' of parking. As noted above we agree with the need to promote high-quality townscape and to avoid the dominance of parking, however we disagree that there is any concern in relation to the areas serving plots 72-75 and 88-91. We would highlight that:

- Each area provides 8 spaces which we do not agree could be considered a 'large swathe';
- 8 spaces is only slightly above the 5/6 that you indicate is a preference albeit as a 'general rule'

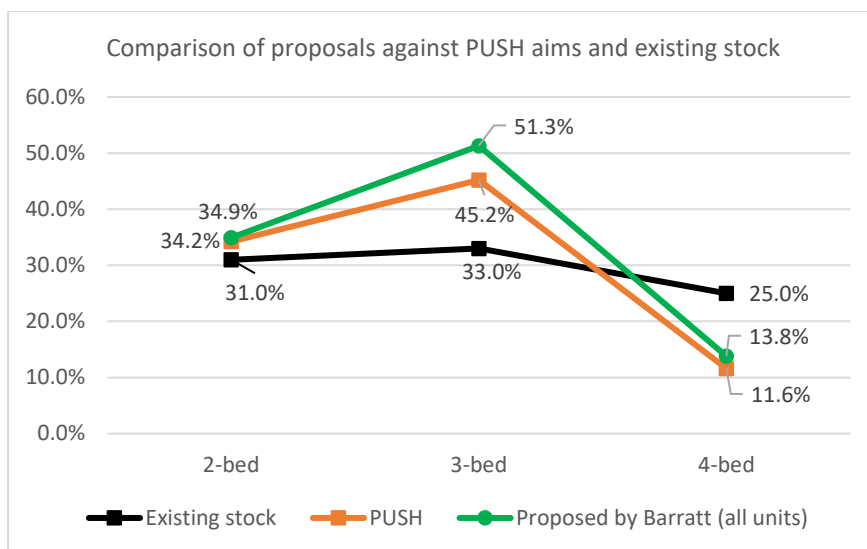
- Neither of these areas of parking has a prominent position in the layout of the scheme
- Both of the areas are book-ended by proposed planting which will enable integration with the landscape and townscape and promote a high quality environment.

5. Housing mix

As you have noted, the draft Local Plan (at policy H4) expects major development proposals to ‘provide a range of dwelling types and sizes to meet identified local housing need’, with the aim that over the plan period, new development will address perceived historic imbalances. In your email of 7 August you included a table which sets out our proposed housing mix alongside the mix sought in the emerging Local Plan, and the figures suggest an unfavourable comparison. However, it appears that this table is incorrect in relation to what is being proposed. For ease, I set out your original table below along with what we believe are the correct figures.

Dwelling Size	Existing built stock on Hayling*	OAN assessed by PUSH (%)	Imbalance between built stock and need	Proposed Housing Mix	Difference with OAN
2 bedrooms	31%	34.2%	-3.2%	~~21%~~ 34.9% (68 units)	~~-13.2%~~ +0.7%
3 bedrooms	33%	45.2%	-12.2%	~~60%~~ 51.3% (100 units)	~~+14.8%~~ +6.1%
4 bedrooms	25%	11.6%	+13.4%	~~19%~~ 13.8% (27 units)	~~+7.4%~~ +1.8%

On the basis of the correct details, the proposed mix in fact reflects policy aspirations very closely and it is therefore not necessary to incorporate any further 2-bed units as suggested. To assist in clarifying the position and proposals, we have prepared the table below which confirms that the application in fact rebalances the housing stock *more effectively* than is sought by the draft policy. I should note that this includes a variation to the affordable housing mix in which one dwelling (unit 128) is a 4-bedroom Shared Ownership dwelling, in lieu of a 2-bedroom unit of the same tenure and an amendment to plots 131 and 132 where they are now shown as shared ownership properties (resulting in a total of 19 shared ownership units as requested) as opposed to affordable rent properties. Amended plans have been submitted to reflect these changes and on this basis I have included for your information a revised amended plan schedule.



Other consultation responses received

RSPB- No principle objection subject to matters which are to be secured through the S106 Agreement.

Environmental Health – no objection on grounds of noise subject to conditions requiring Construction Method Statement and an Acoustic Report.

Environmental Health- Barratt Homes have reviewed the consultation response received from the Environmental Health team which focuses primarily on matters relating to contamination, drainage and air quality/emissions. We note that clarification is sought in certain areas and as such I have sought to address these concerns for you below;

Contamination- Please see below the response from our Geotechnical consultant regarding the contamination queries raised within the consultation response;

Results of Chemical Sampling of Groundwater from Boreholes completed with standpipes (BH 2, 6, 9,11 & 14) - assumed sampled on the basis of the following statement "...elevated concentrations of a wide range of potential soil contaminants have not been detected within the selected representative soil and groundwater samples recovered from the site."

Groundwater sampling was not carried out as part of the site works, although there were no visual or olfactory indications of groundwater contamination and no indications of raised concentrations of potentially mobile soil contaminants. Please let me know if this provides sufficient clarification or whether you require groundwater analyses to be undertaken. We can provide a revised text to the report to clarify this point, if that would be of assistance.

Results of PID screening of soil samples (headspace)

All results were below detection and we do not normally record these results for presentation within the report. When results above detection are detected, we routinely schedule VOC and SVOC analyses. Again, we can provide a revised text to the report to clarify this point, if that would be of assistance.

Results of Soil Gas monitoring - assumed undertaken on the basis of the following statement "...Limited soil gas monitoring carried out to date has not indicated..."

Results of gas monitoring are enclosed comprising three visits including one visit during a period of low atmospheric pressure.

Results of winter water level monitoring undertaken during 2016/17

Results of the 2016-2017 winter monitoring are included on the enclosed gas monitoring records.

Confirmation that drilling date for boreholes numbered BH1 - BH9 is a typographical error. If not, the report should explain the mis-match between the drill date and the analysis date.

I confirm that the date error is a typo. Revised logs are in preparation with the corrected date and can be issued with a revised report to include clarification of points raised above.

Drainage/SUDs- I have attached for your information a formal response from our drainage consultants.

Both the onsite surface water and foul water pumping stations are proposed to be offered for adoption to the Local Sewerage Authority. This is highlighted in Section 5.4.1 and Section 6 in the FRA report for the surface and foul water pumping stations respectively.

Further to this the pumping stations are designed in accordance with Sewers for Adoption which provide provisions for emergency storage within below ground tanks in the event of a pump failure. It should be noted that the pumping stations are all fitted with telemetry which provide notification to the Sewerage Authority in the event of failure which ensures that they can attend site and rectify any issues should these occur. Furthermore, the Local Sewer Authorities have an obligation to carry out regular inspections and maintenance on their pumping apparatus to ensure these continue to operation at their required standards.

The exceedance flow layouts in Appendix J of the FRA refer to the surface water drainage, and the potential flow routes in the event of an extreme storm beyond the required 1 in 100 year plus 40%.

This indicates that it is surface water run-off which would enter the swale system and attenuation basin not foul water. As noted above, in the event of a foul water pumping failure, there is emergency below ground storage provided as part of the proposed foul water network to allow the Local Sewer Authority to attend site to carry out remedial works and carry out appropriate actions to ensure that they meet their statutory obligations.

As such a shut off valve on the surface water system would not be recommended or proposed.

Transport- our transport consultants have now reviewed the response from the Environmental Health team and it appears the greatest concern with regards to transport matters is the traffic impact at the West Lane/Havant Road junction. In order to overcome this, Barratt Homes will be paying a wider strategic highway contribution which would fund improvements along the A3023 and as such no further studies have been completed. This contribution is intended to support Havant Borough and Hampshire County Councils plans to improve the A3023. As you are aware, we are still awaiting confirmation from Hampshire County Council on the contribution amount and we understand this is reliant on the submission of the Transport Assessment which is due this month. We also noted that reference is made in the consultation response to having not seen the Addendum Transport Assessment. On this basis, I have attached a further copy of this document and would appreciate it if this could be sent to the Environmental Health Team.

Natural England – no in principle objection raised subject to conditions requiring no percussive piling during bird overwintering period/the submission of an Ecological Mitigation and Enhancement Plan and further confirmation of the timing of the Wintering Bird Mitigation Area/commuted sum, which is to be secured through the S106 Agreement.

Planning Policy- We note from the consultation response received from the Council's Planning Policy Team that the principle of development of this site is broadly supported in policy terms, based on the emerging policy position in the Pre-Submission HBLP 2036. Barratt Homes do acknowledge that the Council are currently awaiting the addendum to the Transport Study which will further clarify the package for mitigation measures needed to make the Local Plan development acceptable in planning terms. However, I would advise that Barratt Homes are in continual dialogue with Hampshire County Council in order to progress the mitigation measures proposed and agree a wider strategic highways contribution.

We note that some points of clarification are required on certain aspects of the development and as such I have summarised these for you below;

Housing Density/Mix- These comments have been addressed above following the consultation response from the Councils Housing Officer;

Open space and food growing- I have attached for your information an open space plan (BDWS20660 13). This confirms that the development will provide 0.73ha which exceeds the Councils requirement. As discussed above, Barratt Homes are also happy to discuss the provision of Allotments in the north east corner of the site. We await further clarification from yourself in this regard.

Developer contributions- These matters have been addressed in the revised conformity statement and in the first section of this response.

Parking- As above, these matters have been addressed in the first section of this response.

Environment Agency- No objection raised.

Arboricultural Officer- No objection raised. T13 has been updated to be shown as retained as requested. I have attached a copy of the revised document for your information.

Langstone Harbour Board- An objection has been raised to the application by the Langstone Harbour Board by virtue of the Langstone Harbour Board Management Plan which states that the “open area around the harbour is part of the harbours landscape and nature conservation value and should be retained and managed for these purposes in association with the harbour itself”. Whilst we acknowledge this concern, we consider that the application is consistent with these aims, with the land adjacent to the harbour being retained as open space and with the built part of the site being positioned behind, and between, existing residential development away from the Harbour. As you know, the application has been assessed by a wide range of statutory consultees and the principle of development in this location is considered to be acceptable subject to conditions and a signed S106 Agreement.

Southern Water- No objection raised.

Ecology- No objection subject to conditions securing ongoing ecological mitigation, compensation and enhancement measures and confirmation of the RSPB Management involvement.

Building Control- No objection raised.

Local Lead Flood Authority- No objection raised subject to condition requiring detailed surface water drainage strategy.

CIL Officer- No objection raised.

Children's Services- No objection subject to education contribution of £872,320

Hampshire Fire and Rescue Services- No further comments.

County Archaeologist- No objection subject to conditions which secure the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation, and production of a fieldwork report.

Traffic Team- No objection subject to a financial contribution of £5000 towards a TRO.

I trust that the above response clarifies any concerns raised by the consultees. However, In the event you seek further clarification on any of the above information, please do not hesitate to contact me.

I would like to take this opportunity to advise that Barratt David Wilson Homes are committed in supporting Havant Borough Council in the delivery of new homes to achieve the housing requirement for the borough. A report to inform a Habitats Regulations Assessment has been submitted in support of this application which demonstrates that the proposed development will result in a net reduction in Total Nitrogen post-development and therefore there is no potential for an adverse effect on the integrity of the SPA from wastewater discharge, alone or in combination. As such, this site is considered to be nitrate neutral and can, and should, be brought forward imminently in order to deliver new homes for the borough.

With regards to the landscaping, as stated above we are currently in the process of reviewing the layout in line with the landscape officer's comment and hope to be in a position to submit any amended plans to yourself imminently.

Yours sincerely,

Harriet Pitney

Planning Manager

Barratt David Wilson Homes Southampton