June 2020

Land North of Sinah Lane, Hayling Island

Statement of Case for Barratt Homes

Appeal of planning application APP/18/00724

BARRATT HOMES

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1. Introduction

Overview and purpose of appeal

1.1. This Statement of Case has been prepared by Barratt Homes (the Appellant), in support of a planning appeal pursuant to section 78 of the Town and Country Planning Act (as amended). It relates to proposals for the following development ('the Appeal Scheme') proposed at Land at Sinah Lane, Hayling Island ('the Appeal Site'):

Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area

1.2. The appeal is made in the absence of a determination by Havant Borough Council (HBC) planning application reference APP/18/00724 for the above application, which was submitted in July 2018.

1.3. After extensive engagement between Barratt Homes (Barratt) and HBC officers on the Appeal Scheme, all key issues had been resolved to the case officer's satisfaction, such as to enable a positive recommendation to committee, and arrangements had been made to hold a committee on 26 March 2020 to determine the application, including the publication of a committee report on 18 March 2020, a copy of which is attached as Appendix 1 to this Statement.

1.4. However, by necessity in light of the COVID-19 emergency, this committee was cancelled at short notice. Subsequent extensions of time were agreed up to 31 May 2020, in the expectation that a remote planning committee could be held under new regulations which came into force on 4 April 2020. However, at the time of submitting this appeal HBC had not commenced remote meetings.

1.5. The proposals were the subject of a Screening Study and Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010, undertaken by the council in March 2020.

Summary of case

1.6. The appeal proposals have two elements: a much needed boost to the supply of housing to an area which cannot demonstrate a five year housing land supply and proposals to provide a Refuge Area for waders and Brent Geese to protect and improve the biodiversity and sustainability of the area for protected wildlife. The presumption in favour of sustainable development that underlies NPPF 2019 is engaged. The policies of the Framework that protect areas and assets of interest such as habitats and species are engaged but it is common ground with the council and the relevant consultees, including Natural England, the local wildlife trust and the RSPB that these interests will be protected and secured by these proposals so that no clear reason for refusing the proposals for the purposes of NPPF 11d)i) exist in this case. It is common ground with the council that the policies which are most important for the determination of the housing element of the application are out of date so that the tilted balance

applies so that the decision maker is required to find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. It is the view of both the appellant and the council that this test is met so that planning permission should be granted to the appeal proposals.

1.7. As recognised in the case officer's report to committee, numerous benefits would arise from a grant of permission, and there are no adverse effects of such magnitude as to outweigh them. Key considerations are;

i. As is common ground, HBC currently lack a 5 year housing supply and the Appeal Scheme is a necessary component of the Borough's housing supply moving forward and is included as such in the five year land supply published by the council;

ii. the Appeal Site is proposed for these forms of development in the draft Havant Borough Local Plan (LP2036) policy H29;

iii. the Appeal Scheme corresponds closely with the draft site-specific policy H29 in the LP2036; indeed policy H29 has itself been framed in response to the application;

iv. the Appeal Site is close to facilities and services, and is a sustainable location for residential development;

v. the Appeal Scheme would provide significant social benefits through market and affordable housing, which will contribute positively towards HBC's significant housing needs. It will also provide significant economic benefits with the provision of employment generation, both during the construction process, and subsequently through increased local expenditure. In addition, the development will provide new public open space for the benefit of new and existing residents;

vi. the Appeal Scheme will not harm any statutorily designated landscape or nature conservation sites and there are no other overriding environmental factors to its development'.

vii. The Appeal scheme can be accommodated in the landscape without significant harm to the character and appearance of the area and will not cause any significant harm to existing residential amenity.

viii. When account is taken of the proposed mitigation measures agreed with the Highway Authority it is agreed that the traffic generated by the proposals can be accommodated on the local highway network without any unacceptable impact on highway safety or severe residual cumulative impacts.

1.8. In summary, the Appeal Scheme fully accords with the NPPF's objectives of sustainable development in relation to its economic, social and environmental roles, and there no adverse impacts of the

development that would significantly and demonstrably outweigh the benefits so that they would significantly and demonstrably outweigh any harms, and we respectfully request that the Appeal is allowed.

Structure of this document

1.9. As an appeal for non-determination it is unknown to Barratt, at the time of writing, what stance the members of HBC will resolve to take to this Appeal. Barratt expect HBC to hold a committee at some stage during Summer 2020 to clarify this, and in particular whether to follow the officer's recommendation, or alternatively to identify putative Reasons for Refusal (RFR).

1.10. However given the officers' thorough assessment of the proposals resulting in a positive recommendation for the grant of permission to the Appeal Scheme, Barratt anticipate that there will (or ought to be) be substantial areas of agreement with HBC, as set out in the draft Statement of Common Ground (SOCG) prepared by Barratt and submitted with this appeal. Likewise Barratt anticipate that areas of dispute will be few.

1.11. For these reasons this Statement of Case is structured as straightforwardly as possible, following the line of reasoning and series of key considerations set out in the case officer's report to committee, and contains a high degree of overlap with the first draft of the SOCG.

2. Overview of appeal site and scheme

The Appeal Site

2.1. The site has an area of 12.64 ha and is located on Hayling Island, within the southern area of the island, known as South Hayling, and in the western part of the settlement known as West Town.

Figure 2.1: Location of Appeal Site in relation to South Hayling

2.2. The site is located adjacent to, but outside of, the urban area as designated in the current development plan for the area [Havant Borough Local Plan (Core Strategy)(2011) and (Allocations Plan) 2011]. Adjacent to the site is the former terminus of a railway line which once linked Havant with Hayling

Island and now forms the Hayling Billy Trail. The land is irregularly shaped and elongated along a north-south axis. The southern part of the site is traversed by an overhead power line. A second overhead power line crosses the central portion of the site on an east-west axis. There are no trees within the site, except for an area at the northernmost extent of the site.

2.3. The site, which is currently in agricultural use provides over wintering for birds including Brent Geese, is relatively flat. The site lies in proximity to a number of identified environmentally sensitive sites including Langstone Harbour SSSI and Chichester and Langstone Harbours SPA. The southern boundary of the site borders residential development in Sinah Lane and the western boundary comprises the rear gardens of properties in North Shore Road with the northern section comprising a bank along the adjacent coastline. The Hayling Billy Trail (the former railway line) lies to the east.

Figure 2.2: Appeal Site boundary

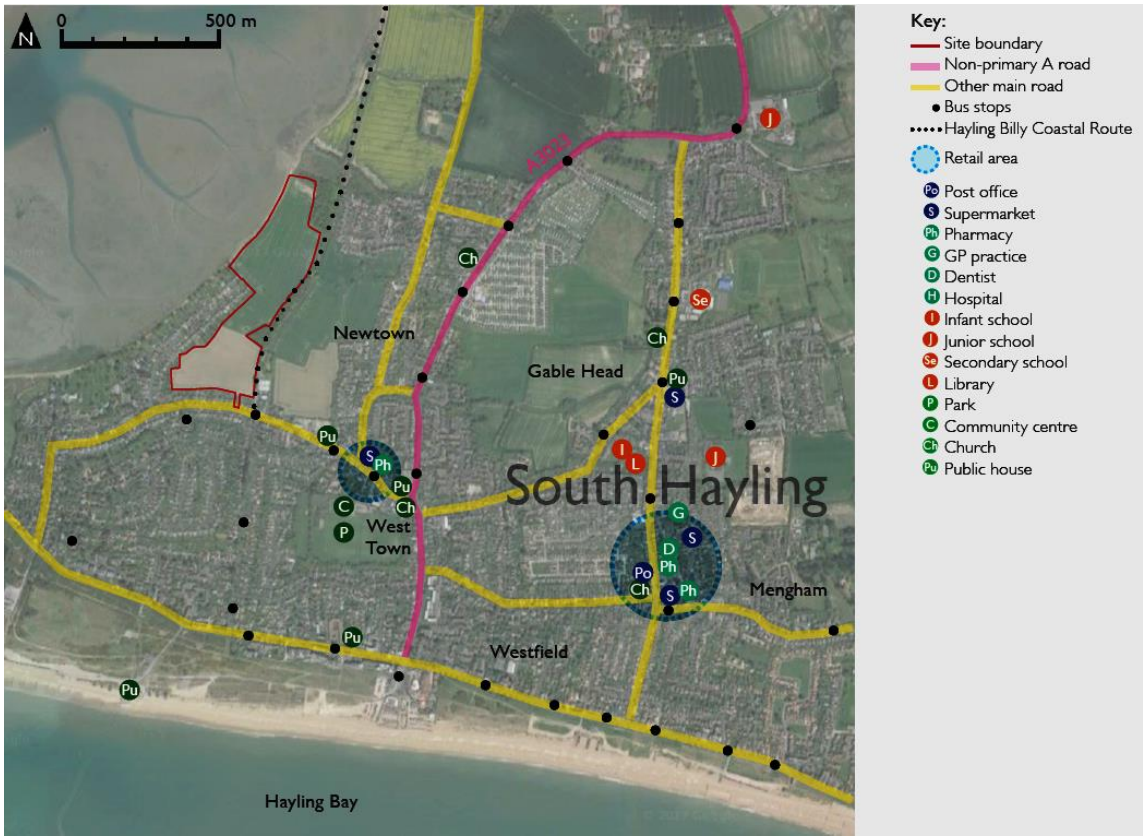
Surrounding context

2.4. The nearest collection of retail facilities are at West Town, a circa 500 metre walk east from the site. This includes a supermarket and pharmacy. There are also two public houses in this area, as well as a church, community centre and park. A wider collection of retail facilities are available at Mengham, a 1.7km walk west of the site. In this area there are two supermarkets, two pharmacies, a post office, a church, a health centre and dentist.

2.5. Mengham Infant School and Hayling Island Library are a 1.5 km walk west from the site. Mengham Junior School sits further to the west, at a walk of 1.7 km from the site. The nearest secondary school is Hayling College, which is a walk of 2 km from the site.

2.6. The nearest bus stops are a pair located on Station Road, a 120 metre walk east from the site's southern access onto Sinah Lane. The westbound stop is served by service 30 which provides access to Havant via an anti-clockwise loop around South Hayling. Service 31 travels in a clockwise loop around South Hayling, before serving the eastbound stop at Station Road and continuing, via Newtown, to Havant. Both services operate at an approximately half hourly frequency on Mondays to Saturdays. On Sundays, the services operate hourly.

Figure 2.3: Key services and facilities in the surrounding area



Summary of the Appeal Scheme

2.7. The proposed residential development is for the erection of 195 dwellings (including a 30% provision of affordable homes i.e. 58 units), associated open space, pumping station, substation with vehicular access via Sinah Lane on the southern section of the site.

Figure 2.4: Extract from proposed Site Layout Plan (drawing ref PL-06 Rev P10)

2.8. As shown in Table 2.1 below, the development will provide a variety of dwellings ranging from 2 to 4 bedrooms in size. The majority of the development will consist of 2 storey houses or maisonettes, with some 2.5 storey house and 3 storey flats.

Table 2.1: Proposed housing mix

Size	Market units		Affordable units	
	no.	%	no.	%
2-bed	29	21.2%	39	67.2%
3-bed	82	59.9%	18	31.0%
4-bed	26	19.0%	1	1.7%
Totals	137	100%	58	100%

2.9. On the northern area, a change of use is proposed from agricultural arable land to a permanent Wader and Brent Geese refuge. This is consistent with the terms of the Solent Waders and Brent Goose Strategy (SWBGS) where is it is designated as site H34C, a Secondary Support site. Under the terms of the s.106 Obligation associated with the application, agreed in principle with the council and the relevant bodies, including the RSPB, this part of the site would be transferred to and thereafter managed by the RSPB to provide habitat for over wintering birds. The RSPB would actively manage it to provide and secure this use and under the Obligation, funding is provided to contribute to this. The benefits derived from these proposals in perpetuity, accurately described as “clearly identifiable” in the officers report, would clearly outweigh any harm resulting from the loss of 5.85 ha of the site designated as a Primary Support Area to the residential element of the appeal scheme.

Figure 2.5: Extract from proposed Winter Bird Mitigation Plan (drawing ref BDWS20660 22I)

2.10. Public open space provision is proposed in the form of a community orchard, Locally Equipped Play Area, wild flower meadow and additional recreation areas providing for green corridors through the site and along the northern part of the eastern boundary. In total, as shown in the drawing extract below, 0.72 hectares of public open space is proposed.

2.11. To the north of the proposed housing development, the plans provide for drainage infrastructure including a SUDS pond.

Figure 2.6: Areas of proposed open space (drawing ref BDWS20660 13C)

2.12. The materials for the proposed development would comprise a mix of stock bricks, grey cladding and red and grey tile hanging with concrete grey and red roof tiles. Garden sheds would be provided for bike storage.

2.13. Vehicle access to the housing development would be taken off Sinah Lane between 6 and 10 Sinah Lane. Additionally, the proposal allows for a northern and southern link to the Hayling Billy Trail for pedestrians and cyclists.

Figure 2.7: Proposed vehicular access to Sinah Lane (extract from drawing ref PL-02 P10)

2.14. Parking would be provided for comprising allocated spaces (on plot and off plot), visitor spaces, and service spaces adjacent the proposed sub-station.

Evolution of the scheme

2.15. Since the original pre-application plans were submitted in 2017, the proposal has been subject to extensive review and consultation resulting in the plans being improved and amended to address concerns arising; revising the design, layout and improving landscaping, which has improved the relationship of the development in respect to the surrounding area and neighbouring residential properties, culminating in the officer's positive recommendation to committee in March 2020.

3. The appellant's case: strategic policy considerations

National Planning Policy Framework (NPPF, 2019)

3.1. The NPPF is material to decision-making in all planning applications. At its heart is a requirement for every authority to pro-actively drive and support sustainable economic and housing development to deliver the homes that the country needs. It makes clear that LPAs should have an up-to-date plan and maintain a 5 year land supply. Where this is not the case, in accordance with NPPF paragraph 11(d), permission should be granted provided unless either:

> *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *ii. 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.'*

3.2. We have already set out above the structure of the appellant's case with respect to the requirement that the proposals represent sustainable development and we will not repeat it here other than to say that these should be paramount policy considerations for the decision maker on this appeal.

Extant Development Plan Policy

3.3. Under Policy AL2 of the Havant Borough Local Plan (Allocations), adopted July 2014, the Appeal site lies outside of the defined urban area. This reflects Policy CS17 of the Havant Borough Local Plan (Core Strategy), adopted in March 2011. The effect of these policies is to resist development of the Appeal site.

3.4. However, in the absence of a five year housing supply, these policies cannot be considered up-to-date in the determination of this appeal and, in line with the NPPF, must be set aside as out of date.

Emerging Development Plan Policy

3.5. HBC published the Pre-Submission Havant Borough Local Plan 2036 ('LP2036') for a Regulation 19 public consultation between 1 February 2019 and 18 March 2019. In that consultation draft, Policy H29 identifies the Appeal Site for residential development, capable of accommodating *'about 210 residential dwellings'*, being one of a number of allocation sites necessary to deliver the identified housing need for Havant Borough.

3.6. It had been HBC's intention to undertake a further Regulation 19 consultation on the LP2036 in Spring 2020, and an updated draft of the plan was prepared to address new matters; in particular, nitrogen neutrality following the 'Dutch case', and transport infrastructure requirements on Hayling Island.

3.7. An updated draft of the Local Plan was prepared and published ahead of a meeting of HBC Cabinet scheduled for 25 March 2020, although this was cancelled due to the COVID-19 emergency. This updated draft continued to propose the allocation of the Appeal Site by means of Policy H29, subject to the quantum of housing being changed to 195 units (to correspond with the Appeal Scheme), and other amendments of a generally minor nature.

3.8. As noted in the case officer's report to the Appeal Scheme:

> *'7.17 A robust assessment has taken place of land in the Borough to inform the Pre-Submission Havant Borough Local Plan 2036 through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. This has shown that there are sufficient deliverable and developable sites upon which to meet the Borough's housing need. The application site has been assessed by officers and found to be free of any significant constraint and capable of delivering houses within the plan period.'*

3.9. It is therefore common ground between Barratt and HBC that it is appropriate for the site to be formally allocated in the LP2036 and for policy H29 to become part of the statutory development plan, and that this is a material consideration for the Inspector to take account of in determining the Appeal Scheme.

Housing land supply

3.10. The most recent assessment of housing land supply by HBC, dated December 2019, reports a supply of 5.4 years (with a 5% buffer based on the Housing Delivery Test), a figure which includes the Appeal Scheme. This relates to the period 1st April 2019 to 31st March 2024. The case officer's report comments as follows on this:

> *'The development proposed by this planning application is included within these five year supply calculations and is equivalent to 0.36 of the 5 year supply. As such, without the proposed development at Sinah Lane, and having regard to the recent refusal of planning permission for another site that was included in the five year supply, the Borough would have a 4.92 year housing land supply. This is below the five year supply threshold.'*

3.11. Hence the best-case position from the Council's point of view is that it cannot currently demonstrate a five year housing land supply, but that it could do as a result of a grant of the Appeal Scheme.

3.12. However, Barratt consider that the housing land supply is substantially lower than that reported by the Council, with a provisional analysis by Savills (Appendix 2 to this statement) having identified that the projected supply of 2,936 dwellings is not reflective of national policy and guidance regarding sites that should be included in the supply, and that supply should be reduced to 2,069 dws, producing a housing supply of 3.95 years.

4. The appellant's case: detailed matters

Overall design matters

4.1. Barratt considers that the layout proposed in the Appeal Scheme represents a sensitive and appropriate response to the emerging Local Plan allocation of the Appeal Site. As set out in the case officer's report:[1]

a. The layout is traditional in its form, with the proposed housing addressing the roads, creating active frontages and a sense of enclosure to the new streets, together with overlooking of the public areas;

b. The proposed dwellings would be of traditional design comprising a mix of two and three storeys with pitched and hipped roofs and constructed of bricks, cladding and tiles reflecting the character of the area;

c. The layout has suitably responded to site constraints including the elongated nature of the site, the relationship with neighbouring properties, and the boundaries with the Hayling Billy Trail;

d. The development would provide functional areas of Public Open Space, an area of equipped play space and 2 orchard areas and overall the form of development is considered to have regard to the site's context;

e. Additional tree planting proposed adjacent the Hayling Billy Trail and landscaping within the site would include native open space trees, decorative street trees, native hedging species, and shrub planting.

4.2. Barratt will demonstrate that the Appeal Scheme will create an overall high quality living environment with good levels of amenity as well as access to appropriate areas of private and public open space. The design responds positively to the local context and draws upon traditional design features and street patterns found in the local area. The height and scale of the development is appropriate to the immediate and surrounding context and the use of appropriate design features are successful in ensuring that the scheme sits comfortably within its surroundings. The design respects the amenity of neighbouring and future occupiers and ensures good levels of privacy and security for all.

<u>Mix of dwelling sizes and tenure</u>

4.3. The Appeal Scheme comprises 2, 3, and 4 bed properties, entailing a mix of detached and semi-detached houses, short terraces, and three storey flats. Dialogue between Barratt and HBC through the course of the planning application has led to a number of updates and improvements to the final

[1] Paragraphs 7.49-7.53

proposals, which it is agreed represent an acceptable mix for the site in terms of type and unit size, conforming with emerging policy H4.

4.4. In accordance with Core Strategy policy CS9, 30% of the housing would be provided in affordable tenures, distributed and integrated across the site in clusters. The proposed provision of affordable units is appropriate to meet identified local needs and adequately reflects policy requirements in both the existing and emerging Local Plan. The affordable dwellings are also designed to be tenure blind and well integrated with the private housing. This accords with national and local policy and is a benefit to which significant weight may be attached.

4.5. The mix of unit sizes and tenures will provide housing choice, contributing to the creation of sustainable communities.

Density

4.6. The Appeal Scheme seeks the development of 195 dwellings at a density of approximately 41 dwellings per hectare. Taking into account the location of the site and the character of the surrounding area, 41 dwellings per hectare is an appropriate density for the development of the Appeal Site, consistent with the NPPF and relevant provisions of the development plan as well as policy H3 of the emerging Local Plan. The appellant agrees with the council that the proposals maximise the finite amount of housing land available in a full and sustainable level as required by emerging policy H3[2].

Materials

4.7. As noted in the case officer's report[3], the proposed dwellings would be of traditional design with pitched and hipped roofs and constructed of bricks, cladding and tiles reflecting the character of the area. This represents an appropriate response to the context, albeit that the final selection of materials will be controlled by planning condition.

Character and appearance of the area

4.8. No significant residual landscape or visual effects would arise from the Appeal Scheme, having regard to the mature trees and hedges surrounding much of the Application Site, which are to be retained, and the topography of the land. Views of the housing development would be largely screened or distantly glimpsed[4], and the northern area proposed for a bird refuge, would undergo little change.

[2] Paragraph 7.64 Officers report
[3] Paragraph 7.52
[4] Officers report, paragraph 7.68

4.9. The Appeal Scheme would not, overall, unduly affect the character and appearance of the wider area, taking into account the enclosed nature of the site and additional proposed landscaping[5]. The proposed layout responds positively and creatively to the constraints and natural assets of the site, and there is no conflict with the objectives of saved policies or emerging planning policies in relation to landscape, character and appearance[6].

Residential and neighbouring amenity

4.10. Although the Appeal Scheme would be clearly visible from properties on Sinah Lane and North Shore Road which adjoin the site, the effects on those residents would be acceptable in planning terms. As explained in the Officers report;

> *'7.71 The development would be clearly visible from properties backing onto the site, however, separation distances for habitable rooms between the proposed and existing residential properties achieves a minimum of 20 metres in accordance with the Borough Design Guide, which is considered appropriate to retain privacy. The outlook from the neighbouring properties will be substantially changed from an agricultural field to housing development, but given the separation distances the impact is not considered to be overbearing.'*

4.11. As regards access, this is proposed within an existing 15m gap in frontage between nos. 6 and 10 Sinah Lane, which, as explained in the report paragraph 7.72, enables sufficient offset from neighbours to ensure the impact of traffic movement would remain at an acceptable level.

4.12. Overall that there would be no significant loss of amenity to existing residents from the proposed siting of the dwellings and the development would comply with policy CS16 of the Core Strategy, HBC's Design SPD, and the NPPF.

Access and highways

Hayling Island Transport Assessment (HITA) and S.106 obligations

4.13. The key highways consideration during the consideration of the Appeal Scheme has been its relationship with HBC's aim of identifying a strategy to mitigate the impact of additional traffic on Hayling Island arising from the housing sites it intends to allocate in the LP2036.

4.14. In January 2019, a document known as the *Hayling Island Transport Assessment* ('HITA') was published by HBC, with the purpose of:

i. using modelling to review the impact of additional development traffic on the local highway network; and

[5] Officers report, paragraphs 7.26 and 8.6
[6] Officers report, paragraph 7.69

ii. considering means of mitigating the effect of this additional traffic through packages of interventions including changes to highway layouts, public transport improvements, parking controls, and demand management.

4.15. The HITA concluded that development could be accommodated on the mitigated highway network without a severe cumulative impact being created, but it recommended that further work should be carried out to improve understanding and the costing of such measures. On 30 January 2019, HBC at a meeting of the Full Council committed itself to produce a second version of the HITA in order to clarify the mitigation packages needed to accommodate development, prior to the submission of the Local Plan for independent examination.

4.16. By agreement between Barratt and HBC, and in consultation with Hampshire County Council (HCC) as the highway authority, determination of the Appeal Scheme was delayed until such time as the relevant mitigation packages had been identified. The additional technical work was then undertaken by HBC and its consultants during the course of 2019, culminating in a document known as the *Hayling Island Transport Assessment Addendum* ('HITAA'). This was published in January 2020, and following scrutiny by the Operations and Place Shaping Board of the council on 16 March 2020[7], it was formally approved by HBC as part of the evidence base for the LP2036.

4.17. The HITAA states in its Executive Summary at paragraph 1.7 that:

> *'It is considered that the impact of Local Plan development can be mitigated by implementation of the measures suggested in this report. If so implemented, the overall impact of Local Plan development is not considered to represent a severe cumulative impact on the road network. The estimated cost of these mitigation measures is estimated as £10.634m for an initial phase of highway related interventions (from a total of some £43m of possible highway interventions identified) and up to £9.55m for various combinations of non-highway measures. Funding will be from a number of sources; the Community Infrastructure Levy (CIL) is intended to provide funding for more strategic projects, whilst S106 funding is more closely tied to interventions to address harm directly caused by the specific development; and government and Local Enterprise Partnership (LEP) funding may also feature in the funding mix."*

4.18. As a result of the HITAA, it has been possible for the Parties (in consultation with HCC) to identify a package of transport-related planning obligations to be secured under a legal agreement. These comprise:

- Contribution payment of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout;
- Contribution payment of £35,000 towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School;

[7] https://havant.moderngov.co.uk/ieListDocuments.aspx?CId=476&MId=10959

- Delivery of the site access works via a S278 agreement with the Highway Authority as detailed in drawing number 041.0031.003 Rev J;
- Payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan prior to commencement; and
- Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan.

4.19. In its consultation response dated 7 February 2020, HCC as Highway Authority advised that it raised no objection to the application, subject to HBC securing the planning obligations identified above, and subject to planning conditions.

Parking

4.20. Parking would be provided for comprising allocated spaces (on plot and off plot), visitor spaces, and 2 service spaces adjacent the proposed sub-station. The allocated parking provision is proposed to be provided on curtilage or in small parking courts, which is an appropriate approach to avoid over-dominance of parking.

Highways – design and other matters

4.21. HCC confirms on p.3 of its consultation response dated 7 February 2020 that it has reviewed the revised access drawings and pedestrian provision put forward in the Appeal Scheme, and considers these acceptable, with the works being delivered via a S278 agreement. The Parties agree with this stance.

4.22. HCC also note in the same correspondence that roads and footways relating to the Appeal Scheme are being put forward for adoption, and that this is 'strongly supported'. HCC then states that *'As such, an assessment of the submitted drawings has been undertaken accordingly and the internal layout is now considered acceptable in principle'.*

Highways - summary

4.23. In light of the above the report concluded:

> *'8.3 In respect to highways, following extensive review and consultation to address highways concerns, and having regard to the Hayling Island TA, measures to mitigate the impact of the proposed housing development have been agreed with Hampshire Highways. The proposal would be subject to a legal agreement to provide a contribution to measures to improve traffic flow and road safety, and would also deliver CIL funding to support the Hayling Island TA mitigation proposals. 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, and having regard to the NPPF, the development should not be refused on highway grounds.'*

4.24. Overall the Appeal Scheme is clearly and demonstrably acceptable in relation to highways and access considerations.

Flooding and drainage

4.25. The Appeal Site is not located within an area at risk from flooding and the Environment Agency (EA) Flood Zone Map confirms the site is entirely located within Flood Zone 1, with a less than 1 in 1000 annual probability of fluvial flooding.

4.26. As noted in paragraph 7.90 of the report, some lower-lying parts of the site (particularly in the south east) have been identified on maps published by the EA as having a low risk of flooding from surface water, however, any risk to new development can be mitigated through the detailed design of finished ground levels, this being the subject of a planning condition which has been agreed between the Parties. The EA's stance on the Appeal Scheme, as set out in their consultation response dated 12 August 2019, is one of 'no objection'.

4.27. The proposals for surface water management in the Appeal Scheme are accurately summarised in the report, as follows:

> *'7.91 The surface water management proposals have been developed in consultation with the Environment Agency (EA) and the Local Lead Flood Authority (LLFA), and SuDS in the form of attenuation ponds, basins and bio-retention areas have been incorporated within the scheme. The surface water network will convey the flows, under gravity, north eastwards towards a new attenuation basin and SuDS swales which will provide attenuation of the restricted flow prior to discharging to an existing ditch system located on the eastern boundary of the site, which in turn flows northwards into an existing ordinary watercourse and a final outfall into Sinah Lake. A surface water pumping solution has been proposed to overcome the limited fall available on the site. 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.'*

4.28. The Appeal Scheme will connect to the existing Southern Water foul sewer, to the north west of the development site, via an onsite adoptable pumping station. Southern Water has provided consultation responses on the Appeal Scheme hand has raised no objection subject to conditions and an informative.

4.29. In summary, subject to appropriate conditions and planning obligations relating to the proposed SuDS and sewerage provision, the Appeal Scheme is acceptable and represents sustainable development in relation to flooding and drainage.

Ecology and trees

4.30. Whilst the Parties agree that the Appeal site is generally of limited ecological value[8], there are a number of ecological considerations for the Appeal Scheme, most notably the use of the Appeal Site as a habitat for over-wintering birds, foraging/commuting bat species around the boundaries of the site, bird species, and a small population of slow worms.

4.31. The planning application is accompanied by an Ecological Mitigation and Management Plan (EMMP), produced by WYG, and most recently updated in March 2020. The EMMP sets out: (i) mitigation for protected and notable habitats and species that may be impacted by the Appeal Scheme; (ii) management measures for retained, enhanced and created habitats; and (iii) long-term monitoring to determine the effectiveness of mitigation and management undertaken.

4.32. As regards overwintering birds, the Appeal Scheme will result in the loss of 5.85ha of field H34C (as identified in the Solent Wader and Brent Goose Strategy). This field provides functionally linked habitat for dark-bellied brent geese *Branta bernicla bernicla* which are a qualifying feature of the Chichester and Langstone Harbours SPA. It is proposed that the remaining 6.79ha would be permanently managed to provide a wader and brent goose refuge, developed in consultation with the RSPB, who would take over the long-term management and monitoring of the refuge. The proposed mitigation package would also improve the quality of the retained area of H34C by reducing disturbance from farm operations (bird scaring and shooting), providing permanently suitable habitat (currently reliant on the crop rotation), providing habitat features such as wader scrapes and preventing disturbance by providing fencing to restricting access.

4.33. As noted in the case officer's report,[9] HBC Ecologist, RSPB and Natural England have each confirmed that the proposed mitigation, compensation and enhancement measures are acceptable. In respect of habitat for over wintering birds, the proposal would secure a site in perpetuity which cannot be relied on at present as it is dependent on farming practises. This therefore represents a clearly identifiable benefit.

4.34. Other ecological measures have also been incorporated into the Appeal Scheme such as the creation of species-rich grassland and tree planting, together with the installation of bat and bird boxes and reptile refuges. These have been designed to complement habitats in the wider area, and it is common ground between the Parties that, as noted in the committee report,[10] the development would achieve a net gain in biodiversity compared with the existing agricultural use.

4.35. In relation to arboriculture, as set out in the case officer's report[11], all affected trees are positioned on the boundary and their form reflects typical agricultural pruning. A comprehensive arboricultural report was submitted with the application, and providing this is adhered to, the Appeal Scheme will not impact on the trees' health or amenity value and the council's tree officer has raised no objection to the amended plans.

[8] Officer's committee report March 2020, paragraph 7.94
[9] Paragraph 7.97
[10] Paragraph 7.61
[11] Paragraph 7.98

4.36. Overall it is clear that subject to the planning conditions and obligations set out, the Appeal Scheme is acceptable and represents sustainable development from an ecological and arboricultural perspective.

Consideration under the Habitats Regulations

4.37. Due to the proximity of the Appeal Site to European protected sites, HBC has been obliged to conduct screening of the Appeal Scheme under the Habitats Regulations Assessment (HRA), along with an Appropriate Assessment (AA). This has entailed four main elements:

i. Recreational pressure: Due to a net increase of dwellings within 5.6km of the Solent SPAs, the AA has identified a likely significant effect, but that this can be mitigated by means of a financial contribution to the Solent Recreation Mitigation Strategy (SRMS), amounting to £126,057.80.

ii. Water quality: the AA identifies that it is necessary to achieve a position where there are no net nutrient emissions into the European Sites from the development. A nutrient calculation was therefore submitted by the appellant to HBC, and this has confirmed that the site will not emit a net nutrient load into any European sites.

iii. Loss / degradation of supporting habitats: As noted above, the Appeal Scheme will result in the loss of 5.85ha of H34C Special Protection Area (SPA) 'supporting habitat', however, this can be mitigated by the permanent 6.79ha wader and Brent Goose refuge proposed.

iv. Construction impacts: the AA identifies that noise, pollution and activity during the construction phase of the Appeal Scheme has the potential to impact on designated sites. However, avoidance and mitigation measures to address this impact can be secured by condition under a Construction Environmental Management Plan (CEMP).

4.38. As noted in the report [12], Natural England has concurred with the conclusions of the AA, and the Parties are in agreement as to the proposed mitigation measures being secured by means of planning obligations and planning conditions.

Archaeology and heritage

4.39. The Appeal Site has been considered for archaeological potential as part of an Archaeological Desk Based Assessment (DBA), submitted with the planning application. This identified that there are no designated archaeological assets on-site or nearby, but that there is moderate archaeological potential for the Roman periods and a low to moderate potential for the later Prehistoric.

4.40. The County Archaeologist has concurred with the conclusions of the DBA and advised that there is no indication that archaeology presents an overriding concern, although as is standard, planning

[12] Page 3, first paragraph (unnumbered)

conditions are required in respect to the assessment, recording and reporting of any archaeology found during construction. In consultation with the County Archaeologist, a Written Scheme of Investigation (WSI) has been submitted to and agreed with HBC, the adherence to which will be secured by planning condition. As such, and in the absence of any heritage assets on or near to the site (designated or otherwise), the Appeal Scheme is acceptable from an archaeological and cultural heritage point of view.

4.41. There are a number outstanding objections to the proposals from third parties which mainly relate to the matters addressed above. The appellant reserves the right to address in its evidence any additional outstanding concerns of third parties.

Summary

4.42. With all the above actors in mind, the case officer's report summarised its positive recommendation (in paragraph 8.3) by noting that the Appeal Proposals represent an acceptable response to the proposed allocation in the emerging local plan, that the proposals would deliver significant economic and social benefits, and that there are no overriding environmental objections to the development of the site.

4.43. As such, the logical and necessary outcome to this appeal should be a grant of permission without further delay.

5. Planning obligations

5.1. It is proposed that the following planning obligations will be secured by legal agreement, as referred to in paragraph 7.101 (page 102) of the report.

1. On-site affordable Housing (30%, comprising 58 units provided on site and a financial contribution in lieu of the provision of 0.5 units) £14,928
2. Provision of Winter Bird Mitigation Area and associated commuted sum of £166,516.00;
3. Provision of Open Space;
4. Financial contribution of £125,774.40 towards the Solent Recreation Mitigation Strategy ('SRMS');
5. SUDS maintenance and bond;
6. Health contribution (£31,200);
7. Provision of permissive paths;
8. Financial contribution towards a Community worker (£48,750);
9. Delivery of site access works via a S278 agreement, prior to commencement of development;
10. Financial contribution towards off-site highways works comprising improvements along the A3023 corridor up to and including the A27 roundabout (£679,000);
11. Financial contribution towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School (£35,000);
12. Financial contribution in relation to providing a connection from the development site to the Hayling Billy trail (£8,800);
13. Travel Plan and payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan, plus bond;
14. Skills and Employment Plan;
15. Financial contribution towards education (£872,320);
16. Traffic Regulation Order contribution (£5,000);
17. S106 monitoring fee.

6. Planning conditions

6.1. The draft planning conditions set out in Section 9 (pages 104 to 112) of the report are agreed, subject to the following minor amendments:

- Condition 2: appropriate updates to the list of approved plans, to reflect minor amendments subsequently received by the Council.

- Condition 5: modify wording of the condition concerning ecological mitigation, in order that it reads as below. This reflects an agreement between the Parties (reached in April 2020) that provided an updated document prepared in March 2020 is adhered to, along with the appropriate planning obligations outlined elsewhere, there is no need for further information to be provided.

  "All ecological mitigation, compensation and enhancement measures set out in the Ecological Mitigation Strategy (WYG document ref A092944-3, dated March 2020) 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."

- Condition 6: update the reference to the WYG report to the later March 2020 date.

- Conditions 19-20: update wording so that rather than requiring the future submission of an archaeological Written Scheme of Investigation (WSI), reference is instead made to the WSI prepared and submitted in March 2020, which has been accepted by the County Archaeologist:

  19. No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with ~~a~~ the approved Written Scheme of Investigation (L-P Archaeology, ref LP3519L-WSI-v1.2, dated March 2020) ~~that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.~~"

  20. No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with ~~a~~ the approved Written Scheme of Investigation (L-P Archaeology, ref LP3519L-WSI-v1.2, dated March 2020) ~~that has been submitted to and approved by the Planning Authority.~~

7. Conclusion

7.1. Where there is no five year land supply, under the NPPF the Government directs Local Planning Authorities to grant permission unless there is decisive clear-cut evidence why a housing shortage should not be addressed. This requirement to use the 'tilted balance' is expressed clearly in the 'significant and demonstrable' test set out in NPPF Paragraph 11, and it means that decision-takers must carefully and critically examine any allegation of significant harm or impact.

7.2. In the case of the Appeal Scheme, the benefits very clearly and demonstrably outweigh any perceived harm. As part of their planning judgement, officers at HBC not only concluded that the Appeal Site merits allocation in the Local Plan review, but also that the Appeal Scheme also should be granted permission now, in order to meet the housing requirement in Havant Borough.

7.3. The Appeal Scheme would provide significant social benefits through market and affordable housing, which will contribute positively towards HBC's significant housing needs. It will also provide significant economic benefits with the provision of employment generation, both during the construction process, along with increased local expenditure. In addition, the development will provide new public open space for the benefit of new and existing residents. The Appeal Scheme will not harm any statutorily designated landscape or nature conservation sites. The Appeal Scheme will secure in perpetuity significant enhancements to the ecological significance of the appeal site and the neighbouring SAC and Ramsar site.

7.4. The Appeal Scheme fully accords with the NPPF's objectives of sustainable development in relation to economic, social and environmental roles, and there no adverse impacts of the development that would significantly and demonstrably outweigh the benefits. On the contrary, the benefits would significantly outweigh any harm. Therefore, the Appellant respectfully requests that the Appeal be allowed.

Appendix 1

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
CIVIC CENTRE ROAD
HAVANT
HAMPSHIRE P09 2AX

Telephone: *023 9247 4174*
Fax: *023 9248 0263*
Website: *www.havant.gov.uk*

DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership: Councillor Satchwell (Chairman)

Councillors Mrs Shimbart (Vice-Chairman), Crellin, Howard, Keast, Lloyd and Lowe

Standing Deputies: Councillor David Guest, Councillor Husky Patel, Councillor Diana Patrick, Councillor Julie Thain-Smith and Councillor Joanne Thomas

Meeting: **Development Management Committee**

Date: **26 March 2020**

Time: **5.00 pm**

Venue: **Hurstwood Room, Public Service Plaza, Civic Centre Road, Havant, Hampshire PO9 2AX**

The business to be transacted is set out below:

David Brown
Monitoring Officer

17 March 2020

Contact Officer: *Mark Gregory 023 9244 6232*
Email: mark.gregory@havant.gov.uk

Page

PART A - (Items Open for Public Attendance)

1 Apologies for Absence

To receive and record apologies for absence.

2 Site Viewing Working Party Minutes **To Follow**

To receive the minutes of the Site Viewing Working Party held on 26

March 2020.

3 Declarations of Interest

To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.

4 Chairman's Report

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.

5 Matters to be Considered for Site Viewing and Deferment

The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.

6 Applications for Development and Development Control Matters 1 - 4

Part 1 - Applications Viewed by the Site Viewing Working Party

7 APP/18/00724 - Land at Sinah Lane, Hayling Island 5 - 126

Proposal: Erection of 195 No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area

Additional Information

GENERAL INFORMATION

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This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk. Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Mark Gregory (tel no: 023 9244 6232)* on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 24 March 2020** . Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: *mark.gregory@havant.gov.uk* or DemocraticServices@havant.gov.uk

By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the “Democratic Services Team”

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor …” and must always address the meeting through the Chairman
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the

item;

- An amendment must be voted on before the motion
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A Councillor may request that his/her vote be recorded in the minutes

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

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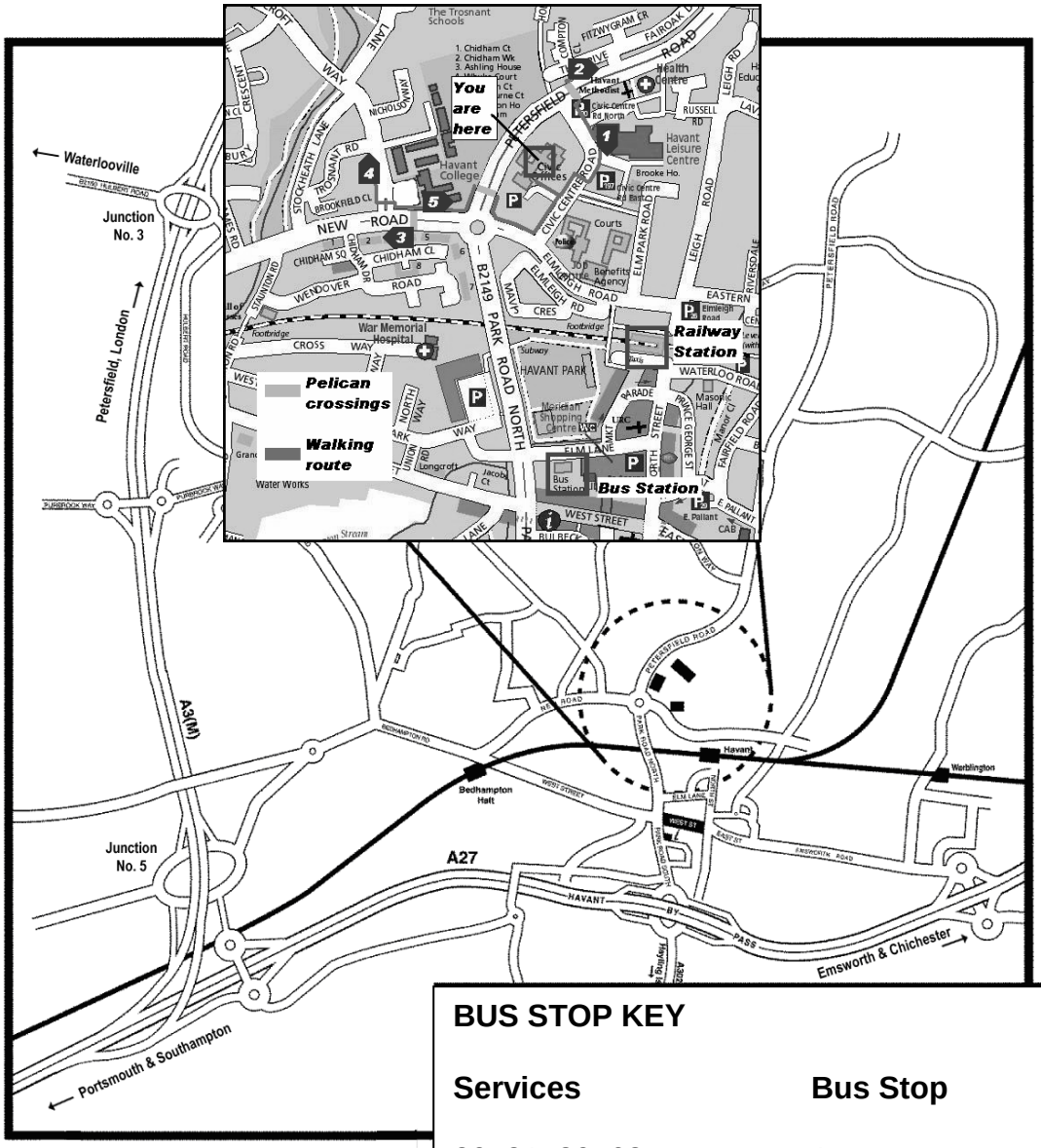

BUS STOP KEY

Services	Bus Stop
20, 21, 39, 63	1
20, 21,36**,39	2
23, 36**	3
23, 27**,37	4
23,27**,36**, 37	5

** - also stops “hail and ride” opposite Stop 1 in Civic Centre Road

Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

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HAVANT BOROUGH COUNCIL

Development Management Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS
REPORT BY THE HEAD OF PLANNING

Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Head of Planning will be reported **verbally** at the meeting of the Development Management Committee.

Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon <u>prior</u> to the meeting of the Development Management Committee.

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

HPS	Head of Planning Services
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Head of Planning, and where applicable the views of the Site Viewing Working Party.

Implications

Resources:

None unless detailed in attached report.

Legal:

Details set in the individual reports

Strategy:

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

Risks:

Details set out in the individual reports

Communications:

Details set out in the individual reports

Background Papers:
Individual Applications with Case Officers

Simon Jenkins
Head of Planning

David Brown

Monitoring Officer

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Site Address: Land at Sinah Lane, Hayling Island
Proposal: Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area
Application No: APP/18/00724 Expiry Date: 31 March 2020
Applicant: Miss Harriet Pitney
Barratt Homes
Agent: Case Officer: Daphney Haywood
Ward: Hayling West

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

Density: 41 dwellings per hectare(dph)

HPS Recommendation: **GRANT PERMISSION**

Executive Summary

The proposal is for a development of 195 new homes with 0.72 hectares (0.72 ha) of open space, and 6.79 ha Wader and Brent Geese Refuge Area on greenfield Grade 3a agricultural land of 12.64 ha. The proposed density is approximately 41 dwellings to the hectare (dph). The site is located to the north of Sinah Lane, and to the east lies the Hayling Billy coastal route (a former railway line), to the south the existing properties fronting Sinah Lane, with a gap between Nos 6 and 10 providing access. The southern portion of the site is bounded to the west by the rear gardens of existing residential properties on North Shore Road. The northern portion of the site is bounded to the west by the top of a bank along the adjacent coastline. To the north-east the site is bounded by a hedge line and tree planting.

The housing development comprises dwellings of traditional design, ranging in size from 2 bed to 4 bed and in height from 2 to 3 stories. 30% of the dwellings would be affordable. Vehicular access would be off Sinah Lane and would take the form of a single vehicular access. Pedestrian and cycle links are proposed to connect the site to Sinah Lane and to the Hayling Billy trail plus proposed connection around the communal open space, which would provide a community orchard, and opportunities for outdoor activity.

The key matter of principle in dealing with this application is whether it should be considered prior to the submission and adoption of the emerging Havant Borough Local Plan 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 Borough Local Plan. The site is proposed for allocation in the Pre-Submission Havant Borough Local Plan under Policy H29.

Elements of the proposal do not fully comply with elements of emerging policies in the

emerging Local Plan, with specific regard to provision of a fully compliant scheme in relation to technical housing standards, carbon reduction and infrastructure for electrical vehicle charging. However, the scheme does provide elements which satisfy emerging policies, particularly with regard to generous open space provision for existing and future residents. 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 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 five year supply of deliverable land for housing. Whilst the Borough has a five year supply, this is reliant on development identified in the Pre-Submission Local Plan, including this site, coming forward. Without these developments, the Borough would inevitably not be able to maintain a constant five year supply of housing land. Therefore, national policy considerations may be placed in the planning balance against the conflict with the development plan.

The proposal has been subject to extensive review and consultation resulting in the plans being improved and amended to address concerns; revising the design, layout and improving landscaping, which has improved the relationship of the development in respect to the surrounding area and neighbouring residential properties. The application is supported by an Infrastructure Delivery Statement (IDS) together with specialist reports in respect to the key issues, including landscape impact, ecology, highways and drainage. Full extended publicity has been undertaken on the initial and amended plans including consultation, notification of neighbours, site notices and advert in the press.

Following further review and consultation in respect to vehicle, pedestrian and cycle access to the site, and having regard to the Hayling Island Transport Assessment (HITA) the submitted details have been amended in agreement with the Highway Authority. The proposal provides for a contribution towards the implementation of the HITA mitigation package which includes junction improvements at the following locations: -

- Northney Road/A3023;
- Langstone Road/Woodbury Avenue/Technology Park;
- West Lane/A3023;
- Mill Rythe Roundabout; and
- Friction Reduction' Schemes along the A3023.

Subject to conditions and obligations the Highway Authority raises no objection to the application.

The site is identified under the Solent Wader and Brent Geese Strategy as Primary Support habitat. Mitigation is identified under the submitted Winter Bird Mitigation Strategy which proposes a refuge on the north of the proposed housing development adjacent to the Hayling Island Brent Goose Refuge (E26). The area would be actively managed by the RSPB to provide permanent foraging for Brent Geese and other waders during the winter. A legal agreement will be necessary to secure this avoidance and mitigation package in perpetuity. As long as such a legal agreement is secured through the planning process, the proposed development will not affect the status and distribution of key bird species and therefore the development will not act against the stated conservation objectives of the European sites.

The site is in flood zone 1 (lowest type of risk) and the Environment Agency and Local Lead Flood Authority have raised no objection to this development, 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 Chichester and Langstone Harbours Special Protection Area (SPA), Ramsar, Solent Maritime SAC and Solent and Dorset coast SPA requiring mitigation. 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. 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. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that it concurs with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

To conclude, it is considered that the scheme would contribute to the need for housing in the Borough and would provide an attractive development with an acceptable impact. 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, it is considered to represent sustainable development and is therefore recommended for permission.

1 Site Description

1.1 The site is located on Hayling Island, within the southern area of the island, known as South Hayling; the site is located in the western part of the settlement known as West Town. Adjacent to the site is the former terminus of a railway line which once linked Havant with Hayling Island. This route now forms the Hayling Billy Trail. The site comprises a 12.64-hectare area of undeveloped agricultural land which is irregularly shaped and elongated along a north-south axis. The southern part of the site is transversed by an overhead power line. A second overhead power line crosses the central portion of the site on an east-west axis. There are no trees within the site, except for an area at the northernmost extent of the site.

1.2 The site, the southern part of which is currently in agricultural use and the northern part which provides over wintering for birds including Brent Geese, is relatively flat. The site lies in proximity to a number of identified environmentally sensitive sites including a SSSI and Langstone Harbour.

1.3 The southern boundary of the site borders residential development in Sinah Lane and the western boundary comprises the rear gardens of properties in North Shore Road with the northern section comprising a bank along the adjacent coastline. The Hayling Billy Trail (a former railway line) lies to the east. The northernmost extent of the site is bounded to the north by a stream.

1.4 The nearest collection of retail facilities is at West Town, a 500 metre walk from the site. This includes a supermarket and pharmacy. There are also two public houses in this area, as well as a church, community centre and park. A wider collection of retail facilities is available at Mengham, a 1.7km walk from the site. In this area there are two supermarkets, two pharmacies, a post office, a church, a health centre and dentist. Educational Facilities are located at Mengham Infant School and Hayling Island Library which are a 1.5 km walk from the site. Mengham Junior School sits at a walk of 1.7 km from the site. The nearest secondary school is Hayling College, which is a walk of 2 km from the site.

2 Planning History

The site was the subject of a Development Consultation Forum (DCF) on 14 November 2017 in respect to a residential proposal for 162 new homes on a smaller site.

3 Proposal

3.1 Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.

3.2 The proposed residential development is for the erection of 195 dwellings (including a 30% provision of affordable homes i.e. 58 units), associated open space, pumping station, substation with vehicular access via Sinah Lane on the southern section of the site and on the northern part a change of use of land from agricultural to a permanent Wader and Brent Geese refuge. This area is currently used by these birds when the crop provides a suitable food source as required under a S106 agreement in respect to the nearby Oyster development.

3.3 The development will provide a variety of dwellings ranging from 2 to 4 bedrooms in size. The majority of the development will consist of 2 storey houses or maisonettes, with some 2.5 storey house and 3 storey flats.

3.4 Public Space provision is in the form of a community orchard, Locally Equipped Play Area, wild flower meadow and additional recreation areas providing for green corridors through the site and along the northern part of the eastern boundary. To the north of the proposed housing development the plans provide for drainage infrastructure including a SUDS pond.

3.5 The materials for the proposed development would comprise a mix of stock bricks, grey cladding and red and grey tile hanging with concrete grey and red roof tiles. Garden sheds would be provided for bike storage.

3.6 Vehicle access to the housing development would be taken off Sinah Lane between 6 and 10 Sinah Lane. Additionally, the proposal allows for a northern and southern link to the Hayling Billy Trail for pedestrians and cyclists.

3.7 Parking would be provided for 484 vehicles comprising 445 allocated spaces (on plot and off plot) and 39 visitor spaces, plus 2 service spaces adjacent the proposed sub station on the south-eastern part of the site.

3.8 The northern part of the site would be safeguarded for a Bird Refuge to be managed by the RSPB to provide permanent habitat for over wintering birds. The RSPB would actively manage it to provide and secure enhanced habitat for this use.

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. Three dimensions of sustainability are to be sought jointly: 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.

Havant Borough Local Plan (Core Strategy) March 2011

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.

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

CS8	(Community Safety)
CS9	(Housing)
DM10	(Pollution)
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)
DM1	(Recreation and Open Space)
DM6	(Coordination of Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

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)

Pre-submission Havant Borough Local Plan

The Pre-submission Havant Borough Local Plan was approved by the Council on 30 January 2019 and was subsequently published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for public consultation between 4 February 2019 to 18 March 2019. After this period, the next stage in the plan's preparation will be the submission of the Local Plan 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.

In the Pre-submission Local Plan

The relevant planning policies of the emerging Local Plan are:
DR1 – Delivery of Sustainable Development
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 – Low Carbon Design
E13 – Historic Environment and heritage assets
E14 – The Local Ecological Network
E15 – Protected Species
E16 – Solent Special Protection Areas
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
H29 - Land north of Sinah Lane

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

5 Statutory and Non Statutory Consultations

In presenting consultee comments, members should note that initial comments in some cases have been updated in response to amended plans with further and additional comments. The most recent comments lie at the end of the entry for that particular consultee.

Arboriculturalist
All of the trees relating to this proposed development are offsite boundary trees. The form of the trees and the pruning they have had over the years is typical of agricultural pruning. The report submitted is comprehensive, and providing it is strictly adhered to the development should not impact on the trees health of amenity value. However, I do have concerns about pressure to prune in a couple of areas.

Unit 21 should be removed as the relationship between the house and trees is not sustainable. T13 can then be retained. If the unit remains there it will lead to significant pressure to prune/remove trees.

In the south west corner of the site T31-T35 are located. These trees are already heavily pruned on one side and are not of TPO quality, however again, the relationship between the houses and trees is limited and there will be significant pressure to prune

or remove. This layout should be re-visited.

Trees T10-T33 are a group of Ash trees. As a group they form a pleasant feature however they have been heavily pruned and showing signs of reduced vitality, therefore they are not suitable trees to be protected by a TPO, but they are shown to be retained.

I have no objection to the trees shown for removal, with the exception of T13.

Officer comment*: Plans amended to retain T13 and address the relationship with T31 – T35.*

Building Control
No comments

Community Infrastructure
The Cll rate is set out in our Charging Schedule:
http://www.havant.gov. uklsites/defaultlfiles/documents/H BC%20CI l %20Charg ing %20Sched ule%20Full%20Document%20Feb%202013. pdf

The amounts in the Charging Schedule are indexed according to the year in which permission is issued.

With larger sites the developer may wish to consider phasing the development. Any phasing of the site should be agreed prior to the granting of permission. See Appendix A at the end of this document.
The applicant will need to submit Cll Form 2 to obtain mandatory social housing relief.

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. Monitoring Fees*
3. Management Company
4. Management Plan
5. Solent Recreation Mitigation Strategy (see further information) **
6. Education (HCC)
7. Travel Plan (HBC)
8. Highway Works (HCC)
9. Site Specific Transport Improvements (HCC)
10. Others/relating to Brent Geese Refuge/Orchard?
11 Nutrient Neutrality:

Community Officer
Contribution under Policy CR2 towards a community officer to help new residents in the development integrate into existing communities is required and would be £48,750, with 40% upon commencement and 2 x 30% upon occupation of 50 units each.

Countryside Access Team
The Hayling Billy Local Nature Reserve and shoreline bridleway is located adjacent to the eastern boundary of the development site. The path forms part of the Shipwrights Way, a 50mile multi- user route that leads from Hayling Island to Bentley to the north of the county.

In our response to the Havant Local Plan submission we had identified that if the site came forward that a developer obligation providing a contribution towards the maintenance and upgrade of the Hayling Billy Trail would be necessary. We have also

been working with Havant Borough Council on a project to ensure that this access provision is maintained due to coastal erosion.

We understand that our colleagues in the Highways are currently holding discussions with the developer and will bring our request forward as part of the sustainable transport obligation once the full transport impact has been assessed. We therefore subject to securing the contribution raise no objection to the application.
Further comments
In our previous response dated 28/08/2018 we raised no objection subject to a contribution towards the maintenance and upgrade of the Hayling Billy Trail. We understand our colleagues in Highways are awaiting a Transport Assessment and necessary mitigation before sending their response.
Officer Note: A contribution of £88000 to be the subject of a legal agreement, would provide for funding of the proposed 2 links to the trail and related maintenance.

County Archaeologist, Strategic Environmental Delivery Group, HCC
Thank you for your consultation. I would draw your attention to the DESK BASED ARCHAEOLOGICAL ASSESSMENT (DBA) that is included among the documentation attached to the above application on your website. This DBA concludes that:

'6.3 There are no designated archaeological assets on or particularly near to the study site. The study site has remained undeveloped agricultural land throughout the historic periods.

6.4 A review of available archaeological and historical sources indicates that the site has a moderate archaeological potential for the Roman periods and a low to moderate potential for the later Prehistoric. A low archaeological potential is identified for evidence from all other past periods of human activity.

6.5 Based on the results of the recent archaeological evaluation a short distance to the east of the site, it is considered that the proposed development of the site is unlikely to have
a widespread or significant archaeological impact upon any undiscovered archaeological heritage assets within the site boundary.

6.6 However, due to the size of the study site and the low to moderate archaeological potential for later Prehistoric and Roman evidence, it is considered likely that the Hampshire County Council Archaeological Officer will take a precautionary approach and seek field evaluation of the site.

6.7 On the basis of all the available evidence we would suggest that any requirement for further archaeological evaluation could follow planning consent secured by an archaeological planning condition.

I would concur with these conclusions and therefore while there is no indication that archaeology presents an overriding concern I would advise that the assessment, recording and reporting of any archaeological features affected by construction be secured through the attachment of suitable conditions to any planning consent that might be granted. For instance:

1) That no development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.
Reason: To assess the extent, nature and date of any archaeological deposits that

might be present and the impact of the development upon these heritage assets.

2) That no development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.
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.

3) Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the local planning authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

County Ecologist
Initial comments
The application includes a Winter Bird Mitigation Strategy, an Ecological Mitigation and Management Plan, an Information to Inform a Habitats Regulations Assessment report, a Biodiversity Net Gain Assessment, a Reptile Presence/Likely Absence Survey and a Bat Survey Report (all WYG, June 2018). No initial ecological assessment has been provided, although one has apparently been produced.

SPA issues
They key ecological issue at this site is the loss of supporting habitat for bird species associated with the adjacent Chichester & Langstone Harbours SPA/Ramsar. The proposed development is featured in the Solent Waders & Brent Goose Strategy (SWBGS) as Site H34C, a Primary Support site the HRA report incorrectly describes H34C as a Secondary Support site). H34C has regularly supported high numbers of brent geese and some waders, as demonstrated by the SWBGS data as well as the applicant's own field surveys and those related to a nearby development site. The site's location adjacent to the harbour, as well as the regular presence of winter wheat crop, makes this a highly attractive site for brent geese in particular. It is stated within the EMMP that the proposed development site has not been used by SPA bird species: in fact, surveys have recorded 100 brent geese within the application site. It is important to provide accurate information.

Following intensive field surveys and a review of existing data between 2016 and 2018, the SWBGS has undergone revision in order to make it more robust and to remove sources of uncertainty in the data. A new system of site classification has been developed, taking into account not only the number of birds each site supports but also the site's value in terms of the overall network of supporting habitat within the wider Solent ecosystem. A new system of mitigation has also been developed, providing for the first time a framework for the expected level of mitigation required where impacts to supporting habitat will occur. One of the key principles of this new mitigation framework is that the loss of supporting habitat may be acceptable where sufficient compensatory habitat can be secured through the planning process. The compensatory habitat should be sufficient to enable no net loss of function to the overall supporting habitat resource. At its simplest, the provision of permanent supporting habitat, with a long-term costed management plan, is seen as viable approach which can offset the loss of some supporting habitat which, in reality, may only be available intermittently.

In this case, the use of the northern half of H34C as a permanent bird refuge is

proposed, allowing the development of the southern half. In principle this is acceptable and is consistent with the SWBGS mitigation framework. Key factors that will make this proposal acceptable are its permanence, boundary security (especially blocking informal access from North Shore Lane and the Hayling Billy Trail), grassland establishment and ongoing management and the presence of freshwater scrapes/pools. The establishment of a suitably-improved grass sward may entail the use of fertilizer: research on brent goose nutritional requirements and grazing behaviour has suggested that fertilised swards of between 5 and 7cm are favoured.

In terms of costs, I consider that those proposed are substantially underestimating the required funds. The proposed costs do not include initial establishment, reverting arable to permanent grassland. Costs need to be agreed with the prospective land manager.

As ever, it is the deliverability of the mitigation that is key to making it wholly acceptable and for concluding that there will be no likely significant effect on the conservation objectives of the SPA/Ramsar. In this case, it is stated that the applicant and the RSPB have been in discussion and that the RSPB have 'agreed' to accept a commuted sum for the ongoing (80 year) management of the site. The RSPB already have an interest in some land north of Sinah Lane anyway (although details are vague), and therefore it seems sensible for them to take on the ongoing management of the mitigation land. It is unclear whether the land itself will be transferred or simply leased. Clearly the preference would be for land ownership to be transferred so that the site is secured permanently.

In order to be able to conclude no likely significant effect, the LPA needs to see clear evidence that the ongoing management of the mitigation land is secured: there must be absolute certainty that the mitigation is deliverable. This should include evidence that the RSPB has agreed to take on responsibility and that they agree that the proposed commuted sum is acceptable for agreed purposes. The commuted sum should include funds for ongoing monitoring to assess the efficacy of the mitigation area – the proposed sums for land management are a guide only and cover only the ongoing management of the habitat. There must be scope for adapting management as necessary and this must be reflected in the agreed sum: it is entirely the responsibility of the applicant to enable appropriate funds to achieve the in perpetuity management of the mitigation land. Examples include the use of fertiliser, ongoing grass seeding and treatment of weed species. The use of goose decoys should be seriously considered as a means of attracting birds quickly.

At this stage there is insufficient evidence of the deliverability of the proposed mitigation. As such, the LPA must conclude that a likely significant effect is probable, and that mitigation is not sufficient to avoid the impact. There needs to be a fully-detailed strategy with no uncertainty over deliverability. The mitigation area needs to be in place and functioning prior to impacts occurring.

<u>Other ecological matters</u>
In terms of other issues, the site is generally unconstrained (although the initial ecological assessment is missing). The bulk of the site comprises arable crops and is of minimal value. Boundary hedgerows and trees are present to the north, south and east. Surveys have identified a small population of slow-worms and between four and six species of foraging/commuting bat: no bat roosts have been identified.

Overall, the site is of limited ecological value and the proposals allow for the retention and protection of the bulk of boundary features. There are opportunities for ecologically-valuable enhancements within the application site, including semi-natural habitats and a range of bat and bird boxes.

Further comments
The application includes an amended Winter Bird Mitigation Strategy (WYG, November 2018).

SPA issues
They key ecological issue at this site is the loss of supporting habitat for bird species associated with the adjacent Chichester & Langstone Harbours SPA/Ramsar. The proposed development is featured in the Solent Waders & Brent Goose Strategy (SWBGS) as Site H34C, a Primary Support site the HRA report incorrectly describes H34C as a Secondary Support site). H34C has regularly supported high numbers of brent geese and some waders, as demonstrated by the SWBGS data as well as the applicant's own field surveys and those related to a nearby development site. The site's location adjacent to the harbour, as well as the regular presence of winter wheat crop, makes this a highly attractive site for brent geese in particular.

Following recent revision of the SWBGS, the loss of some sites is accepted as a means of securing, on a permanent basis, the long-term management of good quality wintering bird supporting habitat. The current agricultural regime in this location (as elsewhere on Hayling) does not guarantee suitable terrestrial habitat in every winter and so the guaranteed provision of permanent habitat is significant for the overall protection of a network of high-quality inland habitat.

The use of the northern half of H34C as a permanent bird refuge is in principle acceptable and is consistent with the SWBGS mitigation framework. Key factors that will make this proposal acceptable are its permanence, boundary security (especially blocking informal access from North Shore Lane and the Hayling Billy Trail), grassland establishment and ongoing management and the presence of freshwater scrapes/pools. Details of these factors are provided within the submitted information and are acceptable. I would strongly recommend the trialling of brent goose and wader decoys at this site as a means of potentially encouraging bird use as early as possible.

It is understood that management of the site will be by the RSPB. As ever, it is the deliverability of the mitigation that is key to making it wholly acceptable and for concluding that there will be no likely significant effect on the conservation objectives of the SPA/Ramsar. In this case, it is stated that the applicant and the RSPB have been in discussion and that the RSPB have 'agreed' to accept a commuted sum for the ongoing (80 year) management of the site. The RSPB already have an interest in some land north of Sinah Lane anyway, and therefore it seems sensible for them to take on the ongoing management of the mitigation land. It is unclear whether the land itself will be transferred or simply leased. Clearly the preference would be for land ownership to be transferred so that the site is secured permanently.

In order to be able to conclude no likely significant effect, the LPA needs to see clear evidence that the ongoing management of the mitigation land is secured: there must be absolute certainty that the mitigation is deliverable. This should include evidence that the RSPB has definitely agreed to take on responsibility and that they agree that the proposed commuted sum is acceptable for agreed purposes.

Other ecological matters
In terms of other issues, the site is generally unconstrained. The bulk of the site

comprises arable crops and is of minimal value. Boundary hedgerows and trees are present to the north, south and east. Surveys have identified a small population of slow-worms and between four and six species of foraging/commuting bat: no bat roosts have been identified.

Overall, the site is of limited ecological value and the proposals allow for the retention and protection of the bulk of boundary features. There are opportunities for ecologically-valuable enhancements within the application site, including semi-natural habitats and a range of bat and bird boxes: the submitted details are acceptable.

Following confirmation of the proposed RSPB management involvement I would be happy to recommend that all ecological mitigation, compensation and enhancement measures are secured through condition. It will also be necessary to secure ongoing monitoring of bird use of the site as well as monitoring of all habitat and infrastructure: Natural England will have comments on the length of any monitoring period and I would suggest that monitoring should continue for longer than the proposed three years post-development.
Officer note: *Securing management of the Refuge by the RSPB would need to be the subject of a legal agreement.*

County Minerals
No comments received

Crime Prevention -Major Apps
Initial comments
Two pedestrian accesses are shown from the Hayling Billy Costal Path into the development. One of these is close to plot number 17 and gives direct access to the allocated parking for plot number 17. There is no overlooking of these parking spaces and the easy access from the Costal Path increases the opportunities for crime. Planning guidance advises that "Planning should promote appropriate security measures" it goes on "Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits." It further states that "Natural surveillance of parked cars is an important consideration." To reduce the opportunities for crime this access from the Costal Path should be omitted from the final scheme. Or the area should be redesigned to provide for greater natural surveillance of those entering from the Costal Path and the vehicle parking spaces should be in-curtilage.

Plot numbers 17 and 18 (there maybe others) do not have a boundary treatment to the front and side of the dwelling, as a result it is possible to easily gain access to the ground floor windows, this increases the opportunities for crime. Planning guidance advises, "There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security." To reduce the opportunities for crime the front and side gardens should be enclosed within a boundary treatment (perhaps hoop topped railings) approximately 1 m high.

Plot numbers 121 and 122, overlook a small area of Public Open Space (POS), both of the access footpaths from which it is possible to access the ground floor windows, run alongside the POS, indeed it may be assumed to be part of the POS; such an arrangement increases the opportunities for crime and anti-social behaviour. Planning guidance advises, "There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security." To reduce the opportunities for crime and anti-social behaviour a garden should be provided

adjunct to the footpaths, to protect the space a boundary treatment perhaps hoop topped railings approximately 1 m high should fitted along the boundary with the POS.

It is possible to gain access the rear of a number of properties from an area of Public Open Space (POS) (plots 34 to 45 are examples of this), this increases the vulnerability of these properties to crime and anti-social behaviour. Planning Guidance advises that "Planning should promote appropriate security measures" it goes on "Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits." To reduce the opportunities for crime and disorder, the fence height should be increased to 2.1 m and constructed as 1.8m close boarded fence, topped with 300mm of trellis, additional planting should be placed along the side of the fence with the POS.

Within the development there is an area of POS shown, named as "The Orchard". There is good natural surveillance of the POS from the overlooking dwellings, however, planting within the POS should not obscure the natural surveillance of the POS from within or without.

The boundary treatments for a number of dwellings are shown as 1.8m high brick wall with fence panel insert. Care should be taken with the construction of these boundary treatments to ensure that an intruder cannot step on to the brick wall and then step over the fence.

To provide for the safety and security of residents and visitors lighting throughout the development should conform to the relevant sections of 8S5489:2013. I do note that whilst the proposed lighting plan provides adequate lighting along the majority of the roads there are several stretches of the road without lighting, specifically the roads outside: plots 19 to 21, plots 22 to 26, 45 and 48, 131 and 132, adequate lighting needs to be provided in these areas. Additionally, in the area of plot number 5 to provide lighting along the pedestrian access way.

Further comments

The northern most access from the Hayling Billy Costal Path gives access to the rear of plot numbers 76 to 87, there is very little natural surveillance of this access route, which increases the opportunities for crime and anti-social behaviour. Planning guidance advises, “In general urban block layouts provide an efficient template with building fronts and entrances to public spaces and their more private back to private spaces. Such layouts minimise the creation of unsupervised and unsafe public spaces and unsafe access routes.” To reduce the opportunities for crime and anti-social behaviour greater natural surveillance of the access route needs to be provided from the nearby dwellings.

The external rear garden access for some dwellings is provided via a communal rear access footpath, this increases the opportunities for crime and anti-social behaviour. Some acquisitive crimes such as burglary and theft are often facilitated by easy access to the rear garden of the property. Planning guidance advises, “Planning should promote appropriate security measures”, it continues, “Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits.” To reduce the opportunities for crime and anti-social behaviour all rear garden access should be in curtilage. If this is not desirable all rear garden gates should be fitted with key operated locks that can be operated from both sides of the gate.

The southern boundary treatment Plot number 1, is located half way long the southern flank wall, this has created a deep recess which can be easily accessed from the public realm, which increases the opportunities for crime. To reduce these

opportunities the boundary wall should be moved much closer to the front building line.

From the plans it appears that plots number 73 and 71 have a flank wall that can be easily accessed from the public realm, this increases the opportunities for crime and anti-social behaviour. Planning guidance advises, “There should be a clear definition between public and private space. A buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security.” To reduce the opportunities for crime and anti-social behaviour a private garden at least 1.5m wide should be provided along these elevations. The garden should be enclosed within a robust boundary treatment at least 1.8m high.

To the north of the development site is a large area of open space, it appears possible to access this space from roads within the development; this increases the opportunities for crime and anti-social behaviour. To reduce the opportunities for crime and anti-social behaviour appropriate measures should be put in place to prevent unauthorised vehicles (including motor cycles) accessing this space.
One of the boundary treatments is shown as 1800mm high brick wall with timber fence panel. Care needs to be taken with the construction of these boundary treatments to ensure that a person cannot easily gain access to the top of the low wall and standing on the wall climb over the fence.

To provide for the safety and security of residents and visitors, lighting throughout the development should conform to the relevant sections of BS 5489:2013.

Officers note: *The plans have been amended to improve natural surveillance, security, prevent deep recesses, provide definition to private and public spaces, and prevent access to unauthorised vehicles (including motor cycles). The lighting would be the subject of a condition to ensure a balance between the need for appropriate security and the lighting impacts on ecology and nearby properties. As such the concerns of the consultee have been appropriately addressed.*

Developer Services, Southern Water
Initial Comments
Southern Water has undertaken a desk 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 there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water’s Capital Works programme. 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.

Southern Water hence requests the following condition to be applied:

“Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development”

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 program 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 works required (If any) and to design such works in the most economic manner to satisfy the needs of existing and future customers.

Our assessment of the timescales needed to deliver network reinforcement will consider an allowance for the following:

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

The overall time required depends on the complexity of any scheme needed to provide network reinforcement. Southern Water will seek however to limit the timescales to a maximum of 24 months from a firm commitment by the developer to commence construction on site and provided that Planning approval has been granted.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, 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 application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

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

No habitable rooms should be located less than 15 metres from the pumping station compound boundary, in order to protect the amenity of prospective residents. If the applicant or developer proposes to offer a new on-site foul sewerage pumping station for adoption as part of the public foul sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will be required to be 100 square metres in area, or of some such approved lesser area as would provide an operationally satisfactory layout.

No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public or adoptable gravity sewers, rising mains or water mains.

We request that should this application receive planning approval, the following condition is attached to the consent: “Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.” The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

Further comments
Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.
We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link ttps://beta.southernwater.co.uk/infrastructure-charges.

All other comments in our response dated on 24/08/2019 remain unchanged and valid.

Education Department
The proposed development of 195 dwellings would usually be expected to generate a total of 59 additional primary age children. This is based on a figure of 0.3 primary age children per new dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments.

The development site is served by Mill Rythe Infant and Junior Schools but there is pupil movement between these schools and Mengham Infant and Junior Schools. The schools are forecast to be at capacity by the start of the 2021academic year and forecast to remain full after that date without this proposed housing being taken into account. Consequently, additional primary school places will be needed to cater for the additional 59 pupils and a contribution is sought from the developer to pay for this expansion. Details of the forecasting methodology used, along with the current pupil numbers in the Hayling Island primary schools can be found at Appendix A.

Similarly, Hayling College serves the proposed development, but it can be noted in Appendix A that there is a sufficient number of secondary school places available to accommodate the yield from the proposed development.

The County Council has used previous extension projects to derive a cost for the proposed expansion, and this is estimated at £872,320. This is based on the provision of two additional classrooms to accommodate the pupils from this development. Details of how these costs were derived can be found in Appendix B. This will go towards any expansion to Mengham Infant and Junior Schools.

No contribution will be sought to provide additional secondary school places owing to the surplus places within the existing schools.

In summary, the contribution towards the expansion of Mengham Infant and Junior

Schools is necessary as without an expansion they will not be able to accommodate the children from the development. The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the schools and therefore is fairly and reasonably related in scale and kind to the development. This information is supported by the County Council's '*Planning for School Places Guidance Document'* which sets out the methodology for assessing the impact of development on education infrastructure.

Recommendation
Without the provision of a contribution towards the provision of additional school places the County Council, as Local Education Authority, would object to the proposal on the grounds that the impact on the existing infrastructure cannot be sufficiently mitigated and therefore the development is unacceptable in planning terms.

Environment Agency
We have **no objection** to the proposed development as submitted.

Advice to LPA
The proposed development site lies entirely within Flood Zone 1 and is therefore considered to have a low risk of tidal flooding. It is anticipated that Hayling Island will be at increased risk of flooding in the future due to the impacts of climate change on sea level rise.

The National Planning Policy Framework (NPPF) requires consideration to be given to both current and future flood zones at the site specific level, taking the impacts of climate change into account. The Flood Risk Assessment (FRA) does not consider the future tidal flood zone, taking climate change into account. We have addressed this deficiency in the FRA. Environment Agency data from the Hayling Island Flood Modelling study carried out this month suggests that the proposed development will remain in Flood Zone 1 for the lifetime of the development (considered to be 100 years for residential development). The topographic survey shows that existing site levels range from 5.10mAOD to 5.90mAOD. Potential tidal flood levels over the development lifetime are estimated at 4.4mAOD for Hayling Island. The proposed development therefore sets finished floor levels well above the design flood level when an allowance for climate change is made.

Environmental Health Manager, Community Group
Initial comments- Noise
I have perused the enclosed plans / documentation provided by the applicant and the updated noise assessment. If the noise assessment Second issue dd 5-9-2018, provided by WYG for Barratt Homes, is followed especially in relation to sections 6.1 & 7.0, I would have no objection in principle to this application

I would ask that the following conditions and informatives be applied to any consent granted: -
Condition 1: No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.
Reason: To protect the occupants of nearby residential properties, on and off site, from light
disturbance / pollution.
Condition 2: The applicant to confirm that the acoustic mitigation measures to be employed with regard to the building envelope and external amenity areas, including fenestration / ventilation, and fencing /walls for all residential units, will meet

BS8223:2014 standards as recommended for indoor and outdoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB *L* Aeq,16 hour and at night (23:00 to 07:00) 30 dB *L* Aeq,8 hour for bedrooms; and external amenity space 50 / 55 dB *L*Aeq,16 hour (50 dB is preferable)
Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially noise from any commercial / business premises existing alongside the development, traffic noise and noise from pump stations and the like.
Condition 3**:** It is hereby required that a Construction Environmental Management Plan which includes comprehensive provisions for the control of dust on the above site, is submitted to the Local Planning Authority for approval prior to any groundworks or building / construction works commencing on these sites. It should advise as to what measures are to be put in place for the control of any dust that might emanate from the development site. This plan will include for a suitable and adequate water supply being available at the site prior to works commencing. Furthermore, the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities. It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also be kept damp at all times. Any Construction Environmental Management Plan - Dust control, agreed in writing by the Local Planning Authority shall be adhered to at all times.
Reason: To protect the occupants of all nearby residential receptors from dust pollution.
Furthermore, based on the close proximity of neighbouring residential properties, that the following informatives also be included. These should in all likelihood be addressed under the Construction Environmental Management Plan when submitted.
INFORMATIVES:
Informative regarding Hours of Work:
You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00. This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance.
Informative regarding bonfires
No bonfires to take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action. This is in order to protect the occupants of nearby residential properties from smoke pollution.

Further comments- Noise
Condition in respect to construction method statement required.
Noise assessment in respect to the substation is acceptable.

Initial comments Contamination Assessment, Transport Assessment / Travel Plan / Air Quality assessment, air quality / sustainability, pollution and public health (SuDS / Drainage).
Contamination

The Wilson Bailey Geotechnical & Environmental 'Desk Study & Ground Investigation letter Report' J16123/DB/c03 is favourable in its findings. No significantly elevated concentrations of contaminant of concern are noted, and no visual / olfactory evidence of contamination highlighted. Taken at face value, the report is sufficient to dismiss all contamination concerns, and to support a recommendation for omission of all contamination conditions from any consent granted in respect of this application.

Whilst this is the case - it must also be acknowledged that the purpose of the assessment was not to investigate the highest risk area of the site, and as a result, the 'at face value conclusion' is supported by very little empirical data in the areas where there is the greatest probability of elevated concentrations of contaminants being present.

The letter report omits PID screening data, gas monitoring data, and groundwater levels data for periods stated to have been monitored. Whilst it may well be that this data is available, and represents similarly favourable results - the omission of the data from the appendices confidence in the report (where the converse is also true - inclusion would bolster confidence in conclusions). It is recommended that the following be obtained / confirmed within the life-span of this application;

- 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."*
- Results of PID screening of soil samples (headspace)
- 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 winter water level monitoring undertaken during 2016/17
- 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.

For clarity, the site is considered to be relatively low risk. The above referenced information would serve to increase confidence in the report relative to the principle off-site risk - namely the former Hayling Billy Line terminus. It is thought that the line was used to transport coal and gas works waste - some residues carrying the colloquial nickname 'blue-billy' - which might not be unrelated to the name for the line. A localised impact at the development site is not necessarily likely at the site (sidings and handling areas were generally on the eastern side of the site), but is not inconceivable. The samples from BH2 are sufficient to indicate a surface soil impact (e.g. from accumulated wind-blown dusts etc. associated with the Billy Terminus, but are not informative of the presence or absence of any migrating plume of contamination (e.g. of coal tar, or distillates originating from gas works and handled at the site). Water samples would lend confidence in a conclusion that such an impact is absent.

Assuming that the above available information can be obtained, I would have no adverse comments to make on contamination grounds, and would propose no conditions.

<u>Drainage / SuDS</u>

It is noted that the proposed SuDS system includes a substantial attenuation pond, bioretention and swale conveyance - features which are more than adequate to address the urban pollution associated with housing. I have no pollution concerns.

I do note that the area is low lying, requiring both foul and surface water systems be pumped. It is noted that the pumping station is to be constructed to adoptable standards, and offered for adoption - what is not clear is whether Southern Water has taken an 'in principle' decision on whether the infrastructure is to be adopted.

Issues with private pumping stations have arisen on recent housing developments, representing a significant and additional cost to the management company (ultimately the homeowners) to replace failing equipment. The Council has enforcement powers for private sewers under the Public Health Act, however as a general principle sewerage disposal is regarded an essential public service which should appropriately reside with the statutory undertaker wherever possible. Private systems carrying a 'single point-of-failure' risk are regarded as being more likely to trigger regulatory effort of the authority, and this would not be necessary if the system could be adopted. The reasons for the 2011 Private Sewerage Transfer Regulations remain valid, and for these same reasons, it is preferable for sewers to be adopted wherever possible.

I note that the design of the surface water collection upstream of the pumping station is conventional in nature, with all 'SuDS' features existing downstream. I am unclear on whether this is sufficient to overcome the usual refusal from Southern Water to adopt systems with SuDS elements (due to their complexity, and increased risks of poor reliability).

In either case, it should be established in the clearest possible terms where management responsibilities lie in respect of the conventional drainage infrastructure, the pumping station, and the SuDS features. If remaining private, robust and binding provisions should be made for maintenance and management. Ideally, the detailed design, and maintenance provisions should be secured by condition for Council approval prior to occupant, and should include a programme of preventative maintenance for 'natural' features (Ditches, Swales, Basin, flow control etc. which addresses the potential conflict between their ecological / amenity value and as their function as drainage infrastructure. It is assumed that the commitment to build the pumping station to adoptable standards ensures a pumping station that includes redundancy to provide continuous service in the event of pump failure or planned maintenance downtime.

<u>Air Quality</u>

i) Assessment of development impact (Direct)

The WYG Air Quality Assessment report is based upon traffic flow figures whose provenance is a little unclear. It appears that the development traffic is TRICS generation rate estimate (agreed with highways for the traffic impact assessment) adjusted from 12 hr > average day (AADT), and for season, and then projected to the opening year (2023). The routing model is driven by the 2011 travel to work (census) data, and whilst this does not capture leisure, retail, educational or social trips - it is likely to account for the prevalent trip type affecting the strategic local network, and in this way, ignoring local trips could be argued to be a conservative (and therefore more robust) approach.

There are some logical anomalies apparent within the table 4.1, but I have not identified any likely to materially influence a marginal result. The values presented are in line with expectations (based upon local survey data, DfT estimates, and local knowledge of trends over time)

Similarly, I note that the extensive range of receptors modelled appears to have omitted the most emissions sensitive receptor in a number of cases - but as above, I have not identified any instance whereby the omission would be likely to be material with respect to a threshold criteria for health. As such, I do not require any assessment be re-run, and the results can be accepted as being broadly representative.

The DMRB modelling is not corrected to a local monitoring point, and no assessment of

performance against a local monitoring point is presented - for this reason it is unclear whether the presented results are likely to over- or under- estimate concentrations, and the proportional magnitude of impact.

Generally speaking however, a directly associated adverse air pollution impact would be expected where the development is likely to result in a +10% flow on a 'busy road link' (generally taken to be a link carrying >10K vehicles as AADT. With reference to table 4.1, it is apparent that either the road link has 'emissions capacity' (i.e. carry's <10K AADT), or is sufficiently busy that the estimate of total development traffic represents <10% of the link flow. In this sense, a direct adverse impact of a magnitude likely to be considered 'significant' would not be anticipated.

Any adverse impact is likely to arise from either a contribution to increasing emissions associated with development-led traffic growth, or arising from a junction capacity problem which causes a disproportionate impact on existing highway flows (resulting in queuing, congestion, or any other deviation of driver behaviour from 'free flowing traffic conditions', e.g. aggressive gap seeking behaviour). A combination of these two factors is considered to be the most plausible adverse impact.

Air quality models in general are-, and the DMRB method in particular, is- poor at accounting for these 'driving style' emissions. Local monitoring suggests that driving style factors are far more important for local emissions 'hot spots' than is either overall traffic volume (when flowing freely), or even slow moving stop-start congested flows. In this sense, I do not dispute the favourable conclusions of the air quality assessment, but would equally not consider the assessment to be sufficient to dismiss further consideration of air quality impacts.

ii) Traffic & Transport Assessment (Accessibility & Mitigation)

In general, I would agree that the site to be reasonably accessible - access to bus services is available within a convenient walking distance, as are local services at West Town. The site benefits from its proximity to the Hayling Billy Trail, which is considered to represent an asset to the development, supporting the selection of sustainable / active travel choices - particularly for those working in- or accessing onward public & rail transport at- Havant town centre. The direct accesses to this route underscore the likelihood of increased usage, and therefore erosion - and for this reason the proposed contribution for surfacing improvements is considered to be both justified and necessary.

I also note that Hampshire County Council is undertaking a project seeking to improve bus service 31, and that increase in frequency and improved information / waiting facilities are being explored. A contribution to these improvements is considered to be an appropriate, and sufficiently relevant / targeted measure which will serve to improve connectivity of Hayling Island more generally. Taken together, these measures are agreed to improve the sustainable travel offering, and facilitate modal shift away from modes with greater 'per person-kilometre' emissions rates.

Travel to school is a significant driver for AM peak traffic, often for short- local journeys which are within walkable or cyclable distance, and which (as a single purpose trip) involve vehicle use at suboptimal engine temperatures (thus higher emissions) perhaps throughout the entire journey. In this sense, I am disappointed to see that the prospect of a better positioned pedestrian crossing on the 'walk-to-school' route has been dismissed. I do acknowledge however that the presence of dropped kerb driveway accesses are likely to form a constraint to the 'on desire-line' crossing (within Right Turn Taper), and that the position North of Station Road (whilst likely to reduce the route length by around 50m) does necessitate crossing the junction at Mt Mary's road in order to access the footway on it's Southern Side.

I will leave it to highways consultees to comment on the technical merits of pursuing a new crossing. I note that Hampshire County Council has also highlighted opportunities for improving this route, and may have specific improvements in mind. From an air quality perspective however, I would firmly support any initiative aimed at encouraging or facilitating travel to school by sustainable and active modes of transport. Even marginal gains in either safety or convenience could make a significant difference in the mode chosen for travel-to-school journeys - influencing both trips originating from the development, and encouraging modal shift for existing trips.

iii) Traffic & Transport Assessment (Junction Capacity & Mitigation)

I have reviewed the junction capacity assessments presented in the PB Transport Assessment 041.0031/TA/2 report. Development traffic distribution is expressed proportionately, and in contrast to the AADT figures presented in the AQ assessment, appears coherent.

The assessment results are broadly as expected, identifying no specific capacity issues at the 'local' junctions, or at the key nodal junction of the A3023 Havant Rod / A3023 Manor Road / Church Road. From an Air Quality perspective, the operation of junctions approaching or in exceedance of their design capacity is particularly important as it is an indicator of increasing frequency of peak period congestion (where approaching capacity) or of frequent congestion (where exceeding capacity). When a junction becomes congested, there is turning movement conflict causing queuing traffic, and more aggressive driver behaviour is encouraged (gap seeking / exploitation) - these factors can lead to substantially elevated emissions which are entirely disproportionate to the number of additional vehicles. Air Quality models are not particularly accurate in accounting for these factors, tending to significantly underestimate the magnitude of impact.

The study identifies one such location - at the junction of West Street and Havant Road. The junction model appropriately accounts for the visibility splay, but would anecdotally appear likely to underestimate the southbound delay associated with southbound traffic waiting to make a right turn to West Lane. The report identifies that junction operation under a baseline (BL) + committed (C) development is just under the 85% capacity threshold, and that the addition of proposed development traffic tips the balance to 93%. Somewhat confusingly, Havant Rd. is referred to as Eastbound (EB) & Westbound(WB). For these purposes, it is assumed that WB is analogous to Southbound (SB), not least as the assessment shows a zero Queue rate for EB, assumed due to NB traffic either having an unencumbered LHT from Havant Rd. to West Ln, or having right-of-way NB.

With the restricted visibility to the South (when making a RHT from Havant Rd. to West Lane), and the volume of traffic utilising Havant Road (>19K AADT), aggressive gap exploitation is expected for this manoeuvre. I would also expect peak conditions queue lengths in a SB direction to exceed those indicated in Table 21 (<1 predicted). Relevant receptors are located very close to this junction (#78 & 80 Havant Road), and so a traffic flow impact here could result in a significant air quality impact at these locations which I would not expect to be accurately represented by the DMRB assessment.

I also note that the % impact assessment at the Langstone Road arm of the A27 makes some odd assumptions, which in some cases I would regard as erroneous (e.g. development contribution to PM peak traffic accounting only for 75% of departures - contrary to the known 'tidal' flow character, and AM peak assumptions). Applying a more realistic development traffic contribution notably returns a development impact against baseline of just over 5% in the AM peak, and just over 6% in the PM peak -

both above the threshold selected for 'modest impact'.

The PB report appears to dismiss the West Lane / Havant Road effect as being an extant issue arising from 'natural' traffic growth (not attributable to the proposed development). I note however that the Infrastructure statement makes provision for a contribution to be provided to support the local authority driven programme of works to mitigate traffic pressure on this strategic route.

The rationale for not proposing a specific improvement ahead of a strategic assessment & development of an integrated scheme of infrastructure enhancements is accepted. In light of the degree of development impact on the Langstone Road Arm (the region of arguably the poorest air quality in the Borough), and the proximity of receptors to the affected junction at West Lane - I would simply recommend that the contribution sought is commensurate with the impacts identified (which as noted above, are likely to exceed those presented in the 041.0031/TA/2 & A100655 reports).

Whilst I note that the transport assessment refers solely to NPPF policy - which sets a benchmark of 'severe' - it is considered that this benchmark is relevant to the principle of development in terms of whether it should be refused, and does not set a *de-facto* minimum standard for mitigation of 'sub-severe'. Local policy also has effect, and can be exercised to justify a level of contribution which serves a reasonable prospect of securing improvements required to achieve a 'no detriment' condition (e.g. CS20,2).

iv) Sustainability & Design

The 2018 revised NPPF strengthens planning requirements for environmental matters, with the previous provision on Air Quality that local policies to aim to "*sustain compliance with and contribute towards EU limit values or national objectives for pollutants"* expanding to include planning '*decisions*'.

There are also enhanced and expanded provisions on both sustainability and transport, imposing a requirement to support the 'transition to a local carbon economy', and for 'changing transport technology' be recognised at the earliest stages of both plan making and development design. It is also explicitly recognised that even small scale projects make a valuable overall contribution. In the specific context of the provision, referring to carbon reduction targets - but as a concept equally applicable to air quality, and fully compatible with the emerging national strategies for more effectively managing poor air quality (where a strategy of achieving incremental improvements is widely advocated).

Against this policy context, it strikes me as relevant that the applicant is proposing a development which represents a +20% quantum relative to the draft allocation for the site in the emerging local plan (H31), and which proposes development of greenfield land not currently considered suitable for development (or not currently considered necessary to meet the objectively assessed housing need).

For this reason, I would regard the proposed density - and moreover, the increased density over that which the Council considers is required in this area - as requiring robust sustainability credentials in order to justify departure from the emerging allocation.

Sustainability elements relevant to air quality local to the site would include supporting infrastructure for electric vehicle / plug-in-hybrid vehicles; any space/water-heating or household appliances which are 'zero-emission at point of use' (i.e. electrical, where these replace a combustion appliance), the provision of on site renewables (direct solar, PV, or heat pump) or any technology which reduces the need for combustion or reduces combustion emissions - e.g. ultra-low NOx boilers, ventilation with heat

recovery, or high quality design which makes efficient provision for solar gain for both heating and the avoidance of over-heating (minimising the need to cool). Many of these measures could also indirectly reduce offsite emissions, and thus contribute to incremental improvements in air quality more widely. All measures are supported variously by both revised NPPF policies, and by existing local policies.

I note that the unit plans / elevations include the text *"Solar Panels Type, Size, and Orientation to be agreed. Plot specific",* which suggests that the applicant recognises this need. There is however no specific reference to a local LZC provision in any of the planning or design statements. I would support the site-wide provision of PV solar as a very positive feature on air quality grounds, and as a measure providing support of future adoption of EV transport which is very well placed to exploit local clean energy generation.

The applicant's intentions should be clarified in respect of design features contributing to a strong overall sustainability offering in line with CS15, various other local policies, and a raft of NPPF requirements. This is considered to be particularly important for development on Hayling Island which is so opposed by local residents on sustainability grounds.

Further comments Contamination Assessment, Transport Assessment / Travel Plan / Air Quality assessment, air quality / sustainability, pollution and public health (SuDS / Drainage).

Observations / Comments:
The cover letter to the amended & additional documents submitted contains a direct response to comments made by Environmental Health at the initial consultation (under EH Ref: CONS/19/01363, 07/08/2019). Comment here will largely focus on the points addressed.

Contaminated Land Assessment
Environmental Health had previously recommended that Chemical Results from Groundwater monitoring, PID screening, Soil Gas Monitoring & Winter Groundwater Levels monitoring (all omitted from the report originally submitted) be obtained. Barratt David Wilson (BDW) has confirmed in it's response that no physical testing of groundwater was undertaken. Given this, the statement contained within the J16123/DB/c03 report and referred to in my previous response is considered to be somewhat misleading, but does not necessarily require amendment. BDW has also given the clarification that a decision was taken not to collect samples due to the lack of any visual or olfactory indications of contamination during any of the (water levels & soil gas) monitoring visits, which is helpful context.

The response also confirms that the total volatiles (PID) screening results were not included in the report, as all readings taken returned values below the unit's limit of detection. Screening results are included on the recently submitted gas monitoring results which confirm <LOD concentrations, confirming this statement, and representing favourable results.

The soil gas results are also favourable, confirming <LOD results for methane, elevated CO2 concentrations at <1% by volume, and Oxygen levels consistent with healthy soils (indicative of good well seals, and not indicative of significantly elevated BOD / COD due to presence of contaminants).

2016/17 winter water levels were not identified any closer to ground level than were indicated on the site plan to the J16123/DB/c03 report.

The response suggests that BDW would be willing to engage in further sampling if the

Local Planning Authority requires it. Groundwater sampling can provide useful contextual information, and is usually capable of indicating the presence of a nearby source that has not been intersected by the trail holes. I would typically favour the collection of a sample where a well is present that is both intact & accessible; however, in this case the context would suggest that this is not necessary. There are several reasons for this conclusion, including;

• BH2 is positioned on (or very close to-) the site boundary, and is both adjacent to- & down 'apparent-hydraulic-gradient' of-, the potential off-site source.

• BH2 winter groundwater levels have been recorded as shallow as 0.45m below existing ground levels ('BEGL'), meaning that any contamination present that is capable of migrating with groundwater (as LNAPL / colloid / suspension / dissolved-phase) would be expected to be present within a shallow 'smear zone' from around 0.5m depth, and so would be expected to be evident in soils or vapour.

• Two soil samples were taken from BH2 at depths within range of the local groundwater fluctuations, both returning no significantly elevated concentrations (i.e. testing 'clean').

• Soil gas samples were taken from BH2, with results not being indicative of biological degradation of organic contaminants.

• PID screening did not indicate the presence of any hydrocarbon or solvent vapours at BH2, and;

• BH9 results (further down-apparent-hydraulic-gradient) were consistent with results from BH2.

BH2 & BH9 represent locations where it is considered most likely that any significant contamination associated with the adjacent potential source would be apparent, and so the absence of such indications is considered to be sufficient to conclude that no significant contamination is likely to be present.

On this basis, I do not consider it necessary to insist that a groundwater sample be collected for analysis (and results submitted). On the basis of the clarifications contained within the BDW Cover Letter Dated 11/09/2019, I would also not consider it necessary to insist upon the issue of a revised version of the J16123/DB/c03 report. *The conclusions of that report are accepted,* and in line with my previous response (CONS/19/01363, 07/08/2019), ***I have no adverse comments to make, and I propose no planning conditions.***

Drainage / SuDS

I note that the on-site surface waste and foul pumping stations are to be offered for adoption, and I understand that Southern Water has provided an agreement-in-principle' on adoption, which is welcome, as is the clarification that both emergency storage capacity and monitored telemetry are to be installed at the facility. Notwithstanding the comments from Natural England regarding the need for enhanced pollution attenuation for SuDS discharging to environmentally protected sites - the justification given within the cover letter dated BDW 11/09/2019 for omitting a Pollution Valve is accepted.

I have reviewed the documents recently submitted, which includes a Surface Water Drainage Briefing Note and SUDS owner's manual (maintenance schedule).

SuDS Briefing Note:

I note that Southern Water raises queries about both access and the provision of emergency storage capacity (assumed on the foul system - not shown on drainage plans) - proposing these to be matters to be addressed under the s104 agreement. Environmental Health supports the case for redundant capacity to minimise risk of release to sensitive environment under fault conditions (allow time for maintenance

staff to attend), and is mindful of the requirements of para. 183 of the NPPF.

SuDS Features Maintenance Schedule:
I have no specific comments to make, other than to highlight that the only reference to silt/sediment removal under section 5) (detention basin) is in relation to 'inlets and facilities surface', and 'inlets, outlet and forebay', and it is at best unclear from this text whether references to either or both 'facilities surface' and/or 'forebay' should be taken to mean the available freeboard depth of the basin will be checked for reducing capacity due to siltation. This is an important element of the maintenance schedule that is not clearly addressed.

It is also apparent that the schedule covers assets that should, according to other documentation, be adopted by Southern Water. It is considered unlikely that Southern Water would adhere to an approved schedule of preventive maintenance, and would likely tend toward 'as and when required'.

With reference to my previous comment: "*I note that the design of the surface water collection upstream of the pumping station is conventional in nature, with all 'SuDS' features existing downstream. I am unclear on whether this is sufficient to overcome the usual refusal from Southern Water to adopt systems with SuDS elements (due to their complexity, and increased risks of poor reliability)"* I am unsure whether;
a) the cellular & tubular storage facilities and flow control structure are likely to be regarded by Southern Water as unadoptable SuDS features, or
b) whether it is possible for Southern Water to adopt a drainage network which is upstream of unadoptable features - i.e. functionally dependent on private assets.

Point a) is only relevant insofar as the Management & Maintenance Company (and their agents) being clear on which assets are in scope of their responsibilities; whereas point b) could prejudice the principle of adoption. whilst it is acknowledged that there are difficulties in securing Southern Water's undertaking to adopt any specific asset in the absence of detailed designs, it should nevertheless be possible to clarify that Southern Water's 'agreement in principle' to adopt the pumping station & conventional network is not undermined by it being dependent upon of private assets for proper function. *I would recommend that for completeness, this be confirmed.*

Assuming that adoption is not prejudiced - I have no adverse comment to make about the observance or otherwise of the preventative maintenance outlined in the owner's manual for elements of the system which are expected to be adopted. Southern Water has a robust reactionary resources which it is reasonable to assume will function effectively in the long term.

Save for the ambiguity alluded to above, the schedule is appropriate in all other respects.

Air Quality
i) Assessment of development impact (Direct)
No Additional Comments
ii) Traffic & Transport Assessment (Accessibility & Mitigation)
No Additional Comments
iii) Traffic & Transport Assessment (Junction Capacity & Mitigation)
It is noted that the Environmental Health's previous comments have been reviewed, and that an enhanced strategic highway contribution to account for concerns about the impact at West Ln. is proposed. This is intended to support HBC & HCC plans for improvements at this junction, and discussions are ongoing with HCC to agree the appropriate level of contribution.

This is agreed to be an appropriate response to the concerns raised, as avoiding

congestion at this pinch-point will by definition help maintain free-flow of traffic, and it is known from representative monitoring undertaken at the A3023 roadside that maintenance of free flowing traffic on this road will maintain compliant air quality at residential property adjacent.

For clarity, I am content to agree the principle of the contribution, and to defer the details (determining an appropriate & proportionate amount) to the Highways Authority, and the purpose of the funds is to secure mitigation of traffic flow.

The cover letter indicates that EH had not reviewed the "Addendum Transport Assessment" (TA); there may be some confusion between terminology, and it is believed that what BDW has referred to as an addendum TA is likely to be the same document as the PB Associates TA 'Re-consultation Technical Note' (Ref_041.0031/RTN/1). This is the document referred to on the schedule of submitted plans and documents (at the September consultation).

It is noted that the 041.0031/RTN/1 Technical Note refers to a forthcoming 'revised TA', and the cover letter refers to an additional Transport Assessment due 'this month'. This awaited report is expected to be the document which HCC requires to agree a reasonable contribution in respect of the development impact at the West Land / A3023 Junction.
In this way it is believed that Environmental Health has had sight of the latest available documents in making these comments.
iv) Sustainability & Design
For ease of reference, I will maintain the same structure for comments as in previous responses;
• IN1 - the applicant's response to this is addressed under iii) above.

• IN3 j)(i) - Plan PL-13.P2 represents the applicant's response to previous comments, with domestic charging stations now proposed for all units with private garages. Whilst this does not go as far as the policy envisages, given the current status of the policy *this is considered to be a reasonable response which serves to contribute toward mitigating the transport emissions of the development* in the medium term.

• E1 g) - no specific response, previous comments still apply.

• E1 k) - The latest reconsultation includes the revised cycle storage plan. It is noted that the Kenley & Maidstone unit types, are not proposed to be provided with garages, external or internal cycle stores; amounting to 69 units which fall short of the current (2016) Parking SPD Cycle Parking standards. There is no commentary to the decision to omit the cycle parking, so it is not clear why the applicant considers it appropriate to depart from SPD. Active travel, especially to schools and places of employment forms a significant part of the strategy for maintaining and improving air quality, and in the absence of any specific justification; *it is considered that external cycle stores should be provided for these units which do not require transitioning the cycle through the habitable accommodation to reach the local highway network*.

• E12 - the applicant has made a response to these comments, relying upon the fabric-first approach. The applicant does reiterate the comment as regards Building Regulations which I have previously challenged. Specifically, as regards air quality, and the public health impact of air pollutants; I would point out that a fabric first approach to E12 which does not address heat loss through ventilation, or facilitates occupants reducing ventilation rates to sub-optimal levels-, would tend to increase the health risks associated with indoor air pollutants, known to represent a substantial component of personal exposure. This comment is intended to provide context to the planning decision against the applicant’s response to policy E12. *I do not make any specific recommendations or requirements*, as the Council's regulatory duties for air quality do not extend to the indoor environment.

• E23 - the applicant's response to the concerns raised about impacts of travel is acknowledged, as is the provision of EV charging points, and the contribution towards maintenance and enhancement of the Hayling Billy Trail - an important 'active travel' route. It is also acknowledged that the landscape proposals substantially increase the opportunities to intercept and remove air pollutants through natural filtration - with green boundary treatments to the street frontage being a significant feature, alongside avenue tree planting, community orchard, landscaped LEAP and enhanced buffer planting consisting of minimum 50% species with a medium-high UTAQS (urban tree air quality score). Given the relatively low background levels of air pollution at this location - and assuming that the cycle storage provisions are brought into line with the cycle parking standards contained within the 2016 SPD; *taken together these provisions may be taken to amount to a reasonably robust response to the mitigation of the contribution of the development to local emissions*.

Other Comments;
I note that the Public Health Consultee highlights that Health and Wellbeing Opportunities are to be the subject of future consultation, and that the infrastructure delivery statement is 'emerging'.

Environmental Health would support the Public Health Recommendation no. 6 in particular, and would echo HCC's desire to be 'part of the conversation' to explore the health & wellbeing outcomes - with a view to identifying synergies with air quality goals, and to ensure that opportunities for alternative sustainable/active transport are maximised wherever possible.

***Officer note**. All dwellings are now provided with cycle storage.*

Hampshire Fire & Rescue

Building Regulations: Access for Firefighting

Access and facilities for Fire Service Appliances and Firefighters should be in accordance with Approved Document B5 of the current Building Regulations.

Hampshire Act 1983 Section 12 – Access for Fire Service

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

Fire and Rescue Services Act 2004

Advisory recommendations provided on access for firefighting, water supplies, fire protection, fire safety systems, and timber framed buildings.

Hampshire Highways
Initial comments
Policy Context
The site was identified with Havant Borough Council's Adopted Housing Statement as a site not suitable for early release. This has not been outlined within the policy chapter within the TA.

It is outlined within Havant's Adopted Housing Statement that:

"sites on Hayling Island are not appropriate for 'early release' and the site or area specific issues raised should be fully explored through the new Local Plan (and these issues are explored in further detail below). These sites will be re-categorised as sites

with 'uncertain potential' in the SHLAA".

The housing statement specifically lists highway matters as an area of concern and that these matters will need to be fully explored with regards to sustainability through the Local Plan supporting evidence base. To date whilst consultation on the draft local plan has been undertaken the highway authority has a holding objection to any allocations until such a point as a suitable evidence base has been provided to support an allocation. The policy position therefore set out within the Adopted Housing Statement should, in the view of the Highway Authority, remain until such a point as the evidence is available to support provision of any Local Plan development on Hayling Island.

It is noted by the highway authority that the application is for 195 exceeding the potential allocation of 165 within Havant Borough Councils emerging Local Plan. The planning authority should ensure that this additional level of housing is considered within any supporting evidence for allocations within the emerging Local Plan.

Traffic Data

In order to inform the baseline data of the submitted Transport Assessment, an ATC survey was undertaken on Sinah Lane within the vicinity of the site access between 23rd June and 4th July 2016. 85th %ile speeds of 31.1mph eastbound and 29.5mph westbound were recorded.

Parking

Matters relating to the internal layout and parking are dealt with by our Agent at Havant Borough Council. A separate response on these matters will be provided to the Planning Authority.

Personal Injury Accident Analysis

The submitted Transport Assessment contains a full PIA review for a local highway network of interest agreed during pre-application stage and covers a 5-year period between June 2012 and May 2017. This data is significantly out of date and should be updated to ensure no emerging accident issues that may be affected by the additional development.

Vehicle Trip Generation

During pre-application discussions it was agreed that the vehicle trip rates as utilised within the approved application APP/12/00966 would be used within this assessment. This methodology is considered appropriate and will provide a robust assessment in this regard.

The results of applying this previously agreed trip rate results in circa 118-138 trips in the AM and PM peak hours respectively being generated from the site.

During pre-application discussions, HCC requested that the assessment should provide a study of the likely volume of vehicular traffic forecast to access Mengham Schools. The submitted Transport Assessment provides figures in relation to this, however it does not provide any details of methodology behind this presented information. As such, clarification from the applicant is required in this regard. School travel plan survey data should be reviewed which if available would outline the model choice for journeys to school by each mode.

Committed Development

Committed Development has been agreed at pre-application stage as the following:

- Land South of Beech Gove (App/12/00966)
- Land East of Furniss Way (App/15/00919)

- Mill Rythe Holiday Village (App/16/01237)

Advice was given ahead of an application and subsequent approval of the Lidl application on Manor Road. This should be considered as committed development.

It was also requested that a sensitivity test be carried out regarding emerging local plan sites should the application come in ahead of the Local Plan supporting evidence. This has been undertaken and considered additional development at the following sites:

- Lane at Rook Farm – Allocation of 394 dwellings

This assessment does not cover the emerging Local Plan position however for a strategic assessment of the impact on the road network from the site. The sensitivity test should accurately reflect the emerging Local Plan proposed housing allocations. Confirmation of the status or potential site allocations should be obtained from Havant Borough Council and agreed with the highway authority.

Trip Distribution

In order to distribute vehicular trips on the local highway network for assessment, the submitted Transport Assessment utilises 2011 'Travel to Work' census data for Havant 015. This approach is considered acceptable.

With regard to the site access, the application considers that almost all of the development traffic will turn left out of the site access and whilst a small volume of traffic may turn right in reality, 100% has been considered as turning left for the purposes of assessment. This approach is considered acceptable and sufficiently robust with regards to trip assignment purposes; however, with regards to operational modelling a sensitivity test may be required as detailed later within these comments.

In reference to the additional junctions of interest, the submitted Transport Assessment provides information with regards to 'anticipated' trip assignment on the network, however this approach is considered potentially unacceptable. The submitted information provides no demonstration of how this anticipated trip assignment has been calculated. It is not clear whether existing turning proportions have been used, or whether route planning software has been used. How the applicant as assigned the trips to the network should be clarified.

Traffic surveys in terms of ATC data and turning count surveys undertaken in June 2016 and June 2017 respectively has been utilised to inform base assessments at the following junctions as agreed during pre-application discussions:

- Station Road/West Lane
- West Lane Newtown Road
- West Lane/Havant Road
- Station Road/A3023Manor Road/St Mary's Road

Pre-application discussions identified the need to assess the A3023 from Manor Road Roundabout and Langstone Roundabout. It is noted that the applicant is waiting for Havant's Local Plan TA work. However, in the absence of this information Manor Road roundabout should be assessed in isolation in both the development assessment and the sensitivity test scenarios. Assessment should also be undertaken in the school peak hour as it has been identified within the work for the Lidl application that the junction experiences highest traffic demands between 3 and 4pm when compared to the traditional evening peak hour.

In order to determine 2018 base flows, a TEMPRO growth factor has been utilised. Under the future five year scenario assessed (2017-2023), growth factors of 1.1009 and 1.0965 have been applied in the AM and PM respectively. These growth factors are considered robust in assessing future traffic on the load network. Confirmation

that inclusion of committed and local plan development does not result in double counting should be demonstrated by the applicant.

Site Access

Vehicular access is proposed via a simple priority junction from/to Sinah Lane. During pre-application discussions, it was agreed that this arrangement would be an acceptable choice for an access to this development in this location. This is considered acceptable subject to operational assessment results considered further within these comments. The proposed access incorporates a 6m carriageway width, with associated 2m footways and junction radii of 8m. In line with the vehicular tracking provided, this arrangement is considered acceptable in principle, subject to full details being agreed through S278 Agreement.
The proposed access design has been subject to a Stage 1 Road Safety Audit. The results of the audit raised no issues.

Footway provision along Sinah Lane and Station Road is restricted in places. During pre-application discussions it was discussed that a crossing of Sinah Lane should be provided as part of the site access works. This would provide connections to the southern footway and onwards to Staunton Avenue. This should be shown on the proposed access drawing.

Vehicular Visibility Requirements

An ATC survey was undertaken on Sinah Lane within the vicinity of the site between 23rd June and 4th July 2016. 85th %ile speeds of 31.1mph eastbound and 29.5mph westbound were recorded. Vehicular visibility splays at the site access of 2.4m x 45 m are achievable and this is considered acceptable.

Agricultural Access

It is proposed to access the northern field via North Shore Road for agricultural purposes. Details of the proposed number of movements over the period in which North Shore Road will need to be utilised have not been provided. These should be included so that the highway authority can fully consider the proposed temporary access via North Shore Road.

Junction Assessments

The following junctions have been agreed as forming the highway network of interest:

- Site Access – Priority Junction
- Sinah Lane/Staunton Avenue/Station Road – Priority Junction
- Station Road/West Lane – Priority Junction
- West Lane/Newtown Road – Priority Junction
- Newtown Road/Manor Road – Priority Junction
- West Lane/Havant Road - Priority Junction
- Station Road/Manor Road/St Mary's Road – Staggered Priority Junction
- A27 Roundabout

Capacity assessments have been undertaken for the following scenarios for the Site Access, Station Road/West Lane and West Lane/Newtown Road Junctions without committed development:

- 2018 Base
- 2023 Base
- 2023 Base + Proposed
- 2028 Future Year
- 2028 Future Year + Proposed
- 2036 Future Year

- 2036 Future Year + Proposed

Capacity assessments have been undertaken for the following scenarios for the West Lane/Havant Road and St Mary's Road/Manor Road/Station Road junctions with committed development:

- 2018 Base
- 2023 Base
- 2023 Base + Committed
- 2023 Base + Committed + Proposed
- 2028 Future Year
- 2028 Future Year + Committed
- 2028 Future Year + Committed + Proposed
- 2036 Future Year
- 2036 Future Year + Committed
- 2036 Future Year + Committed + Proposed

Junctions 9, incorporating PICADY has been utilised to assess priority junctions. Modelling has been utilised using 'vehicle' values rather than PCUS (Passenger Car Units) with a 10% HGV rate applied. This is considered sufficiently robust. The full modelling results have been provided within the submitted Transport Assessment and have been validated accordingly and are considered fit for purpose.

Site Access

The results of the operational assessment demonstrate that the site access junction is expected to operate well within its theoretical capacity limits during all future year scenarios with a maximum Ratio of Flow to Capacity (RFC) of 0.16 and an associated maximum queue length (MaxQ) of 0.2 vehicles occurring on the Sinah Lane (WB) arm of the junction during multiple scenarios during both the AM and PM peak hours.

Station Road/West Lane

The results of the operational assessment demonstrate that the junction is expected to operate well within its theoretical capacity limits during all future year scenarios with a maximum RFC of 0.59 and an associated MaxQ of 1.4 vehicles occurring on the West Lane arm of the junction during the 2036 committed + proposed scenario during PM peak hour.

West Lane/Newtown Road

The results of the operational assessment demonstrate that the junction is expected to operate well within its theoretical capacity limits during all future year scenarios with a maximum RFC of 0.63 and an associated MaxQ of 1.7 vehicles occurring on the West Lane (SB) arm of the junction during the 2036 committed + proposed scenario during the PM peak hour.

West Lane/A3023 Havant Road

The results of the operational assessment demonstrate that the junction is expected to operate above its theoretical capacity limits from the 2023 Base + Committed + Proposed scenario with a maximum RFC of 1.10 and an associated MaxQ of 52.4 vehicles occurring on the West Lane arm of the junction during the 2036 committed + proposed scenario during the AM peak hour. There is a significant increase as a result of development traffic as set out within the TA.

The TA suggests that the results would not occur in reality as vehicles on the A3023 let vehicles out of West Lane through a merge in turn arrangement. Due to restricted visibility of the junction especially travelling northbound on the A3023 it is unlikely that this would have a significant impact on the modelled forecast outcomes of the junction operation.

The submitted Transport Assessment identifies works with regards to the Borough wide TA and micro-simulation model, and it being anticipated that improvements along the

A3023 corridor including this junction would be proposed. In line with this it is suggested that a contribution could be sought to fund improvements in this location. Whilst this would be something to be investigated in-principle, this in itself is not considered a sufficiently robust measure.

The submitted Transport Assessment goes onto providing a potential mitigation measure of removing the right turn option for the West Lane arm of the junction. Again, this could be considered in principle, however, the applicant is expected and required to propose a mitigation scheme and accompanying design and with associated modelling for consideration. It is not considered that the present application sufficiently mitigates for identified capacity issues at this junction. The TA also identifies only minimal right turn movements from the junction suggesting that in reality this would provide very limited benefit.

Further information is required by the applicant regarding proposed mitigation measures for this junction.

Station Road/Manor Road/St Mary's Road

The results of the operational assessment demonstrate that the junction is expected to operate well
within its theoretical capacity limits during all future year scenarios with a maximum RFC of 0.58 and an associated MaxQ of 1.4 vehicles occurring on the Station Road arm of the junction during the 2036 committed + proposed scenario during the AM peak hour.

A27 Roundabout

The A27 roundabout, as identified within the submitted Transport Assessment is expected to receive the largest amount of traffic, and in order to assess the impact, a percentage increase has been calculated.

Although it is agreed that the results of this assessment would suggest a modest impact as identified within the assessment of circa 2.14%, it is not considered acceptable to have not modelled the junction in line with all scenarios. As such, the applicant should provide the operational modelling of this junction for review.

Additional Junctions

The additional junctions of Newtown Road/Manor Road and Sinah Lane/Staunton Avenue/Station Road have not been operationally assessed within the submitted Transport Assessment due to the identified minimal impact of development trips at these junctions.

Whilst this is considered acceptable in-principle, the submitted Transport Assessment should provide modelling results of the junctions for the 2018 base scenarios in order to effectively conclude that only a minimal increase in traffic can be considered acceptable. The applicant should undertake this and submit the modelling for review in this regard.

Sensitivity Test

Pre-application discussions between the applicant and HCC concluded the requirement for a sensitivity test of the proposed modelling to take into account two additional development sites of Land at Rook Farm and Beachlands. The Rook Farm site was refused planning permission in 2017 and has not been considered, however the site has a draft allocation for up to 394 dwellings and has been included as such. This does not represent the emerging Local Plan position however and this should be clarified with Havant Borough Council and suitably represented as previously outlined within this response.

The submitted Transport Assessment considers that the associated traffic will only have an impact on the Station Road/Manor Road/St Mary's Road and Havant Road/West Lane junctions. Whilst this may be the case, the sensitivity test provides

no specific justification with regards to how this has been calculated and this should be submitted for review accordingly. The junction of Manor Road/Church Road should also be considered regarding the impact of the proposed and wider development traffic.

The applicant refers to review work being undertaken as part of the current Hayling Island microsimulation modelling and refers to a contribution towards any identified mitigation for the junction. The results of the microsimulation modelling are not yet available nor are mitigation measures associated with these works. In the absence of this information the application should provide a full assessment of traffic impact on the corridor and proposals for appropriate mitigation at junctions and along the corridor as required in order to accommodate the development traffic for consideration by the highway authority.

Sustainable Modes of Access

Walking and Cycling

The TA sets out that *"Sinah Lane provides an attractive pedestrian environment, flanked by 1.8m wide footways and a grass verge on the southern side of the road. West Town lies to the east of the proposed development, providing access to a number of amenities such as restaurants, convenience stores and a pharmacy*". During pre-application discussions it was identified that the walking route along Station Road leading into West Town could be improved however as areas fell below the standard referred to within the TA. As part of 'The Oysters' development, some footway widening is being carried out on the southern side of Station Road, providing increased accessibility for pedestrians heading to West Town.

During pre-application discussions it was also identified that the footpath on the southern side of Station Road opposite The West Town Inn should be improved to provide an attractive walking route along the southern side of the carriageway. There is also an existing lamp column which should be relocated to remove the existing pinch point and provide further widening on this section of footway. These improvements have not been addressed in the TA and should be brought forward as part of this application. This should also tie into appropriate crossing provision at the site access to allow connections from the site to the southern footway.

At the request of the highway authority, the applicant has assessed the potential for providing a further zebra crossing on Manor Road to reduce the walking distance to the schools located to the east on St Marys Road and Cherrywood Gardens whilst keeping pedestrians on the desire line.

The TA concludes that a crossing point north of the Station Road/Manor Road junction would take pedestrians away from the desire line. The highway authority does not agree with this position and requests pedestrian crossing facilities north of the junction with St Mary's Road/Manor Road are provided. This would also require improvements at the St Mary's Road junction to provide access to the footway on the southern side. This crossing facility will keep pedestrians on the desire line when travelling to Mengham Infant or Junior School, or Hayling College. It has also been identified that the junction of St Mary's Road/St Mary's Road lacks crossing provision, and this should also be reviewed as a key element of the route to school from the site.

Both Mengham Infant and Junior School sit very close or at the 'preferred maximum' walking distance identified by the CIHT in their 'Providing for Journeys on Foot' guidance (1.8km and 2.0km respectively) when routing them via the existing zebra crossing on Beach Road to the south. A new crossing point to the north reduces this walking distance while also providing a safe crossing location. Therefore, further consideration should be given to this crossing point and the identified sustainable

transport improvements noted above.

The Hayling Billy Trail is a north-south costal route on Hayling Island which acts as a leisure route directly from the site. Running along the west coast of Hayling Island, the Trail runs near to the coast line and therefore acts as an attractive walking and cycle route from the development.

There are aspirations locally to improve the surfacing of the route and to re-route the trail away from areas of coastal erosion, early work and discussions are being had to secure these improvements. This route has a real potential to take cycle trips from the site away from the A3023 and to reduce congestion along the corridor. As part of this development, a contribution is proposed towards improving the route. The suggestion of a contribution is agreed, and a value should be agreed and secured via a S106 agreement.

Bus

The nearest bus stops to the site are circa 110m and 310m away, comprising a simple flagpole and timetable. The 30/31 bus service operating from these stops occurs half hourly and provides access to Langstone and Havant along with other destinations on Hayling Island.

A contribution has been proposed towards improving bus service 31. This includes increasing the frequency of the service, more destinations on the route and updating the service to include 'Real Time Passenger Information'. No specific details have been provided on this and the highway authority welcome further discussion on the proposals along with understanding the bus companies views on the proposals.

Rail

Hayling Island does not benefit from a train station. The nearest station is Havant Rail Station which can be accessed via the 30/31 bus service or a 30 minute cycle journey. Alternatively, the station is a 16 minute drive away from the proposed development on Sinah Lane.

Trains run regularly from Havant Station, but it is considered unlikely that there will be a large number of trips from the site choosing rail travel given the distances identified above.

Travel Plan

The Travel Plan (TP) has been assessed using Hampshire County Council's (HCC's) evaluation criteria for the assessment of travel plans – "A guide to development related travel plans". The TP was of a generally high standard. However, there are areas that will need to be addressed before it can be accepted as part of the proposed development.

Background

It is noted that local and national policy has been included. As part of the introduction to the development, Barratt Homes' company policies for travel planning and sustainable travel should also be referenced, in line with HCC Guidance.

Site Audit

Section 3.1 states that distances are measured from the centre of site. Sections 3.3 and 3.4 suggest measurements are from the access point. These should align.

The map in appendix B should include walking isochrones. This will highlight realistic walking distances from the site. The current 500m 'as-the-crow-flies' is not a good representation of trips. It is also unclear what the '1.4km' label refers to. These walking

isochrones should not exceed 2km (CIHT's maximum expected walking distance).

The updated distances may change Table 2, which will also need updating.

Section 4.3 should include a map with the proposed walking / cycling access points to the site.

It is understood that cycle parking will follow the guidance outlined by HBC, in Table 7. It would be useful to include an indicative number of cycle parking spaces to be provided within the whole development (similarly to car parking in 4.5). Will there be cycle parking provision for visitors to the site? If not, then there should be justification as to why.

Excluding the previous points, the existing local conditions and proposed development sections are well thought out and thorough.

Targets
It is noted that the targets for mode shift are 10% reduction in SOV, +2% public transport, +4% walking and cycling, +4% car share. These are welcomed and accepted as reasonable targets. However, there should be an explanation as to how these targets were formed.

Table 9 shows an increase of 4% in car share, but 6% in the target. This should be amended.

Measures
With regards to home / remote working, is there a commitment to ensure that a good level of internet provision is available to residents? For example, the availability of fibre optic services.

Will the TPC / developer explore the potential for electric vehicle charging points for residents / visitors? If not, justification should be provided as to why this hasn't been considered.

Will Personal Travel Planning (PTP) be offered by the TPC to residents? This is an expected resource to be provided by the TPC.

Will the online forms of communications used by the TPC be two-way? i.e. an area where residents can voice concerns.

Indicative costs associated with delivering the travel plan must be included in order to set the bond through the S.106 agreement. Each of the measures provided in the action plan should have an estimated cost (where applicable).

Roles and responsibilities
It is noted that a TPC will be assigned before the occupation of the development. There should be an estimated cost associated for the TPC's term.

It is mentioned throughout that the residents will take over the responsibilities of the TP when the TPC's term has ended. However, there is no commitment to set up a resident steering group / other steering groups (e.g. BUGS). Such groups will allow for a seamless transition, when the TPC's term is over. This should be included.

Implementation
The travel plan sets out that it would be fully operational at 50% occupations. This is not acceptable. All measures should be implemented from first occupation to ensure

the effectiveness of the travel plan. An 18 month period of occupations without implementation of the full travel plan would lead to new residents establishing travel behaviours which across the industry are recognised as being more difficult to alter. This section should be revised accordingly.

Monitoring
It is noted that a TRICS SAM survey will be undertaken at 50% occupation. Following this there will be a mix of resident surveys and TRICS SAM for the remaining 5 years. This is both welcomed and promoted as a robust methodology. An example survey is also provided to an adequate level.

We require a response rate of 35%. A commitment to promote the completion of surveys by residents should be made, if the surveys do not meet this response rate. An example of such commitment is the entry of participants into a prize draw, where they have a chance to win an online retail voucher (for example £100 Amazon voucher, or any other retailer).

The initial evaluation fee of £1,500 and subsequent annual monitoring fee £3,000 (£15,000 over five years) is included and noted.

Conclusion
The TP will require further work, as set out above, as it does not meet the minimum standards set out in HCC's "A guide to development related travel plans". The issues raised should be addressed in a new revision of the TP before it can be considered acceptable for submission in conjunction with the proposed residential site.

Recommendation

There are a number of areas where the assessment within the TA is insufficient to address all highway matters. Additional information is therefore sought from the applicant relating to the following:

- Site access crossing provision
- Sustainable travel improvements
- Junction capacity assessments un assessed junctions and for the school peak hour for local junctions.
- Strategic assessment of the A3023
- Details of bus service improvements proposed
- Amendments to the travel plan
- Review of committed development within all forecasting scenario's
- Details of the proposed agricultural access and movement numbers
- Updated PIA data
- Forecast vehicle trips to local schools
- Clarity on assignment methodology
- Details of the proposed improvements to West Lane/A3023 junction.

Further comments
In response to the Highway Authority's previous letter dated 10th October 2018, an initial Transport Assessment Addendum was submitted for review. The Highway Authority raised a number of queries with the document, resulting in subsequent meetings to resolve the outstanding matters. To summarise the correspondence since the last Highways response, a Transport Position Summary Note has been submitted to the planning portal. The contents of this note are reviewed within this response.

Summary of Correspondence
Following the issue of the Highway Authority's response dated 10th October 2018, a

Transport Assessment Addendum was submitted to address the points raised within the document. Further comments were raised and discussed at a follow up meeting. It was agreed that Havant Borough Council's work on the Hayling Island Transport Assessment needed to be developed further to understand how the proposed development allocation on Hayling Island (including the Sinah Line site) will be suitably mitigated.

Following updates to the Hayling Island TA, a follow up meeting was held between the aforementioned parties on 21st November 2019 to discuss the identified mitigation measures. These feature junction improvement schemes at the following locations:

- • Northney Road/A3023;
- • Langstone Road/Woodbury Avenue/Technology Park;
- • West Lane/A3023;
- • Mill Rythe Roundabout; and
- • 'Friction Reduction' Schemes along the A3023.

A summary of the matters agreed through the further rounds of discussion are included below.

PIA Data

Updated Personal Injury Accident (PIA) data was submitted by the applicant through the TAA for the agreed study area. The PIA data does not indicate an existing safety concern on the highway which could be exacerbated by the development. As a result, no further action is required.

Sustainable Transport

Walking and Cycling

The Highway Authority's previous response requested:

- improvement on the walking route to West Town;
- Crossing point on Station Road on the desire line for pedestrians; and
- Contribution towards improvements to the Hayling Billy Trail.

Since the original Transport Assessment was submitted, further work has been undertaken to assess the walking routes from the site. HBC are in the process of developing a scheme to improve wayfinding through Hayling Park, which connects the development site to Station Road and onwards to the catchment infant and junior schools. As such, the Highway Authority requested a contribution towards this scheme and a crossing point on Station Road on the desire line along the northern edge of the park. It was agreed that a £35,000 contribution will be provided towards these improvements to provide a safe walking route to school.

Further conversations have been held regarding the provision of a link to the Hayling Billy Trail and potential upgrades to the route. The Countryside Services team at Hampshire County Council will request a separate contribution towards the Hayling Bill Trail and LNR woodland, including the provision of a link from the site.

Bus

A further review of the bus facilities in the nearby area has been undertaken. It is noted that the nearest bus stops have recently been improved as part of 'The Oysters' development and that there is little scope to provide any further improvements towards the bus stops in the vicinity. As such, a contribution is no longer sought. The Hayling Island TA has identified long term improvements for bus provision on Hayling Island, which could be funded through CIL funds from developments on the Island.

Agricultural Vehicle Movements

Confirmation has been provided that the land to the north will change from agricultural use to a Brent Geese mitigation area following the implementation of the development. While maintenance of the Brent Geese area will still be required, this will be carried out through infrequent visits by smaller maintenance vehicles, rather than the existing agricultural vehicles. As such, tracking of a draw bar trailer through the site is not required.

Site Access

Updated access drawings have been provided (drawing numbers 041.0031.003 Rev J and 041.0031.005) which now demonstrate a pedestrian crossing point in the form of dropped kerbs and tactile paving to the east of the vehicular site access. Tracking drawings have been provided and reviewed to demonstrate that the provision of the new crossing point will not restrict the movement of vehicles entering/egressing the existing driveways.

The revised access drawings and pedestrian provision have been reviewed and considered acceptable. The works should be delivered via a S278 agreement with the Highway Authority.

Internal Site Layout

It is understood that the roads and footways relating to this application are being put forward for adoption by the developer, a position which is strongly supported by the Highway Authority. As such, an assessment of the submitted drawings has been undertaken accordingly and the internal layout is now considered acceptable in principle.

The developer should be aware of the S38 process which will need to be undertaken in addition to any planning approval that may be granted by the Local Planning Authority, and the details of this process can be found via the following link - https://www.hants.gov.uk/transport/developers/constructionstandards.
This process will require additional information to that submitted to date, and require formal engineering drawings for assessment which may result in updates to the layout being required. As such, it is recommended that the developer engage with the S38 team at their earliest convenience.

Developers should also be made aware of the Advanced Payment Code (APC) that will be required by the Highway Authority. Details of this can be found via the following link - http://documents.hants.gov.uk/transport/APCProcess-Guidancedocumentforwebsitev22018-04-02.pdf

Junction Modelling

The Transport Assessment Addendum produced by the applicant provided updated junction modelling outputs for the junctions identified within the initial assessment. Whilst further questions were raised about the modelling undertaken for this specific application, it was acknowledged that the ongoing work associated with the Hayling Island TA identified which junctions would require mitigation as a result of development, as set out above. To ensure a holistic approach is adopted towards funding the identified mitigation measures on the island, a proportionate contribution sum of £679,000 has been secured towards the mitigation measures identified within the TA and is considered adequate to mitigate the forecast traffic generated by this application. Please note that the contribution value is based on the proposed measures within the Hayling Island TA. The Highway Authority believes that the mitigation measures identified within the TA sufficiently mitigates vehicular traffic from the proposed allocation on Hayling Island.

Travel Plan

Following a review of the initial Travel Plan, comments were raised within the Highway

Authority's initial response. An updated Travel Plan was submitted July 2019 which was subsequently reviewed and considered acceptable. Payment of the relevant TP fees will be secured through the S106 agreement.

Recommendation

The applicant has satisfactorily addressed the outstanding matters raised in the Highway Authority's previous response to this application. Whilst the Highway Authority has reviewed the mitigation measures identified within the emerging Hayling Island Transport Assessment and considered them sufficient to agree the mitigation required for this development, the planning authority should satisfy itself that the approach is in accordance with the local plan process. Subject to the LPA considering the above acceptable, the Highway Authority raises no objection the application, subject to the following conditions and obligations:

Obligations

• Contribution payment of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout;

• Contribution payment of £35,000 towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School;

• Delivery of the site access works via a S278 agreement with the Highway Authority as detailed in drawing number 041.0031.003 Rev J;

• Payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan prior to commencement; and

• Provision of a bond, or other form of financial surety, in respect of measures within the Travel Plan.

Conditions

• 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.

Hampshire and Isle of Wight Wildlife Trust

We are pleased: to see that the proposals include provision of a Wintering Bird Mitigation Strategy (WYG, June 2018). The field subject to this application ~ H34C. has been classified as a primary support area in the revised Waders and Brent Goose Strategy 2019, with up to 800 dark-bellied brent geese recorded using the site during the winter 2015/16. Whilst the site outside of the designated area forming the Chichester & Langstone Harbours SPA, the use of the site by large numbers of dark-bellied brent geese demonstrates that the area is evidently functionally linked to it. Therefore, it will be necessary for the applicant to demonstrate that the proposals do not adversely affect the integrity of SPA.

We welcome the inclusion of a Biodiversity Net Gain Assessment (WYG, June 2018) which whilst in some cases there may be some subjectivity regarding the condition of habitats, the document demonstrates that if the target habitat conditions are achieved these development proposals could deliver net gains in biodiversity.

We are aware that the RSPB owns the freehold of land to the north of this application site (referred to as Area A in the Wintering Bird Mitigation Strategy) and we have been

informed of their discussions with the applicant regarding the 'long term management of the mitigation area. As such we have not reviewed the document in detail. However, through correspondence with the RSPB we understand that negotiations with the applicant with regard to the long term management of the mitigation area have not yet been concluded. Therefore, in the absence of a binding agreement it will not be possible to conclude that there will not be an adverse impact on the qualifying features of the SPA. As such this application should be refused.

Officer note:- *Binding arrangements for the 'long term management of the mitigation area' would be the subject of a S106 agreement.*

Housing Manager (Development)
Initial comments
Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

The Pre-Submission Havant Borough Local Plan 2036 (HBLP 2036), which was approved by the Council on 30/01/2019, further reinforces this policy (see emerging Policy H2 / Affordable Housing) by setting out a requirement for 30% affordable housing on sites resulting in a net gain of 10 or more dwellings.

The proposals comprise of residential development that will include 195 dwelling units:

Home type	Number
2 Bed	69
3 Bed	100
4 Bed	28
TOTAL	195

The applicants have confirmed their intention to provide 30% affordable Housing; 58 new homes, 41 Affordable Rent/ 17 Shared Ownership which represents a 71%/29% tenure split.

Home Type	Number	Affordable Rent	Shared Ownership
2 Bed apartments	32	32	0
2 Bed House	8	1	7
3 Bed	18	8	10
TOTAL	58	41	17

I am very concerned that most of the affordable 2 bed provision is small apartments which do not allow for natural family growth. I would recommend that the applicants re-consider their proposals to include more 2 bed 4 person houses available at Affordable Rent.

Criterion b. of the emerging Local Plan policy sets out that 10% of the total of new homes (gross) should be shared ownership (as part of the affordable housing), with the balance being rented. This is because the Council's preferred route to affordable home ownership is shared ownership in the context of Annex 2 of the 2019 NPPF.

The applicant's proposals do not meet the requirements of the NPPF; they should provide a minimum of 19 Shared Ownership units which would represent 33% of the affordable provision.

The applicants do not appear to have included any 4 bed homes in their proposals; it is recommended that they consider the inclusion of a few of this larger size of home, or alternatively 3 bed 6-person homes.

Emerging policy H1 /High Quality Homes, at para 6.3 confirms that the Council will require all residential development to meet the nationally described space standard (or any subsequent Government standard). The applicants are proposing:

Type of Home	Barratt/DWH internal areas sqm
2 bed apartments	54-76
2 bed houses	78
3 bed houses	86-89

Table 1 - Minimum gross internal floor areas and storage (m^2)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Technical housing standards- nationally described space standard- March 2015 pg. 5

As the above table illustrates the applicants' proposals fall short of these standards for both affordable and market housing:

•the 2-bedroom apartments would only be suitable for 3 persons; we would expect these to be able to accommodate 4 persons.
•the 2-bedroom houses (with 2 storeys) meet the requirement for 3 persons; we would expect these to be able to accommodate 4 persons.
•the 3-bedroom houses (with two storeys) do not meet the requirement for 5 persons. We would prefer that this size home was able to accommodate at least 5, and preferably 6 persons.
•The 4-bedroom homes (with two storeys) do not meet the minimum requirements for 6

persons.

In respect to NDSS Whilst the majority of the affordable units would appear to meet the standard for 2 bed 3 person, and 3 bed 4 person homes, the internal gross area does not meet the requirement for 2 bed 4 person, and 3 bed 5 person homes which are the sizes that best meet the needs of the borough, and also are generally preferred by our RP partners as they allow for a degree of household size increase therefore reducing incidences of overcrowding.

The demand for affordable housing remains high within Havant borough; as at 10th October 2019 there are 1688 households registered on Hampshire Home Choice (HHC) seeking accommodation in our area and of these 780 are waiting for a one-bedroom home, 579 for a two bed, 261 for a 3 bed, and 68 for a 4+ bedroom home.

Waiting times on Hampshire Home Choice represent a significant number of years. Between April 2018 to March 2019 For Band 3 applicants the time between registration and nomination was an average of between 2 to 5 and a half years depending on the property size.

To address locally identified need the HBLP 2036 states that, as this site is over 50 dwellings, 2% of the overall housing provision should be designed to meet the wheelchair accessible homes standard. This would equate to 2 of the affordable homes proposed.

Once developed, and subsequently transferred to a Registered provider, the Affordable 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 is near to local services, bus transport, retail, medical, and educational, and the proposed should help to create a mixed and well-integrated community.

Moving forward Housing would support this development proposal in principle pending further discussions around the sizes of the proposed affordable units.

Further comments
There seems to be a high number of 2 bed 3 person flats; as I've said before I would prefer to see more 2 bed 4 person homes in order to meet the growing family needs of our waiting list applicants.

Final comments
Current planning policy requirements Core Strategy policy CS9. 2, the Havant Borough Housing SPD (July 2011), mean that developments of 15 units or more would be required to provide 30-40% affordable housing on site.

The Pre-Submission Havant Borough Local Plan 2036 (HBLP 2036), which was approved by the Council on 30/01/2019, further reinforces this policy (see emerging Policy H2 / Affordable Housing) by setting out a requirement for 30% affordable housing on sites resulting in a net gain of 10 or more dwellings.

The proposals comprise of residential development that will include 195 dwelling units:

The applicants have confirmed their intention to provide 30% affordable Housing; 58 new homes, 40 Affordable Rent/ 18 Shared Ownership which represents a 69/31% tenure split.

Type	no.	Rent	Shared Ownership
2B3P F	13	13	0
2B4P F	12	12	0
2B4P H	14	8	6
3B5P H	18	6	12
4B6P H	1	1	
TOTAL	58	40	18

Emerging policy H1 /High Quality Homes, at para 6.3 confirms that the Council will require all residential development to meet the nationally described space standard (or any subsequent Government standard). At this stage this emerging policy carries only limited weight. The applicant's proposals for the affordable homes are the following sizes

Type of Home	Barratt/DWH internal areas sqm
2B3P F	54
2B4P F	63-64
2B4P H	78
3B5P H	86
4B6P H	102

Within the latest submissions the applicants have included a table detailing the unit sizes (both market and affordable) set against the requirements of the NDSS (see NDSS table below)

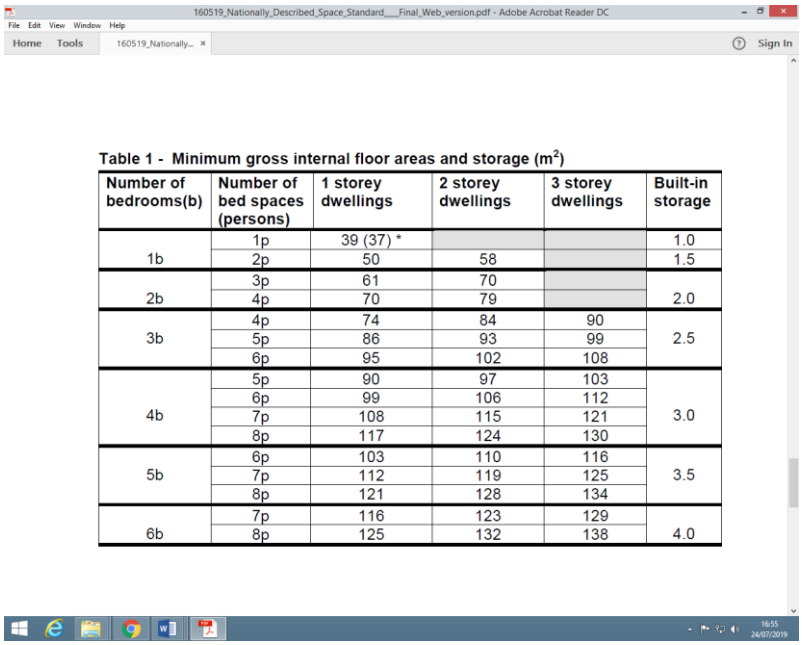

Table 1 - Minimum gross internal floor areas and storage (m^2)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
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2b	3p	61	70		
	4p	70	79		2.0
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Technical housing standards- nationally described space standard- March 2015 pg. 5

The new homes proposed do fall short of the NDSS, however the majority do fall within the ranges of sizes within the adopted Havant Borough Council Housing SPD July 2011. In addition, the size of these new homes does exceed 85% of the NDSS which is

the benchmark for Homes England funding. For this reason, the proposed sizes are accepted.

The demand for affordable housing remains high within Havant borough; as at 20th February 2020 there are 1638 households registered on Hampshire Home Choice (HHC) seeking accommodation in our area and of these 773 are waiting for a one-bedroom home, 534 for a two bed, 263 for a 3 bed, and 68 for a 4+ bedroom home.

Waiting times on Hampshire Home Choice represent a significant number of years. Between April 2018 to March 2019 For Band 3 applicants the time between registration and nomination was an average of between 2 to 5 and a half years depending on the property size.

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 2 of the affordable homes proposed so I would expect to see some units designated in this way.

Once developed, and subsequently transferred to a Registered provider, the Affordable 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 3, 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 is near to local services, bus transport, retail, medical, and educational, and the proposed should help to create a mixed and well-integrated community.

Moving forward Housing would support this development proposal in principle.

Officer comment: *Policy H1 is proposed within Draft Local Plan which would secure new housing developments to provide adequate internal and external space in accordance with the Technical Housing Standards. However, this policy currently has limited weight by virtue of the number of objections that have been received on this policy and therefore, at this point in the local plan process, the application cannot be refused on this matter.*

Landscape Team
Initial comments
Development within close proximity to the Haying billy track (HBT. We have concerns that properties which abut to HBT could conceive a sense perceived ownership to the boundary vegetation to the detriment of the landscape character of HBT. As such we require a significant landscape buffer which enhances the boundary treatments to ensure the retention of the rural character on HBT.

- The 2 no. access points onto HBT is not deemed acceptable, at present the vegetation west of HBT is an unbroken green corridor creating an intimate rural feel, which needs to be retained. The site should have 1 access point on to HBT, but this should not be to the detriment to its existing vernacular. Considered planting and landscape buffers should be implemented to retain the character.
- Large swathes of parking are not deemed acceptable, as a general rule we would need to see continuous lines of parking broken up with vegetation every 5/6 spaces.
- There is a scarcity of tree planting within the streetscape, which is a missed

opportunity to frame views and soften the urban environment. Tree planting within the streetscape is prevalent in the local vernacular of Hayling island and additional tree planting to the frontage of the houses is advised to retain the character of this area of Hayling island.
- The proposed trees are deemed to be too dominated by small species and at present does not include enough larger legacy trees. As such we would want to see not only significantly more trees, but also a richer diversity of species, which needs to include a greater emphasis on larger UK native species.
- The design of the SUD's require accessibility by provision of shallower areas and gentle gradients to facilitate access / egress. Any SUDS isolated entirely by fencing will not be acceptable because it compromises the open space amenity value. The proposals will be required to demonstrate a quality design approach to headwalls / outfall appropriate to the local vernacular.

Further comments
- We require the boundary treatments to on plots no. 126 and 133 to be 1800mm high brick wall with timber fence panel due to its prominence in the streetscape.
- We require all rear garden boundary treatments to be a minimum height of 1800mm.
- The additional northern access point onto the Hayling Bill Tack will cross over existing root protection areas. Construction details of the proposed surface treatment are required to ensure an appropriate mitigation strategy is applied to removed impact on the tree roots.
- Large swathes of parking are not deemed acceptable, as a general rule we would need to see continuous lines of parking broken up with vegetation every 5/6 spaces. Areas which need to be broken up include house nos. 75-72 and 91-88.
- The materials plan does not offer sufficient details on the hard landscaping specification, for example all the colours have not been provided. Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured
surfacing treatments, which identify: - hard surfacing material type / product reference and colour - laying bond - edging or kerb detail / type.
The tree warden suggests that a number of plots are redrawn as a result of off-site trees I would not agree with the statement as the developer has offered an appropriate tree protection plan.
I still feel there is a lack of information in relation to the footpath the connects to the billy trail in terms of material spec and RPA mitigation strategy. I do not agree with fencing off this footpath for the same reasons noted about in relation to the substantial fence.

Additional comments
The proposed avenue of trees which line the site entrance should extend the whole length of the section of highway that lead into the site.
- The additional northern access point onto the Hayling Bill Tack will cross over existing root protection areas. Construction details of the proposed surface treatment are required to ensure an appropriate mitigation strategy is applied to removed impact on the tree roots.
- Large swathes of parking are not deemed acceptable, as a general rule we would need to see continuous lines of parking broken up with vegetation every 5/6 spaces. Areas which need to be broken up include house nos. 75-72 and 91-88.
- There is a lack of clarity on hard landscaping and as such we require details on the hard landscaping to be submitted;
Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured surfacing treatments, which identify:
- hard surfacing material type / product reference and colour
- laying bond
- edging or kerb detail / type

Officer note: *The plans have been amended to address comments and a condition is recommended.*

Langstone Harbour Board

Initial comments

One of the key objectives of the 1997 the Langstone Harbour Management Plan is to encourage land use and management practices on land around the Harbour that will maintain and enhance its value to nature conservation and the quality of its landscape. This application is therefore believed to be contrary to the Langstone Harbour Management Plan.

There is also concern with respect to the increased pressure on the waste water infrastructure. The infrastructure is already regularly overwhelmed during times of heavy rain resulting in "storm water" (diluted, untreated sewage) being discharged into Langstone Harbour. It seems likely that the addition of 195 dwellings so close to the harbour shoreline may intensify this problem.

The Board's Planning Sub Committee considered this application and decided to object to the proposals.

Further comments

The Board's Planning Sub Committee has considered this application and has decided to **object to the proposals**. The Langstone Harbour Board 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".

Additional comments

Further to comments in their letter dated 5th August 2019 the committee wish to add the following points which derive from the Langstone Harbour Management Plan that detail the reasoning behind the objection to this proposal:

1. The overall goal of the Langstone Harbour management plan is to promote the sustainable use of Langstone Harbour by managing human activity in and around the Harbour so as to maintain the value of its natural resources, especially those identified as of national and international significance.
2. Two of the Management Plan objectives are; to conserve and seek to enhance the nature conservation value of the harbour and its surroundings, and to encourage land use practices on land around the Harbour that will maintain and enhance its value to nature conservation and the quality of its landscape.
3. The Management Plan recommends 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.
4. The plan states that the water, mud and shore of Langstone Harbour are vital elements in the landscape and recreational structure of south east Hampshire. Collectively, the landscape and recreational resources of Langstone, Portsmouth and Chichester Harbours are of national importance.
5. The plan states that although the natural extent of Langstone Harbour has been reduced by land claim, encroaching urban development and the construction of sea defences, the remaining area of open land around the harbour is a key element in its character, enhancing its value for nature conservation, landscape and recreation.

As this proposal is for building upon green field land currently used by Brent Geese

and wading birds, the committee believe the proposal to be in conflict with the recommendations and objectives of the Langstone Harbour Management Plan.

Officer note: – *see section 7*

Local Lead Flood Authority HCC

Initial comments

Works in relation to ordinary watercourses

PLEASE NOTE: If the proposals include works to an ordinary watercourse, under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, prior consent from the Lead Local Flood Authority is required. This consent is required as a separate permission to planning.

Surface Water Drainage

We have reviewed the following information in relation to the planning application 18/00724

. Floor Risk Assessment Revision A - June 2018
. BSO/E4513/012 A - Drainage Strategy- Sheet 1 of 2
. BSO/E4513/032 A - Drainage Strategy- Sheet 2 of 2
. BSO/E4513/026 A - Flood Exceedance Plan - Sheet 1 of 2
. BSO/E4513/027 A - Flood Exceedance Plan - Sheet 2 of 2

We require further information/clarification on the proposals in order to provide a response:

. Maintenance regimes of entire surface water drainage system including individual SuDS features, including a plan illustrating the organisation responsible for each element.

We recommend that these issues are addressed before planning permission is granted.

Further comments

The County Council has reviewed the following documents relating to the above application:

- • Surface Water Drainage Maintenance Owner's Manual ref: BSO/E4513/17304
- • Baseline Hydrology Sheet 1 of 2
- • Baseline Hydrology Sheet 2 of 2
- • Flood Exceedance Plan Sheet 1 of 2
- • Flood Exceedance Plan Sheet 2 of 2

The only information outstanding in our previous response was in relation to maintenance.

Information has now been provided in relation to maintenance schedules and it is specified that the sewerage company will take on the pumped system which discharge into the swales and pond.

It is also highlighted that a maintenance company will be established with residents as directors and providing contributions for maintenance.

While this is acceptable, we would advise the local planning authority to ensure that these measures are incorporated into legal documentation to ensure appropriate funds are required from residents in relation to maintenance.

Further comments
The County Council has reviewed the following documents relating to the above application:

• Additional information by letter dated 11 September 2019

In our previous response we requested information in relation to maintenance responsibilities and maintenance schedules.

It is stated that the drainage will be offered to the water company for adoption however there is no evidence that this will be accepted. Either evidence that demonstrates that the water company are happy to take on this infrastructure must be provided or confirmation of who will take on maintenance is adoption is not achievable.

More detail is also required in relation to maintenance schedules. This should encompass each type of drainage feature on site (including pipes, gullies etc) and guidance and examples are provided in the Ciria SuDS Manual.

As previously stated, we would accept these points to be addressed via condition, but the information provided to date is not considered sufficient.

Final Comments
The only information outstanding in our previous response was in relation to maintenance.

Information has now been provided in relation to maintenance schedules and it is specified that the sewerage company will take on the pumped system which discharge into the swales and pond.

It is also highlighted that a maintenance company will be established with residents as directors and providing contributions for maintenance.

While this is acceptable, we would advise the local planning authority to ensure that these measures are incorporated into legal documentation to ensure appropriate funds are required from residents in relation to maintenance.

Natural England Government Team
Initial Comments
As submitted, the application could have potential significant effects on the Chichester and Langstone Harbours Special Protection Area. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

. Further information on the Wintering Bird Mitigation Area - the submission of an agreed costed management plan, agreement of management body, confirmation of the timing of the mitigation area. Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.
SPA Supporting Habitat The site is identified as a Primary Support Area in the forthcoming update of the Solent Waders and Brent Goose Strategy. The planning application includes the provision of a Wintering Bird Mitigation Area to mitigate the loss of supporting habitat for brent geese.

Natural England welcomes and supports the principle of a Wintering Bird Mitigation Area on-site. We advise that you request further information on the Wintering Bird Mitigation Area to inform the Habitat Regulations Assessment:

1) Agreed costed management plan
We note that a costed management plan has been submitted and discussions are on-going with the RSPB with regard to the design of the site and future management to ensure its success. We support the proposed approach for the Bird Mitigation Area to be managed specifically for geese as a nature reserve by an NGO partner such as the RSPB.

Whilst it is noted that some costs have been set out in the management plan, we are aware that discussions are on-going with the RSPB, who is the preferred management body. In order to provide the certainty for the Habitat Regulations, agreement of the commuted sum and maintenance fund is required. This should be evidenced by an agreed, costed, 80 year management and monitoring plan that is secured and implemented with any planning permission. We therefore advise that an agreed, costed management plan is submitted in due course with confirmation of the management body.

The agreed management plan should include full details of the infrastructure to be provided by the applicant, along with details of the ongoing maintenance I replacement requirements with costs calculated for perpetuity (usually taken as 80 years).
It is also understood that the ownership of part of the Bird Mitigation Area will be transferred to the management body. Appropriate legal agreements will need to be in place to ensure this is secured.

2) Timing and availability
The mitigation area will need to be operational at the time it is required. Essentially, 'in time' to offset the adverse effects which are being addressed, with evidence to show it is functioning and readily available to SPA birds prior to any loss or damage to the original site.

Confirmation that the Wintering Bird Mitigation Area will be operational in advance of any loss will be required and this will need to be secured with any planning permission.
Bird Aware Solent I Solent Recreation Mitigation Contributions Natural England is aware that Havant Borough Council has adopted a planning policy to mitigate against the adverse effects from in-combination recreational disturbance on the Solent SPA sites, as agreed by the Bird Aware Solent I Solent Recreation Mitigation Partnership (SRMP) Definitive Strategy. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure for the 195 residential dwellings.

Biodiversity Mitigation and Enhancement Plan
Natural England does not hold locally specific information relating to protected species, local or national biodiversity priority habitats and species, local sites (biodiversity and geodiversity) and local landscape character. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the Hampshire Biodiversity Information Centre and other appropriate bodies. In some instances, further surveys may be necessary through an ecological appraisal to be agreed by an HCC ecologist.

Natural England has published Standing Advice on protected species. Please note Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

Natural England welcomes the Ecological Mitigation and Management Plan and the

Biodiversity Net Gain Assessment. We recommend that your authority seeks the approval of the submitted Ecological Mitigation and Enhancement Plan by a Hampshire County Council (HCC) ecologist.

Natural England has not assessed the application and associated documents for impacts on protected species and habitats.

Provided the implementation of an HCC approved Ecological Mitigation and Enhancement Plan is secured by any permission then your authority may be satisfied that it will have met its duties relating to conserving biodiversity under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. In the event that Ecological Mitigation and Enhancement Plan cannot be agreed with the applicant then Natural England should be re-consulted on the proposals so that we can reconsider our advice.

Construction Environmental Management Plan
We advise that a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the Local Planning Authority as a condition of any planning permission.

This should identify the steps and procedures that will avoid or mitigate impacts on the adjacent designated sites, the proposed Bird Mitigation Area and other sensitive ecological receptors, as appropriate. The CEMP shall ensure best working practices are maintained during the construction phase.

Water Quality
The waste water from the new development will introduce an additional source of nutrient loading (Total Nitrogen) to the Chichester and Langstone Harbours SPA, Ramsar catchment. There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some designated sites.

An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity.

This work has identified that there is uncertainty as to whether housing development in the later stages of the plan period would require mitigation. In light of this uncertainty, Natural England advises that a nutrient budget is calculated for this development. For confidence that the development will be deliverable, Natural England recommends that the proposals achieve nutrient neutrality. Natural England would be happy to advise on the calculation methodology further as part of our Discretionary Advice Service.

Water resources
Natural England encourages all new development to adopt the higher standard of water efficiency under the Building Regulations (which equates to 110 litres /head/day including external water use) and re-use in line with best practice. Consideration should be given to the use of grey water recycling systems and efficient appliances.

Soils and land Quality
From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework).

For this reason, we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend that this is followed. If, however, you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Landscape
Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. A Landscape & Visual Impact Assessment has been provided with the proposal to inform decision making. Natural England recommends that a landscape and open space strategy is agreed and secured with your Authority's landscape officer.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Further comments
Timing, Monitoring and Management of the Wintering Bird Mitigation Area
Further details on the timing of the Wintering Bird Mitigation Area is required. Confirmation is required that the mitigation area will be operational at the time it is required. Essentially, 'in time' to offset the adverse effects which are being addressed. Natural England recommends that the infrastructure works for the Wintering Bird Mitigation Area are progressed at the earliest opportunity and prior to commencement of construction. This will need to be secured with any planning permission.

To ensure that the Wintering Bird Mitigation Area is completed to the required standard, Natural England strongly recommends that a condition is attached to any outline permission that secures a sign-off visit by Natural England, prior to the commencement of development. For your information, this visit would fall under our Discretionary Advice Service.

It is noted that provision is made by the applicant for 3 years of monitoring. The Solent Waders and Brent Goose Strategy Offsetting and Mitigation Requirements Guidance includes a requirement for offsetting sites to be monitored to ensure their effectiveness. We advise that the costed management plan includes provision for the RSPB to monitor the site regularly on the long term with submission of results to the local planning authority and the Solent Waders and Brent Goose Strategy Steering Group .

With regard to management, it is unclear whether the land itself will be transferred to the RSPB or whether there will be a long term lease. It is Natural England's preference for the land ownership to be transferred so that the site is secured permanently.

Natural England require confirmation from the RSPB that they will take on the management of the Wintering Bird Mitigation Area for the commuted sum. Provided this is the case and the above issues are addressed, then Natural England raises no further comments. Appropriate legal agreements will need to be in place to ensure this is secured with any planning permission.

Thank you for consulting Natural England on the revised plans and documents for the above application. Natural England has no further comments for your consideration. Our response dated 9 August 2019 (our ref - 289105) still stands.

Mitigation during construction

Any planning permission should secure the measures listed in 4.2.2 of the Wintering Bird Mitigation Strategy with regard to noise and visual disturbance from construction work on the Wintering Bird Mitigation Area.

It is recommended that the following condition is attached to any planning permission: 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).

The information to inform a Habitats Regulation Assessment report includes mitigation measures to be adopted during construction. This includes dust control measures, pollution and surface water drainage measures during construction. These measures should be secured with any planning permission.

Natural England also recommends that measures are taken to ensure that there will be no impacts from construction lighting on the Wintering Bird Mitigation Area.

Deterioration of the water environment
It is noted that a revised nutrient budget has been provided in line with Natural England's advice dated June 2019 and that the development achieved nutrient neutrality based on the existing and proposed land uses at the site.

Natural England recommends a condition that secures the water use of 110 litres per person per day.

Please note the calculation is based on all wastewater from the development being treated at Budds Farm WwTW. If this situation changes, a reassessment of the nutrient calculation will be required and a revised Habitats Regulations Assessment will be necessary.

The competent authority will need to be assured for perpetuity that this open space will be managed as such and there will be no additional inputs of nutrients or fertilisers onto this land. The nitrogen budget assumes that a total area of 7.33 ha will be managed as open space. Appropriate planning and legal measures will be necessary to ensure it will not revert back to agricultural use, or change to alternative uses that affects nutrient inputs on the long term. It is therefore recommended that these areas are designated open space on-site and long term management of public open space is secured to ensure the provision of dog bins and that these are regularly emptied.

It is noted that the Wintering Bird Mitigation Strategy includes the provision for grazing in the future. The 5 kg/TN/ha open space figure assumes there is no grazing or a very low density - 1 livestock unit per 10 ha per year. We advise that if grazing levels are likely to be higher than this level then it may be more appropriate to use an alternative figure in the calculation. It is Natural England's advice to local planning authorities and applicants to be as precautionary as possible when addressing uncertainty and calculating nutrient budgets.

Sustainable Urban Drainage Systems
Natural England recommends that a best practice SuDS is adopted post-construction and designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753). The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to 'protected waters' with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be

considered in relation to discharge to environmentally protected sites. It states that ‘an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance’.

Protected Species and Biodiversity
Natural England does not hold locally specific information relating to protected species, local or national biodiversity priority habitats and species, local sites (biodiversity and geodiversity) and local landscape character. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the Hampshire Biodiversity Information Centre and other appropriate bodies.

Natural England has published Standing Advice on protected species. Please note Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

Provided the implementation of an HCC approved Ecological Mitigation and Enhancement Plan is secured by any permission then your authority may be satisfied that it will have met its duties relating to conserving biodiversity under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006.

Additional Comments
Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

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 all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Construction impacts

The HRA /AA refers to H05A and designated sites to the south of the development site. We advise that this is corrected to the designated sites to the north-west of the residential development area and the remaining area H34C, which will be secured as a Wintering Bird Mitigation Area.

It is noted that a CEMP will be secured with any planning permission, with some mitigation measures included in the Appropriate Assessment. Provided the CEMP includes measures for dust control, pollution and surface water drainage measures during construction and measures to prevent noise, lighting and visual disturbance on the designated sites and supporting habitat, Natural England raises no further comments.

It is recommended that the following condition is attached to any planning permission:

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 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.

Loss of supporting habitat

We note that the AA states that the submitted Winter Bird Mitigation Strategy proposes a refuge on the north of the proposed housing development adjacent to the Hayling Island Brent Goose Refuge (E26). The area would be actively managed to provide permanent foraging for Brent Geese and other waders during the winter by the RSPB.

Provided any planning permission secures that the Wintering Bird Mitigation Area is operational at the time it is required to offset the adverse effects which are being addressed, Natural England raises no further comments. Natural England recommends that the planning permission secures that the infrastructure works for the Wintering Bird Mitigation Area are progressed at the earliest opportunity and prior to commencement of construction.

Deterioration of the water environment

The HRA states that the nutrient budget is appended to the document. This has not been attached. We responded to an earlier planning consultation and noted that the Wintering Bird Mitigation Strategy includes the provision for grazing in the future. The 5 kg/TN/ha open space figure assumes there is no grazing or a very low density - 1 livestock unit per 10 ha per year. We advised that if grazing levels are likely to be higher than this level then it may be more appropriate to use an alternative figure in the calculation.

Provided the Council, as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.

Sustainable urban Drainage System (SuDS)

Provided the SuDS is designed, installed with appropriate management in accordance with the requirements in the CIRIA SuDS Manual (C753) and is secured with any planning permission, Natural England raise no further concerns. The pollution hazard indices in the CIRIA SuDS Manual (C753) relate to ‘protected waters’ with regards to drinking water supply. Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that ‘an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance’.

Recreational disturbance

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). The development proposal will need to be in accordance with the Definitive Strategy rates. Please note these rates were updated as of 1 April 2019.

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.

Open Space Society
No comments received

Planning Policy

Consolidated comments

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 2036 (HBLP 2036) was approved by the Council on 30 January 2019 and must be afforded limited weight.

The following Adopted Local Plan policies are of particular relevance:

- CS9 – Housing
- CS16 – High Quality Design
- CS17 – Concentration and Distribution of Development within the Urban Areas
- CS19 – Effective Provision of Infrastructure
- CS21 – Developer Requirements
- DM10 – Pollution
- DM13 – Car and Cycle Parking in Residential Development
- 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
- DR2 │Regeneration
- IN1 │ Effective provision of infrastructure
- IN3 │Transport and parking in new development
- IN4 │Future management and Management Plans
- H1│High quality new homes
- H2│Affordable housing
- H3 │ Housing density
- H4 │ Housing mix
- E1 │High quality design
- E2 │Health and wellbeing
- E3 │Landscape and settlement boundaries
- E9 │ Provision of public open space in new development
- E12 │Low carbon design

- E16 │Solent Special Protection Areas
- E17 │Solent Wader and Brent Goose feeding and roosting sites
- E22 │Amenity and pollution
- H29 │ Land north of Sinah Lane

This response consolidates policy comments dated 15 August 2018, 24 July 2019 and 4 October 2019 respectively.

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. None of the exceptions in the policy apply here, the proposal being a housing development on greenfield land.

The site is however, identified as a proposed allocation in the Pre-Submission Local Plan under Policy H29 which can be afforded limited weight at this stage.

Whilst the adopted Local Plan resists the principle of development in this location, the emerging plan clearly supports the principle subject to more detailed transport work and other matters related to the quality of the development.

Five Year Housing Land Year Supply

The Council's Five Year Housing Land Supply Update (December 2019)[1] indicates the Borough was able to demonstrate a housing supply position of 5.4 years with a 5% buffer applied. Following Development Management Committee's decision to refuse planning permission for the development at Lower Road, Bedhampton, the Council's supply would be reduced to 2,886 dwellings equivalent to 5.28 years' supply.

The provision of 195 dwellings is equivalent to 0.36 years supply. As such, without the proposed development at Sinah Lane, the Borough would only be able to demonstrate a housing land supply of 4.92 years with a 5% buffer. This is below the five year supply threshold.

Hayling Island Transport Assessment

The Hayling Island Transport Assessment was published in January 2019 alongside the Pre-Submission Havant Borough Local Plan. The Council determined in January 2019, as part of the consideration of the Pre-Submission Havant Borough Local Plan that further work on the Transport Assessment was necessary. This has taken the form of an addendum to the Hayling Island Transport Assessment.

The addendum to the Hayling Island Transport Assessment was published on 16 March 2020. It sets out the mitigation package needed to ensure that a cumulatively severe impact on the highway network can be avoided in line with paragraph 109 of the NPPF.

Hampshire County Council's response from the Highways Development Planning Team is noted, following the extensive discussions which have taken place with the applicant. It is also noted that the applicant would provide a direct contribution to the implementation of the TA mitigation package which will supplement the development's contribution through CIL.

Development Requirements

Development proposals should be designed to meet the requirements in the Pre-Submission Havant Borough Local Plan which can be afforded limited weight.

The full set of developer considerations can be found in the emerging allocation policy; please see Policy H29 in the Pre-Submission Draft Local Plan.

Analysis of the scheme's compliance with various emerging policies is set out in the table below:

Policy	Requirement	Comment
Regeneration (Policy DR2)	A requirement for financial contributions towards accessing employment and skills training; and a community officer to help new residents integrate into existing communities.	The applicant agrees to a financial contribution towards a community officer and they will provide an Employment Skills Plan through a S106 agreement in line with the requirements of the policy.
EV Charging Infrastructure (Policy IN3)	Electric Vehicle charging infrastructure should be provided for each new residential unit with private off-street parking.	A charging point would be provided for each dwelling with a garage. The Design and Access Statement indicates there would be 31 dwellings with on plot or integral garages, representing about 16.4% of the overall scheme.
Internal Space Standards (Policy H1)	A requirement for dwellings to meet the nationally described internal space standards	Only 10% (14 units) of the private dwellings comply with NDSS. Whilst 80% of affordable units comply with NDSS, around 21% (12 units) of the affordable units would fail to comply.
Enhanced Accessibility Standards (Policy H1)	30% of proposed dwellings to meet enhanced accessibility standards (M4(2)) and 2% of the total proposed dwellings to meet wheelchair accessible standards (M4 (3))	It is noted that the applicant's Compliance Statement does not address this particular requirement.
Private Amenity Space (Policy H1)	Requires sufficient private and/or communal outdoor amenity space to be provided. A minimum of 1.5 sqm of private amenity space per bedroom, or sqm of communal space per bedroom should be provided for flatted developments.	The submitted information indicates the applicant does not wish to include balconies for the flats above ground floor level. It is however noted that a number of the apartment blocks are closely located in relation to public open space within the site.
Housing Density (Policy H3)	Policy H3 in the Pre-Submission HBLP 2036 sets out that any residential development outside of the town centres and defined opportunity areas and provide for a minimum of 40 dph.	Based on a net developable area of 4.73ha (excluding the refuge), the development proposals would provide a density of 41 dph and so fully complies.
Housing Mix (Policy H4)	Development proposals should provide a range of dwelling types and sizes to meet identified housing.	Approximately 35% (69 units) of the overall housing mix would be provided as two-bedroom homes (both market and affordable) and so the scheme fully complies.

Low Carbon Design (Policy E12)	Residential development is expected to achieve a 19% reduction in Dwelling Emission Rate.	The submitted information indicates that the applicant wishes to follow a 'fabric first' approach to building design. The submitted Energy Statement demonstrates that across the house types proposed for the site, these exceed the Target Emission Rate by between 0.67% and 9.68%. These improvements are achieved through fabric measures with the overall betterment against Target Fabric Energy Efficiency of between 3.53% and 15.53%. However this also means that the scheme does not comply with this emerging policy.
Provision of open space in new developments (Policy E9)	Requires new open space to be provided to a standard of 1.5 ha per 1,000 population (equivalent to 15 sq. m per person), and where the open space requirement exceeds 0.5ha, an element of play.	Based on the proposed housing mix, the development would generate a population of 466 people. The submitted Open Space Plans indicate that a total of 0.72ha of open space would be provided, of which 0.25ha would form an orchard which would represent a slight over provision when compared to the emerging policy requirements (0.69ha for public open space, and 0.09ha for community growing provision) for 210 dwellings).
Management Plans (Policy IN5)	A management plan is likely to be required through a legal agreement to establish the whole life management and maintenance of the common parts within the development.	The submitted Highway Layout Review Plan(s) shows all sections of the site which are to be formally adopted and maintained by a Management Company. It is also noted that this will be secured through a S106 legal agreement as part of the application. Hampshire County Council will be able to advise further on whether the design and construction meets the adopting authority's standards. It is noted that there are other common parts e.g. SUDS, refuge, foul drainage systems, landscaping and trees and green open spaces which should be similarly covered by a legal agreement which provides for their sustainable management and maintenance.

Brent Geese and Waders:

The site is identified as a Primary Support Area for Solent Waders and Brent Geese (SWBG) under emerging policy E17 in the Pre-Submission HBLP 2036, and in the Solent Waders and Brent Goose Strategy (October 2018) (SWBGS).

The Solent's Special Protection Areas are designated[2] in part due to the assemblages of Brent Geese. As such, a project level Habitat Regulations Assessment (HRA) will need to be carried out[3] and inform any package of avoidance and mitigation measures for Solent Waders and Brent Geese, to determine levels of impact, alone and in combination with other plans and projects. In this respect, the applicant has submitted revised information to inform the Council's HRA.

Emerging policy E17 (Solent Wader and Brent Goose feeding and roosting sites) in the Pre-Submission HBLP 2036 indicates that development proposals at Land north of Sinah Lane (H29), will only be permitted where a suitable replacement habitat is provided, which:

d. *Contributes to a biodiversity net gain to the SWBG network;*
e. *Are suitable in terms of habitat type and quality for at least the number of SWBG recorded on the site being lost; and*
f. *Is secured through a costed Habitat Management and Monitoring Plan.*

The submitted Planning Statement indicates that a mitigation area would be managed as grassland to provide a nutrient-rich food source for foraging geese, including the creation of six wader scrapes within the mitigation area to the north of the development.

Whilst the Council's Ecologist has raised concerns in relation to the deliverability and maintenance of the refuge, it is noted that the replacement habitat can be secured by legal agreement and its maintenance in perpetuity in line with Policy E17. It is noted that a Habitats Regulations Assessment has been undertaken and Natural England concur with its conclusions.

Design and layout:

Policy E2 (Health and wellbeing) of the Pre-Submission Local Plan requires development proposals to promote active and healthy lifestyles through good urban design through the provision of high quality pedestrian and cycle routes.

As previously highlighted, it is noted the submitted site layout shows the provision of a path adjacent to plots 83 and 87 to provide pedestrian and cyclist access to and from the development, as well as additional pedestrian and cycle connections throughout the site.

Affordable Housing:

Policy CS9 of the Core Strategy together with emerging policy H2 in the Pre-Submission HBLP2036 set out the affordable requirement for the site. Of particular relevance is the need for 10% of the total number of new homes (gross) should be provided as shared ownership (as part of the overall affordable home ownership).

A total of 58 units of affordable housing would be provided, of which 40 would be affordable rent, and 18 as shared ownership which would equate to 29.7% of the overall housing site. It is recommended that an off-site affordable housing contribution should be sought for the balance (0.3%). The response from the Council's Housing Officer is also noted.

Parking:

Policy DM13 and the Havant Borough Parking SPD (July 2016) set out the parking standards for new development in the Borough. The minimum standards for unallocated

[2] Protected under Directive 2009/147/EC of the Conservation of Wild Birds
[3] Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017

residential parking can be found in Table 4B of the SPD.

The revised Design and Access Statement indicates that a total of 445 parking spaces for general housing would be provided, with 406 spaces for residents, 39 spaces for visitors. However, based on the standards in the Parking SPD, the proposed development would generate the need for a minimum of 416 spaces, of which 83 spaces (20%) should be provided as unallocated visitors parking.

In this case the scheme is seeking to provide a greater proportion of residents' allocated spaces, and a reduced amount of visitors parking. However, given it would be possible for visitors to use residents' allocated parking, a policy objection could not be sustained on this basis.

The cycle parking/storage provision can be found in Table 4D of the SPD. The Planning Statement indicates that for every house provided with a garage, the dimensions would be at least 3m x 6m (internal) to accommodate the cycle parking requirements. All other houses would be provided with a secure shed within the rear garden of the property. In this respect, it should be noted that 2 spaces per unit should be provided for all units with 2 Beds or more, and short-term visitor cycle parking will be expected at 20% of these standards.

Summary:

To reiterate, the principle of the development of this site is broadly supported in policy terms, based on the emerging policy position in the Pre-Submission HBLP which can only be afforded limited weight at this stage. The Adopted Local Plan does resist the principle of development in this location.

Nevertheless, there has been extensive transport discussions which means that the applicant would provide a direct contribution to the implementation of highways mitigation measures identified through the Hayling Island Transport Assessment Addendum. The Borough's five year housing land supply position is a key matter to be borne in mind in the determination of this application in that, whilst there is a five year supply at this point, it relies on the development in question. Without the scheme, the Borough would not be able to demonstrate a five year housing land supply. Whilst the applicant is not proposing to address a number of the emerging requirements, it is noted that the development proposals do comply, and satisfy a number of the emerging plan requirements.

Officers note: *The extent to which the proposal complies with the requirements in the emerging plan in respect to H1│High quality new homes will be part of the tilted planning balance. Whilst there is no allotment provision the site does provide for 2 orchard areas and an openspace provision of 0.72Ha.*

Property Services Manager
With reference to APP/18/00724 it is noted that the plan appears to indicate a pedestrian access from the area of housing adjacent to the SE boundary of the site onto land owned by HBC and forming part of the Billy Trail. The Council has not been approached regarding such access.

Officer note: – *Property services have been informed.*

Public Health Team

1. Active Travel

We note and support the desire to promote and to develop the means to sustainable

travel and encourage walking and cycling within the application. This includes the developer contributions to regenerate the Hayling Billy route which serves as a key aid to active travel as well as a boost to recreational activity. Active travel has multiple benefits for communities and individuals, including health benefits. As physical inactivity directly contributes to one in six deaths in the UK and costs the UK an estimated 7.4bn including impact on the NHS, social care, sickness absence etc, we welcome this as a feature of this development.

We note that pedestrian and cycle routes between the proposed development and existing local services and amenities (e.g. local schools and facilities in West Town and Mengham) have been investigated and that required improvements to infrastructure to support active travel are being provided as part of The Oysters development, which will benefit the proposed development at Sinah Lane (*Transport Assessment for Sinhah Lane Development)*. We are pleased to note that there are numerous facilities within close proximity which are within the preferred maximum walking distances that CIHT suggests, and that can also be reached in short cycle distances. We note that there is a good cycle network between the proposed development and Beach Road, but less so between Beach Road to Mengham (*Transport Assessment for Sinhah Lane Development, p19*). We note that the walking time to Mengham is approximately 25 minutes, whereas the cycling time is approximately 6 minutes, suggesting that cycling may be the preferred method of active travel. We would like to see further assessment of this cycle journey and exploration of potential improvements to the route between Beach Road and Mengham, to safely link the proposed development to facilities in Mengham.

We also welcome the travel plan and its aims to encourage new residents into an active lifestyle and active travel. However, we would recommend considering walking and cycling independently within the travel plan, with separate goals for modal shift. This is because walking and cycling are distinctly different behaviours and therefore require different approaches to encouraging adoptions. For example, walking requires no special equipment or clothing, and, for the most part, can use relatively safe pavements rather sharing the highways with motorised vehicles. Cycling on the other hand does require the purchasing and maintenance of equipment and necessitates the sharing of the highways with motorised vehicles in many instances. This means that these two distinct behaviours have differing perceived and actual barriers to adoption and maintenance, which must also be considered and targeted separately in order to maximise the effectiveness of the travel plan. We would like these barriers further explored within the travel plan with appropriate methods for overcoming them identified and actions committed to. Without these changes, we feel the travel plan is insufficiently robust to bring about significant changes in resident behaviour.

We would also like to suggest that efforts to engage new residents in behaviour change must begin at first occupancy, as this is when behaviours are formed. Welcome packs should be distributed to all, including those who occupy in later phases.

Recommendation 1: Walking and cycling to be considered in the travel plan as separate behaviours, with separate goals for model shift.

<u>Recommendation 2:</u> Barriers to walking and cycling further explored with appropriate methods for overcoming them identified and actions committed to within the travel plan.

Recommendation 3**:** Efforts to engage new residents in behaviour change should begin at first occupancy.

Recommendation 4: Welcome packs should be distributed to all, including those who occupy in later phases.

Recommendation 5: Further assessment of cycle route between Beach Road and Mengham and exploration of potential improvements.

Other Health and Wellbeing Opportunities

We note that the Infrastructure Delivery Statement is still emerging and that the developer intends to consult regarding health and wellbeing opportunities that this development will present. We would welcome the opportunity to be part of the discussions to explore and detail the health and wellbeing opportunities.

We welcome the establishment of an orchard, providing an outdoor green space for residents and visitors to the site. We would suggest that the feasibility for the provision of allotment space in explored, as gardening in an allotment setting can result in numerous positive physical and mental health-related impacts and outcomes. We also welcome the opportunity to provide outdoor green space for play, represented in the design statement. To maximise the benefit of this for children and young people, we recommend that proposals should be developed and made available for public consultation. We recommend the provision of any appropriate LAPs, LEAPs and NEAPs at this site should be in line with guidance from Fields in Trust.

Recommendation 6: That future discussions fully explore and detail all the health and wellbeing opportunities at this site.

Recommendation 7: That feasibility for the provision of allotment space in explored.

Recommendation 8: That proposals for the outdoor space at the site should be in line with guidance from Fields in Trust. We request that these are made available for public consultation prior to approval.

2. Affordable homes

Emerging Havant planning policy (H2) states that the tenure of the affordable housing is split 70% rented and 30% intermediate.

	Number of Affordable Rent	Number of Shared Ownership	GIA (M2)
2 Bed / 3 Person Maisonette	12	0	67.1 – 76.6
2 bedroom / 4 Person Terrace/Semi	19	7	78.3
3 bedroom / 5 Person Terrace/Semi	9	9	86
3 bedroom / 5 Person Semi	0	2	89
Total	**40**	**18**	

As required the tenure mix, size an 5 / 5 n additional S106 agreement.

Affordable Housing		Market Sale Housing		Total
Type of dwelling	Affordable	Type of dwelling	Market Sale	
2 Bedroom	38	2 Bedroom	31	*69*
3 Bedroom	20	3 Bedroom	86	*106*
4+ Bedroom	0	4+ Bedroom	20	*20*
Total	58	Total	137	*195*

Table 5: Accommodation Schedule

We note and welcome the allocation of 58 homes as "affordable tenures", as specified in the Affordable Housing Statement enclosed with the application for this development. Truly affordable homes can help to address health inequalities, an important issue in Havant.

However, the number of 2 bedroom and 3 bedroom properties available via affordable rent varies from the numbers contained within Table 5 of the proposed Travel plan (please see Tables above).

Policy CS9 Housing of The Havant Borough Core Strategy 2011 states that, in relation to the tenure split of affordable housing, "65-70% of affordable homes should be social rented". Emerging Havant planning policy states that tenure mix should be "split 70% rented and 30% intermediate." We would recommend that the developers adopt a split to ensure there is maximum provision for social rented affordable housing.

In addition, we feel there is potential for improving the even distribution of affordable homes within the proposed dwelling distribution plan to ensure a balanced community and improved community cohesion. We note that there is a denser concentration of affordable homes to the west of the development with very few to the east of the development. Emerging policy within the draft Havant Local Plan states that "Affordable housing should be evenly spread across the site."

<u>Recommendation 9:</u> That the developer confirms the number of proposed affordable housing properties at the site.

<u>Recommendation 10</u>: Of the affordable properties in this development, the tenure mix is in accordance with Havant planning policy.

<u>Recommendation 11</u>: Amend the planned affordable housing distribution to ensure a more evenly spread distribution across the site.

<u>Ageing population</u>

Havant Borough has an ageing population. The Small Area Population Forecast (SAPF) of 2016 indicated that the Total Dependency Ratio (TDR) in the Borough is forecast to reach 75.3 "dependents" per 100 people of working age by 2023 (up from 69.4 in 2016). The population aged 65-84 years is predicted to rise in Havant Borough by 2,700 people from 2016-2023. The population aged 85+ years is predicted to rise in

Havant Borough by 1,200 people in the same time period.

In Hayling Island, those aged 65 years and over is predicted to increase and this, coupled with a decrease in residents of a working age, this will lead to a dependency ratio of 80% by 2021. This suggests that there will be a higher proportion of older people living on their own within fewer younger people to provide care and support. People of increasing age are more likely to live with multiple long term conditions and frailty is also more prevalent. Therefore, we would request that homes in this development are developed which can be adapted to meet the needs of an older population (i.e. Lifetime Homes).

Recommendation 12: Homes in this development are developed in line with "Lifetime Homes" so that they can be adapted to meet the needs of an older population.

Recommendation 13: Green and urban infrastructure related to this development is developed with the needs of older people in mind, ensuring it is accessible and supports inclusivity.

Healthcare Facilities

We note in the application documents the developer has consulted with NHS Choices concerning access to healthcare facilities. The appropriate NHS body to consult is South Eastern Hampshire Clinical Commissioning Group who will be able to advise accordingly.

Recommendation 13: That the developers consult with South Eastern Hampshire Clinical Commissioning Group regarding access to healthcare.

Officer note: *The affordable housing provision is 70/30% rented/shared ownership and has been amended by replacing a number of the flats with 2 bed houses. The plans have been amended to address a number of the above recommendations including open space provision, footpath links (subject to S106) to the Hayling Billy Trail, and SEHCCG consulted- see their comments further below.*

Ramblers Association

The features of this development that concern me from the Ramblers Association perspective are the effect on the Hayling Billy Trail and the lost opportunity to improve coastal access.

The southern end of the Hayling Billy Trail passes alongside the south-east edge of the proposed housing development. There needs to be an effective screening belt between the new housing and the Trail. I am concerned that the two pedestrian access points from the estate on to the Hayling Billy Trail will inevitably make the Trail feel urbanized given their direct access to the estate roads.

There is provision within the application for a continuation of the pedestrian access from the north-east end of North shore Road along the coast on the north-west edge of the proposed bird sanctuary linking eventually with the Hayling Billy Trail. I believe this proposed access should also be extended to the south-east from North Shore Road along the north-east edge of the new houses. It would thus link North Shore Road, the new housing estate (at the bird sanctuary access gate), and the Hayling Billy Trail. Ideally, this extended section should be a cycle track. Extending the access in this way would allow much better access for residents of the new houses to both the Hayling Billy Trail and to coastal walks. It is far more likely to encourage walking and cycling than the plans in the application. It would also allow access for existing residents of

North Shore Road on to the Hayling Billy Trail. This extra section of the path should be screened in a similar manner to the rest of the path. I don't believe this extension of the path would significantly increase the disturbance to wildlife in the sanctuary.

There is a problem with this suggested extension, in that the final stage of the route through the woodland is outside of the application area. I believe this woodland is owned by the Hampshire Countryside Service so access should be possible.

With this access to the Hayling Billy Trail from the northern edge of the new housing there would be no need for both access points at the south-east corner of the new estate with their detrimental visual impact on the Trail.

Officer note: *The 2 links would be appropriately fenced and are proposed to prevent future residents forming unauthorised links.*

Royal Society for the Protection of Birds
Initial Comments
The RSPB is concerned about the implications of this application in view of the proximity of the proposed development to the Chichester and Langstone Harbours Special Protection Area and Ramsar site, and potential impacts on the interest features of the designated sites, notably wintering dark-bellied brent geese.

The RSPB owns the freehold of land to the north of the application site, referred to as Area A in the application documents, which is used extensively for feeding by brent geese. We have been in discussion with the applicant about means by which the RSPB land and adjoining land may be enhanced in order to provide secure habitat in perpetuity for brent geese and waders. We are familiar with the Wintering Bird Mitigation Strategy (WYG, June 2018) submitted with the application.

Whilst the proposed mitigation package shows promise, there is as yet no detailed agreement on the design, implementation and future management of the land in question. Accordingly, in the absence of such a binding agreement, the RSPB believes that it is not possible to conclude that the proposed development will not have an adverse impact upon the qualifying features of the designated sites.

Further comments
The application site lies within 150m of Langstone Harbour to the west, designated as a Site of Special Scientific Interest (SSSI), and forming part of the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site in recognition of its national and international importance for wildlife, including wintering waterfowl and breeding seabirds. A large part of Langstone Harbour is owned and managed by the RSPB. The field containing the application site is used by wintering brent geese (Branta bernicla bernicla), an interest feature of the designated sites. The preservation of these feeding sites is essential to the protection of the wintering population of brent geese in the harbours and in turn to ensuring that the designated sites are not damaged.

Whilst the RSPB notes the potential impacts of development on wider countryside features such as hedgerows and mature trees, and encourages the inclusion of measures to address any such impacts and enhance the wider biodiversity (eg. breeding birds, bats, reptiles, etc.), we have limited our response to the mitigation of the impacts that the proposed development could have on the adjacent Chichester and Langstone Harbours SPA/Ramsar site, the RSPB Langstone Harbour reserve and the associated populations of wintering birds. We believe the key ecological issue for development in this area is the loss of supporting habitat for the associated bird species, primarily foraging habitat for brent geese and also safe high tide roosts for wintering waders.

Solent Waders & Brent Goose Strategy – brent goose feeding site (H34C)
The proposed development area is identified in the Solent Waders & Brent Goose Strategy (SWBGS) as a Primary Support site (H34C) for brent geese, with the northern area being particularly well used, with records of up to 1000 feeding brent geese. This is due in part to the site's location adjacent areas of eelgrass (Zostera) beds within the Harbour, as well as the regular presence of winter wheat crops within the application site itself, both of which brent geese feed on. However, we acknowledge that the current agricultural regime in this location does not guarantee suitable foraging habitat for brent geese in every winter and the site is subject to the use of recognised goose scaring techniques to protect the crops from goose damage, as well as recreational disturbance.

Winter Bird Mitigation Strategy – proposed refuge area
We are increasingly concerned by the incremental loss of SPA supporting sites on Hayling Island and across the Solent as a whole. We therefore support the SWBGS which has improved our understanding of the network of sites used by the brent geese and waders and has provided guidance on mitigation measures. The RSPB has worked with WYG, the environmental consultants for this proposal, to develop an appropriate and sustainable mitigation strategy for brent geese and other wintering birds (Winter Bird Mitigation Strategy, November 2018) in line with the SWBGS. This strategy includes enabling this adjacent area of agricultural land owned by the RSPB (the western part of the proposed winter bird refuge), which is currently subject to an agricultural tenancy, to be managed in perpetuity for the benefit of foraging brent geese and waders.

The RSPB believes that the creation of a permanent winter bird refuge on the northern half of H34C is consistent with the SWBGS mitigation guidance. The mitigation proposal comprises the establishment of a suitable extent of permanent grassland (using a seed mix favoured by brent geese) and its ongoing management by grazing with livestock or mowing, the addition of a network of small freshwater scrapes and improved management of recreational use through provision of interpretation, additional fencing and defined access routes.

To ensure the appropriate delivery of the Winter Bird Mitigation Strategy for the site, and mitigate the loss of the southern part of H34C, the RSPB has agreed (subject to contract) to accept the mitigation refuge area, along with an agreed and appropriate commuted sum of money to allow the on-going management once the land has been transferred to the RSPB.

For the mitigation strategy to be relied upon the following agreements need to be prepared (subject to contract) and agreed with the planning authority:

i. Section 106 agreement.
ii. Agreement relating to the transfer of the land.
iii. Draft form of TR1 to be used transferring the land to the RSPB.

Timing and monitoring of winter bird refuge
The winter bird refuge area will need to be established and operational before construction works start. This is to ensure that any adverse effects on winter birds (and therefore on the Chichester and Langstone Harbours SPA and Ramsar site), via the loss or damage of the existing feeding area within the proposed development site, are avoided. Monitoring of the refuge will be essential to ensure it is functioning effectively, the initial 3-years establishment monitoring should be undertaken independently. Subject to funding, the RSPB would undertake ongoing winter surveys (October to March) with two surveys per month (to supplement the existing WeBs surveys),

following the initial establishment period, to ensure that the site continues to support the wintering birds (in particular brent geese). In addition the RSPB will continue to monitor the quality of the grass sward prior to each winter to ensure it is in good condition for foraging brent geese.

Construction phase disturbance

The applicant has noted that the development of the southern part of H34C may also result in disturbance impacts during the construction phase. They appear to have acknowledged the need for appropriate mitigation and propose that an approved Construction Environmental Management Plan (CEMP) is put in place to ensure construction phase impacts are avoided or adequately mitigated.

Measures to prevent disturbance during construction have been suggested for inclusion in the CEMP including:

- Main works restricted to the summer months (April – September)
- Winter work (October – March) restricted to reduce noise and visual disturbance
- Screening to avoid visual disturbance.

We agree with this approach and would expect that a condition be imposed that a CEMP should be drawn up and approved by Natural England (NE) and the Council before any works take place.

Ongoing Site Management

Subject to any planning permission, an agreed and fully-funded winter bird mitigation plan and the necessary legal agreements for the transfer of the land currently not in RSPB ownership and payment of the commuted sum, the RSPB would welcome the ongoing role of anagement, maintenance and monitoring of the winter bird refuge area. To manage the refuge to have the optimal grass sward for goose foraging, it is intended to graze with livestock (primarily during the summer months) at a maximum of 0.7 LSU/ha/year and mow the grass. It may also be necessary to occasionally apply fertilizer at a rate of 50kg – 75kg in the early autumn. Further to Natural England's comments grazing levels and the use of fertilizer will need to be considered within the nutrient budgeting for the site.

As regards the wider elements of the proposal, we have the following further comments.

Bird Aware Solent / Solent Recreation Mitigation Contributions

In addition to the potential impacts of the proposed development on the brent goose and wader supporting site network, the proposals will also contribute to wider cumulative recreational pressures across the Solent SPA/Ramsar sites. The RSPB supports the Solent Recreation Mitigation Partnership (SRMP) Strategy as the most appropriate mechanism for mitigating the cumulative effects of recreational disturbance across the Solent SPAs created by new residential development. Accordingly, we consider it essential that the applicant makes an appropriate additional contribution to the SRMP / Bird Aware Solent scheme, in order to ensure that any adverse effects on the integrity of the Solent SPAs/Ramsar sites, in combination with other housing developments around the Solent, are avoided.

Ecological Mitigation and Management Plan

The RSPB welcomes the inclusion of an Ecological Mitigation and Management Plan and the Biodiversity Net Gain Assessment. We strongly recommend that any recommendations or conditions proposed by Natural England and the Hampshire County Council (HCC) ecologist in relation to the Ecological Mitigation and Management Plan proposals (such as monitoring of the mitigation measures) are appropriately secured should the Council be minded to approve the application.

Summary
The RSPB believes that the creation of a permanent winter bird refuge on the northern half of H34C, as detailed in the Winter Bird Mitigation Strategy, along with the necessary SRMP / Bird Aware Solent contributions provides suitable mitigation for potential impacts on the Solent SPAs/Ramsar sites, and is consistent with the SWBGS mitigation guidance.

This approach reflects our interest as a conservation body, and as land-owner of both land adjacent to the site and land included as part of the mitigation strategy. In the latter capacity we are committed to working with the developers and the local authority to ensure that a sustainable and appropriately secured mitigation strategy is delivered.

As stated above, we have confined this response to the ecological issues concerning the Chichester and Langstone Harbours SPA/Ramsar site and, in particular, the loss of brent goose feeding habitat. We make no comment on wider biodiversity issues, or the acceptability of the development against other planning policies.

Officer Note: *The creation of a permanent winter bird refuge on the northern half of H34C would need to be the subject of a S106 agreement.*

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: 195 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 £31,200 of planning gain for health.

South Eastern Hampshire CCG identifies multiple practices (The Elms Practice and Waterside Medical Centre) could be impacted by this development in our CCG area as all the following practice boundaries cover this area. However, it is likely that both practices will be the preferred practice for new patient registrations due to their close proximity to the development. 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.

Officer note:- *This would be a S106 requirement.*

Southern Electric
No comments received

Southern Gas Networks - stage 1
Map provided and standard response regarding to building in proximity to pipe lines.

Officer note: *The plan shows no pipes indicated within the application site, although there is a low pressure pipe line in Sinah Lane, which the access would need to cross.*

Traffic Management Team
Initial comments
There appears to be listed insufficient cycle parking. Transport assessment says 195 spaces when there should be two spaces for a number of properties. There is no visitor cycle parking shown on plans. I would request that £5k be set aside to implement a TRO on the surrounding street to accommodate any overspill parking of vehicles from the estate.

Further comments
From the information available it appears that there is still insufficient parking capacity available within the development contrary to the 2016 adopted parking standards. According to the minimum standards contained within, it seems that there should be 338 spaces provided for the 169, 2 & 3 bed properties and 78 for the 26, 4 bed properties. This equates to 416 parking spaces plus 20% visitor parking making a total of 499 spaces?

There is already a shortage of available parking capacity on the adjacent highway network and such attempts to avoid an 'undesirable appearance' within the site would inevitably result in an even more 'undesirable' effect on the roads within the site and the surrounding area.

In the event that approval is granted regardless, it is requested that provision is made for a sum no less than £5000 (plus the costs associated with advertising the proposals and any works) to be provided by the developer to be set aside to allow a TRO to be processed at any time during the period beginning from the commencement of development and ending 5 years from practical completion of the development, to ensure that any parking from the development does not interfere with the capacity, operation or safety of the new road layout or adjoining local highway network.

Officer note:- *In this case, the scheme is overproviding on allocated spaces (445 vs a requirement of 416) and underproviding on visitor parking (39 vs a requirement of 83). Given that it would be possible for visitors to use residents' allocated parking then this is considered acceptable and a policy objection would be difficult to sustain on those grounds.*

The Langstone Residents' Association
The revised planning application for a major housing development off Sinah Lane appears to be very professionally prepared and presented. The Langstone Residents' Association does not object to the scheme per se. However, it must object to the principle of such a scheme because of the impact to be expected from the additional 406 vehicle spaces to be provided to support 195 dwellings. The extra traffic moving onto the A3023 will impact adversely on the already overloaded road, Langstone road bridge and the community of Langstone.

The Barratt David Wilson housing scheme is typical of such developments, but the

access to the land and the wider highway implications for Hayling Island, and beyond, are unique. The knock on effect of this unusual cul de sac location must be given more consideration.

While it is acknowledged the application must be processed within the terms of the existing Local Plan, it is our understanding the Council resolved to postpone decisions about all major housing applications pending the outcome of the current Transport Assessment for Havant and Hayling Island. That T.A. is subject to an amendment and further examination by the Infrastructure Advisory Group for Hayling Island. That process is not complete.

The Langstone Residents' Association must therefore object to the scheme pending the resolution of the fundamental infrastructure difficulties.

Countryside Access Team
We are responding on behalf of Hampshire County Council as Highway Authority in respect of Public Rights of Way and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire.

No objection subject to a contribution towards the maintenance and upgrade of the Hayling Billy Trail. We understand our colleagues in Highways are awaiting a Transport Assessment and necessary mitigation before sending their response.

Officer's Note: *A contribution of £8,800 has been agreed by the developer to be the subject of a legal agreement.*

Tree Wardens
1.We are pleased to see confirmation that T13 (Hawthorn) will be retained, this shall be noted in Arb. Impact Assess. 3.5.2 to avoid mistakes. This tree is verified on the Woodland Trust Ancient Tree Inventory as a Veteran. As such it must be given an RPA of 15 times the diameter of the tree, or 5m from the canopy edge if that's greater.

We suggest a substantial fence is necessary to prevent access to the Billy Trail at this point; this will prevent soil compaction and accidental damage to this tree and hedgerow.

T58 is also on the ATI as a veteran, and though the plan shows adequate tree protection fencing during construction, it also needs a RPA of x15 its diameter. These 2 RPAs requirements shall also be noted in the Developers Tree Protection Plan, and Method Statement.

2. While we approve the minimal loss of trees given the scale of the development, we are not convinced that "the relationship between retained trees and buildings is sustainable" (Amended Arb. Impact Assessment 1:6).

We have found several instances where significant, mature trees are likely to be the subject of unreasonable pressure to requests for pruning from future occupants. We have seen several instances in other developments where the layout of proposed houses took little attention of the presence of existing mature trees.

The following plots shall be re-drawn to prevent damage and potential loss of adjacent trees, and that the boundary fence for the new properties be set at the RPA distance from the trees.:

- Plots 112 and 113 place house and gardens too close to T16 and T18.
These trees are south of the houses and it is likely their shade will cause complaint, particularly T18, an evergreen species.

The trees in North Shore Road gardens are mature and act as important visual barriers. They should be assigned TPO status.

- Plots170 - 171 and 172-173 have small gardens likely to be shaded by Ts 32-35. The root system of these trees extends beyond their canopies and will affect fertility in the garden. To avoid complaints about this and leaf/acorn drop these trees should be given TPO status.

- Plots 183 & 184 are likely to be shaded by T39 (Plot 183 has a particularly small constricted garden). The root system of these trees extends beyond their canopies and will affect fertility in the garden. To avoid complaints about this and leaf/acorn drop these trees should be given TPO status

3. We query the need to prune T14 in Arb. Impact Assess. 4.7.2 This tree has a main branch growing towards the light, and will have developed reaction wood to correct any tendency to imbalance. These natural habits of phototropism and self-optimisation are entirely normal, and no indication of preventative action.
We recommend the tree may suffer if this branch is removed. The object must be to promote tree longevity.

4. We support HBC's Landscape Architect's request for a better selection of Heritage species trees to be included in the future planting on site. This would support and enhance the existing landscape character of mature woodland, including ancient and veteran oaks and sycamore within woodland and historic hedgerows in the near vicinity.

Particular care shall be given to species that can withstand salt spray.

5. Experience of other developments in the Borough, where trees planted by developers have frequently died, leads us to request robust conditions are put in place to ensure effective and appropriate soft landscape and maintenance programmes are in place post development, and that new trees are planted by the developers and maintained to the highest standard.

6. A path through the HCC owned woodland to the Billy Trail is shown adjacent to and east of plots 83 and 87.

Damage to the woodland, its trees and Ancient Woodland Indicator plants, as well as its verified biodiversity, shall be restricted by the developer through the erection of an adequate fence or barrier.

Any proposed lighting must satisfy safeguards in the Bat Conservation Trust Guidance Note 08/18 "Bats and artificial lighting in the UK"
ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf

Footnote: We have used the word "shall" to mean a mandatory requirement in line with the recommendations in British Standard.

Officer note:- *Arboricultural Impact Assessment And Tree Protection Plan updated in respect to veteran trees. See Arboriculturalist comments, which raise no objection to the scheme.*

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: 84

Number of site notices 3

Statutory advertisement: Yes

Number of representations received: 548

The representations are summarised below and covers those received at the initial application stage as well as following amendments, and as such some of the comments may be superseded by the amendments.

Principle

- The area from the homes north of Sinah Lane and east of North Shore Road is the start of open farmland all the way to the bridge. It provides a rural setting for residents and visitors. It provides a haven for wildlife. Development of this site will set off a chain of creeping urbanisation in a rural area.
- It should be refused on the grounds of unsustainable development, inadequate infrastructure, impact on highways, ecology, and use of agricultural land
- This location is outside of the defined urban area as defined by Policies CS17 and AL2 of the Local Plan.
- There is an access road showing into the bird sanctuary, which is a clear indication of future plans to develop the area being called a sanctuary, if there is no intent then why put it in. (the birds don't need it).
- Loss of agricultural land.
- The present commercial land use is poor in jobs, we need a change in policy to increase job richness, not a proposal for increased housing numbers on this site.
- The needs of the community are being ignored.
- If more land is given up for development, it should be adjacent to major roads away from the Brent geese and wader habitat.
- If you need to use land on Hayling for mass housing, then the obvious spot would be all the land closer to the mainland.
- The Council should focus on developing much needed affordable homes in places in the Borough that provide easy access to rail and bus links.
- Rooks Farm Way was rejected for the very reasons that this should be rejected also
- Housing should be directed to area with good transport. Additionally, there are large vacant blocks of empty accommodation in the Havant area and also in Portsmouth. These locations already have a good infrastructure
- Development is sustainable and contrary to Policy DR1
- No clear information about regeneration, contrary to Policy DR2
- Local Plan – Inappropriate for Barratt Homes to made an assumption that the draft Local Plan although incomplete, has enough substance/content for their application to be considered in terms of “the amount, distribution and location of the development”.
- Being an Island brings some unique challenges to Hayling. Having a hard boundary (the sea) prevents a natural 'spread' as this area increases in population. The result is that public amenities feel the strain more directly in an Island community, than if a similar development was built in a mainland town.
- Apparently, there remains adequate space within the local schools for the projected increase in the number of children resulting from the proposed development. It would appear that the developer is prepared to make a contribution for the cost of new classrooms, but will the developer also pay the salaries of the additional teachers needed in the future?
- Prior to any acceptance of the proposal you must surely seek written confirmation of no degradation of service to the residents and council tax payers from the following:

Police, Ambulance Service, Health Centre, Utility Companies. Parking on the island is dreadful. Some of the smaller side roads have parked cars along the length and I am sure emergency vehicles cannot access some areas

- Too many houses, too many people, not enough infrastructure. Where are these new residents going to work, go to school, visit a doctor?
- Policy IN1 – the infrastructure is far from clear and definitely not effectively provided – a monetary contribution has been offered to one of the schools, but there are no additional jobs, the health centre is overburdened, the roads cannot cope with more people having to commute on and off the island as there is insufficient local employment and reliable transport. What about the junction with the Billy Line, pedestrians and cyclists will be negatively affected by the new road opening, there are often families crossing at an already increasing busy-road junction.

Officer comment: *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 development proposed by this planning application addresses infrastructure requirements as set out in section 7 of this report, and is included within these five year supply calculations and is equivalent to 0.36 of the 5 year supply. As such, without the proposed development at Sinah Lane, the Borough would have a 4.92 housing land supply. This is below the five year housing supply threshold and a material consideration forming part of the planning balance in the determination of this planning application.

Highways

- Only one access to Hayling Island which is already congested. Unless or until we have another route on and off our island no more large-scale developments should be allowed. The main bridge onto Hayling is already taking 3 times the capacity it was built to take, it is crumbling and many times inspectors in overalls are seen crawling under the bridge!
- The development would be occupied by those needing to go off the island to work/education
- Public transport options to go beyond Havant are limited, slow and prohibitively expensive. There are no rail links on the island and without the perseverance of the islanders there would be no ferry.
- Emergency vehicles already unable to make targets due to delays, loss of life if emergency services cannot respond in time.
- Transport Assessment misleading. Dangerous pinch point on Station Road ignored.
- The short length of road at the entrance to the estate has parking places marked on both sides, this is a hazard as some 200 - 600 traffic movements will have to use this section of roadway every day.
- The traffic problems are already very apparent and with 195 more houses you are talking about an additional 400 cars approx. to add to the congestion getting on and off the Island, there is no easy way to solve the situation. Could be fatal in emergency situations
- Hayling Island is already at saturation point and would not benefit from this development. The A3023 can't support the additional volume of traffic which this development will undoubtedly bring.
- The traffic on and off the island keeps the traffic at Havant roundabout at a standstill, affecting the surrounding areas. Contribute to existing gridlock situations.
- Traffic surveys need to be carried out in the summer.
- The buses are unable to provide a good timed service when the traffic builds up
- This year it has been a regular occurrence to take 40+ minutes to leave the island and similar to enter - a normal 10-minute journey. This is not acceptable, and the only

solution is to spend a vast amount of money on a fix not tinker here and there and this should be done in tandem with development. Make any developer pay for a new coastal route, to be completed before the housing - development would cease because there would be no profit.

- Number of very large vehicles: boat and caravan transporters and tractors using the road, these can get stuck particularly in the bends in Stoke village.
- Apparently, only one car was spotted turning right into West Lane during rush hour. Was that the morning or a bank holiday? Regularly, cars are backed up to the petrol station while a succession of cars are waiting to turn into West Lane.
- The development goes alongside the Billy track, which itself is in great need of maintenance. If more houses are built there, then something needs to be done about the Billy track as it will continue to deteriorate
- The Developer stated at the Information Day held at the Community Centre that trade vehicles would not be allowed to park overnight, (clause on each property) what arrangements will be made for the parking of these vehicles?
- Most households have 2 cars – inadequate parking – where will visitors park.
- Public transport is limited and does not cover the whole of the island forcing many people to drive.
- People are also causing problems by using West Lane and the Northney route causing more congestion.
- There is no obvious employment on the island for this number of people and, so they would be going off and on the island for work, thereby exacerbating the traffic issue.
- The Travel plan is no more than wishful thinking expecting 10% fewer people to drive unaccompanied. Additional cyclists will exacerbate the road delays because many ignore the cycle paths and there are few opportunities to safely overtake.
- Long traffic queues on & off the island can already cause well over an hour delay, such a large development would only make this worse. You need to consider emergency services trying to work their way on & off the Island in what will be even more congested roads.
- Essential repairs to the roads & services running along them is also something that is going to be made worse - as it is the disruption caused by repairing the roads or gas/electric/water is severe! This extra demand will also mean repairs are likely to be needed at closer intervals. Parking around some locations can also already be an issue.
- West Town does not have adequate parking and the new development of flats on the corner of Station Road can only make this situation worse.
- There may or may not be school places available for new home owners however it should be noted that all 5 island schools are situated in an area that cannot be walked from the proposed development. Therefore pupils will need to be taken to school by car and all the schools have problems with parking of cars at drop off and collection time as there are no park and stride facilities. Note - the school bus has been withdrawn. The development plans show narrow roads with limited parking especially for visitors and this could cause major difficulties for emergency vehicles and refuse lorries as the likelihood is that the narrow roads will be used as over flow parking for residents and their visitors.
- The Bridge - single access to the island already over capacity, what happens if it is out of use for any reason? There does not appear to be a critical incident plan to deal with this scenario
- The road infrastructure for Hayling Island is already saturated with increasing difficulties as a result. It is not realistic to expect that this can be significantly improved due to the bridge constraint. Consequently, any further significant house building on the island must not be allowed.
  The junction between West Lane and Havant Road is already congested and overcrowded.
- Cumulative impact with other development
- There is no visitor cycle parking shown on plans. I would request that £5k be set aside to implement a TRO on the surrounding street to accommodate any overspill parking of

vehicles from the estate

- The access along Station Rd through West Town is already crowded and so the additional an extra 350 or more cars going in or out would make the problem even worse.
  - Visibility is limited for pedestrians crossing from shop to shop
  - The pavement is in places little more than 30 cm wide.
  - The area is already seeing significant windfall additional housing with the access these cars will require into the heart of West Town
  - Traffic movements are often impeded along the road due to cars moving into car park bays and the Tesco car park so movement is relatively slow already without additional traffic load which may result in total clogging of the area.
- The traffic would feed into the already clogged Hayling bridge and Langstone roundabout, which in the five years we have been here are noticeably more frequently queuing.
- Almost daily gridlock at the A27 roundabout
- Then there is the significant increase in travel disruption as new housing developments require gas, water, electricity etc. all requiring the roads to be dug up and delays ensue for the residents of this island and the delays to bus companies, emergency services and so forth.
- Transport assessment is unrealistic in terms of walking and cycling times to services.
- Narrow winding road unsuitable for the additional traffic, with regular large lorry deliveries is a hazard and congestion. Cyclists will be in mortal danger unless a bespoke Cycle Lane is created and sleeping policeman, or other road calming measures are put in place. One would hope that NONE of the construction vehicles would be allowed to use West Lane. The Hayling Billy Line is unusable in Winter months owing to mud and massive surface water.
- With only one point of access and exit from the site the dynamics will be catastrophic-should a disaster unfold.
- The old railway line is very busy with inconsiderate cyclists, and the informal path provides an alternative route for pedestrians. This development and nature conservation area would close that route.
- This particular application is likely to cause an increase in traffic along West Lane which with the 40-mph limit (which is often ignored) is bound to result in a fatality sooner or later.
- No sensible parent is going to allow infants to walk to school - distance / safety or juniors to ride – ditto. You can witness the current situation on any start/end time when surrounding roads including the main road are heavily congested.
- With one entrance into the site the traffic car movements are going to be extremely disruptive to the Sinah Lane residents and make it harder to exit Staunton Ave into Station Road.
- The pavements are too narrow for two adults to pass on foot, let alone buggies, wheel chairs and mobility scooters. Hundreds more families will struggle to walk safely to school and shops at busy times of day.
- Parking on the island is dreadful. Some of the smaller side roads have parked cars along the length and I am sure emergency vehicles cannot access some areas.
- The developer's own reports are very misleading, the transport report even states that cars from the 30% affordable housing will not be used in its calculations.
- HCC's currently ongoing analysis of A3023 travel times will significantly understate the arterial gridlock issues owing to the smoothing effect of the long and sustained period of beach weather experienced during the hot and dry 2017 Summer season
- Emergency vehicles cannot get through. This puts people lives at risk.
- West Lane cannot cope with more traffic and it will ultimately end up with one or more fatalities. Policy IN2 – transport infrastructure, again an offer of monetary contributions and no mention of the negative assessment by Hampshire Highways.
- Insufficient car parking will add to congestion.
- The one road on and off the island is not properly maintained currently and further

building will only make the problem worse.

- Existing residents face unacceptable delays getting on and off the island and when there is there is emergency ambulances, fire engines and the police get held up.
- The population statistics do not reveal the full picture. In summer there is a lot more traffic from holiday makers either staying on the island in caravans etc and going off on day trips or people coming on to the island to go to the beach.
- The roads are all single lane each way so when traffic has to turn right, and the opposite lane is busy long queues develop. A roundabout on the A3023, West Lane junction would help a lot.

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 and amended in response to the findings of Hayling Island TA and is now considered to appropriately address the highway considerations and safety issues.*

<u>Residential amenity</u>

- Loss of privacy and overlooking -The additional houses that have been crammed into the extended site have increasingly small gardens (plots 51 to 56) backing onto houses in North Shore Road. The close proximity of the upstairs rear windows of these new houses means they will be looking straight into the rear windows of houses in North Shore Road. The new houses in these plots also overlook the 3m to 4m of garden closest to the houses in North Shore Road.
- High roofs offer scope for loft concerns and privacy issues without restrictive conditions.
- 2m heavy duty fence or wall required to provide privacy, muffle building noise and buffer exhaust fumes from cars.
- In view of the limited garden space allocated to each property, child will have to use the Park and there is no safe crossing on either Sinah Lane or Station Road.
- There are very few facilities on Hayling, and families wishing to use leisure facilities have to travel off the island.
- The removal or reduction of footpaths through the fields would impact the health and wellbeing of residents, would have a negative impact on tourism, would reduce the aesthetic appeal of this part of the island and would reduce the social benefits that this much-loved resource provides.
- Hayling as is a haven of peace and tranquillity and really could be spoilt if more and more houses keep getting built
- Sinah Lane is currently a quiet leafy residential area and this development could ruin this area of the Island with decreasing house values, upsetting the flora & fauna and the sensitive water table.
- Noise and vibration from even more construction lorries.
- Attenuation Pond – Hayling Island has historically had a big problem with mosquitoes. This pond will be a huge breeding ground for mosquitoes that will plague the local residents. The developer will need to control this problem.
- The footpath access from the end of North Shore Road, through the field to the shoreline and on ward to the Billy Track will be closed if the application for housing is granted.
- No one is seeking the views of residents, so how can a decision be made. and urge the Planning Committee to think again. What will happen to any monies received by the Council
- I believe that the density and nature of the housing within the proposed development could lead to an increase in crime, which in the Sinah area is currently very low. What protection to existing property owners is likely to be afforded by the erection of 6ft. fences?

- There are many elderly people in the area. They should not be subject to the noise and dirt of such a large construction project
- Loss of access to the foreshore for walkers & dogwalkers - whilst they may not be designated footpaths in the ordinance survey sense, these paths have been used for years and years and I believe that legally this confers some rights of access similar to squatters' rights
- The addition of 3 storey dwellings is not in keeping with the area.

  Officer Note: *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 to provide 20m window to window separation. A condition in respect to removing permitted development rights where 2nd floor accommodation would result in loss of privacy is recommended. The informal footpaths across the fields cause disruption to over wintering birds. The 3 storey flats are sited towards the centre of the site away from the site boundaries and the proposed density at 41 dph falls within the low density category. Also it should be noted that the emerging local plan allocation is for 210 dwellings, which is 15 more than the proposed development..*

<u>Visual amenities and environment</u>

- The area from the homes north of Sinah Lane and east of North Shore Road is the start of open farmland all the way to the bridge. It provides a rural setting for residents and visitors. It provides a haven for wildlife. Development of this site will set off a chain of creeping urbanisation in a rural area. Much better sites are both available and more suitable. For example: high rise development south of Havant railway station will attract commuters. Additionally, there are many areas of Leigh Park suitable for infill housing as well as major development.
- Overdevelopment out of keeping with surroundings. The other Barratt estate on Station Road has cars parked on every footpath
- Adverse impact on the amenities of those using the Hayling Billy due to dense residential development – ruin the experience.
- This area of Hayling is very beautiful with views over from the historic Billy trail and the proposed development will be severely impact on this and the wildlife and the coastline.
- Trees should be retained and supplemented.
- The development borders Langstone Harbour and will be detrimental to the ongoing support of wild life, flora and fauna in the area
- Poorly conceived and ugly development of 195 little boxes crammed into the site. The developer should be encouraged to engage local design practices/ the architecture school who are likely to have a much more vested interest in the Island.
- Important that the focus should be on the highest possible standards. This is one of the first major schemes planned and Havant BC should be insisting on the absolute highest quality design - no pattern book housing, no maximum density proposals, far better integration of green public space into every part of the scheme.
- Visual detriment from construction rubbish
- Surly we as a nation need every square metre of arable land to grow food for our ever-increasing population. The loss of this crop growing area should not be under estimated.
- Loss of open space, countryside and natural habitats – these will all be impacted by Sinah Lane development in a negative way through loss of all three. It is at present a wild area that provides space, habitats and Co2 provision for the area. The whole character of West Town will change, and I feel deeply for the loss of the rural part of the village. West Town will become very overcrowded.
- Policy E 14 – local ecological network, Barratts are misleading as the RSPB do not directly support this application. They have advised comprehensive mitigation strategies which would take at least 3 years to implement prior to any work being undertaken. The bat survey also made significant recommendations to mitigate the effects of any future

developments.

Officer comment: *The site is enclosed on 2 sides (south and west) by existing housing development, with further containment by commercial development and the Hayling Billy trail on a third side (east) and the proposed bird refuge would be located to the north. The boundaries with the Hayling Billy and the refuge would be landscaped with native species and the impact on the landscape would be mainly contained to the site itself.*

<u>Flooding and Drainage</u>

- Flooding across this field is considerable. The ditch to the side of the field cannot cope with this flooding as the gradient is not sufficient to take the water away in a northerly direction. The huge area of impermeable surface covering this field in the proposal will mean more water will be displaced to this same ditch and a pond designed to overflow
- The main pumping station near my house has difficulty coping now with peak flow storm water being rammed into the well by the existing pumps at the bottom of the Island; please don't add another! There have been 7 occasions in the last 10 years when this extra water gets mixed with raw sewage in the well and floods out into Langstone harbour at Stoke.
- No provision for the on-going cost of the Pumping station
- Areas of the arable land for the proposed development have suffered serious flooding from time to time.
- Southern Water cannot cope with the current level of sewage and waste water and are increasingly off-loading the excess into Langstone Harbour, so this development will make the existing situation worse.
- There is no mention of protection for the coastline that is being heavily eroded.
- It would seem that over the years our island will get progressively smaller due to the lack of maintenance of certain sea defences, thus allowing the ingress of the sea and that is particularly noticeable at the western end of the island where these new homes are now in for planning. Is it really fair to sell these places to people? How many years will families be able to live there before the tide comes in?
- The situation with the serious flooding in the middle of the Island on the 14th of June 2019 when there was total traffic chaos with heavy vehicles and buses having to be routed round the very narrow lane of Northney village. An accident waiting to happen!!
- Southern Water are not able to provide continuous removal of sewerage from the East of the Island. How will they be able to cope with this increased load?
- The proposed area for the dwellings is prone to flooding – in winter time the middle part of the field does resemble a small lake. The drainage system we have at present does not cope well with the sudden big downpours we have; all the extra housing will again put more pressure on an already overworked drainage system.
- There is significant erosion on the unprotected banks of Hayling Island and Langstone Harbour, which will as continue as the sea level rise. Without this protection the field will disappear into Langstone Harbour. With the field will the trees and part of the SSSI.
- Groundwater. Sampling for contamination is an outstanding issue and should be addressed, especially as the field is subject to flooding after heavy rainfall and, to the north, from Langstone Harbour after tidal surges often affected by pollution from sewage. It is noted that winter level monitoring was carried out in 2016/17; however, photographic evidence shows considerable flooding in both the south and north parts of the field during 2017/18 and 2018/19. Therefore, the Barratt winter level monitoring data is out of date and further groundwater monitoring should be carried out by the developer.
- Drainage/Sewage. After the recent sewage pump failures and spillages into Langstone Harbour it is strongly urged that HBC looks very closely and seeks specialised advice in respect to Barratt's solution for pump failure using emergency ground storage.

- It is noted that Southern Water has not raised any objections. However, the ability for Southern Water to manage/cope with additional pressure on the infrastructure from this development for which they are responsible is highly questionable.

  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). A surface water pumping solution has been proposed to overcome the limited fall available on the site. 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 via an onsite adoptable pumping station. Subject to conditions the EA, SW and LLFA do not raise objection.*

Ecology/conservation

- The current site is part of a Bird Mitigation scheme outlined in the section 106 agreement between HBC and the developer for their previous site the Oysters
- The Geese have used this field very happily for decades because it provides both food and security. A refuge indicates a safe haven but without the necessary sustenance the birds will be forced to find other locations
- Not comprehensive – no mention of buzzards
- Cumulative loss of habitat
- Proximity to SSSI
- Brent Geese come to these arable fields because they do not have people and dogs walking across their safe area in the middle. If the northerly part of the field is criss-crossed with hard paths it will become an urban park and dog walkers etc. crossing it will scare off the Geese.
- The Brent geese have been using this field as a migration area for years and years - just saying they can move elsewhere is not good enough
- The proposal to establish a grazing/feeding area for geese is unlikely to prove viable. Brent geese thrive on arable land and this will no longer be available.
- We are losing more open space which is affecting the wildlife and natural beauty of Hayling Island.
- Should we always put people ahead of with wild life?
- The proposed bird refuge is totally inadequate, and development of this site will drive away these magnificent birds and many other forms of wild life that enjoy this habitat. What right do we have to take that away.
- The field is a premier roosting site for migrating birds. They land here having flown thousands of miles. They are exhausted and starving. The sea grass sustains them. Dog walkers are careful not to disturb them. What the effect of diggers /earth movers /cement mixers /scaffold construction will have on their numbers - is a serious environmental question - to be considered.
- Permissive access to a place of natural beauty cannot be removed without due consultation. I shall continue to access this area daily with my dog, as will many other residents.
- Unrealistic to think that fencing for bird refuge can be maintained as dog walkers currently using the area; residents who wish to access the shoreline; and, probably more importantly, kids who want to go exploring or use the open spaces will not tolerate or be put off by a fence.
- The developer has already fenced off and blocked public right of way from the Billy Line prior to planning consent, the fences have fallen down and obstructed the Billy Line public bridle way causing injury to animals, walkers and cyclists
  The proposed development calls for the footpath at the end of North Shore Road (providing access to foreshore) to be closed - this is part of the road's character; I'm unclear as to why it would need to be closed

- The wild bird refuge being proposed by Barratts is woefully inadequate for the Brent Geese, Curlews, Egrets and other winter visitors that I have witnessed using the field. These birds use this field because of its openness which gives these birds a clear view of approaching predators - building houses on half the field will break this clear view and therefore will not be attractive to these birds.
- Destruction of trees and biodiversity. Suggestion of “orchard” as greenwash – Barrett haven’t even bothered to find out what sort of trees might survive in this environment.
- The idea that migratory birds will still come to the area set aside for them once the adjacent area is built on and occupied by humans is fallacious at the very least, and laughable at its worst. Quite rightly, such birds know that humans are a threat to their wellbeing, and stay well clear of us whenever possible. That is why they favour the open fields in West Lane where they can see and hear threats in the form of humans, dogs, cats and foxes well before they arrive, so hoping that a fence between the houses and the reserved area will suffice is a pious hope. Only garden birds have learned to live in close proximity to us, but even this has a minimum distance limit except for robins.
- RSPB. As a local resident close to the proposed development site, it is very obvious that the RSPB Consultation document is seriously flawed. The RSPB cannot have been made fully aware of the wintering and feeding habits of the Waders and Brent geese during 2018/19 winter months and the change in crop planting in the site field. It is understood that the RSPB has been updated on this issue and it is recommended that both HBC and Barratt get a full briefing from the RSPB once they have reviewed the local resident’s input.
- It would appear that the requirements for assessments and field work report are still outstanding. Presumably HBC will insist on this being carried out before a planning decision is made.

  Officer comment: *The proposal provides for ecological mitigation and enhancement including the formation of an SPA bird refuge in perpetuity and the key consultees including Natural England, HBC Ecology and the RSPB, subject to securing these through conditions and a S106 agreement, support the proposal, which in respect to over wintering birds would improve the quality of this retained area of Primary Support Area by reducing disturbance from farm operations (bird scaring, shooting) and prevent disturbance from walkers and dogs by providing fencing to restrict access to field paths that are not rights of way.*

<u>Housing Provision</u>

- I object to the type and quantity of housing. Too many packed in and too expensive. Hayling has many under occupied houses, and many over occupied. There are no houses affordable, i.e. actually affordable, not the legal definition of affordable, that are proposed to be built. It would be better to build a community of mid-range retirement homes as a gated community, where people with dementia can be safe and older people have all they need, to free up under occupied housing on the island that are perfect for families.
- Policy H3 – housing density and housing mix, this does not fit with the surrounding properties which are mainly detached bungalows or 2 storey houses. The proposal is for a dense development with 3 storey properties and flats, which are not in keeping with the neighbourhood, which consist of mainly mature residents and with few young families.
- Hayling Island has a large number of retirees and elderly people who require single storey bungalow style accommodation or houses with stairlifts etc. The proposal does not satisfy this need and the house designs are completely out of character with the area.
- Affordable housing, aside from the percentage stated in the application the rest of these properties will be far from affordable for those struggling to own their own homes.
- Looking at the site in particular the affordable houses would be as far from the mainland and all services as possible.

Officer comment: *The proposal provides for a range of house sizes from 2 bed to 4 bed at a density of 41 dph, which falls within the low category in the adopted Core Strategy. The affordable housing provision is in accordance with policy and supported by the Housing Officer.*

Other

- Can the developer and Council demonstrate how they will provide the funds and maintenance plan for costal erosion on the western side of the development, the shoreline has retracted several feet in the last decade and sea levels are proven to be rising
- Brown field sites should be developed not greenfield
- Perhaps building small houses for old people could make more houses available for young residents.
- The site is an area that is designated as a 3-5% chance of having a higher level than average of the carcinogenic gas Radon (ukradon.org site map). This risk must monitored be over a long period and the risk that the large area of impermeable surface may displace more of this gas to the surrounding properties needs to be assessed and addressed.
- Layout with road to end of site indicates an intention to extend further in the future.
- The planned estate destroys irreplaceable farming land, even wasting space on a sales attraction 'central community green' when the Hayling Parks newly enlarged Community Centre and upgraded children's play area already exist just over the road.
- This planning application must be rejected by the Council based on the precedent that they turned down the planning application for 210 homes at Rook Farm Way on Hayling Island in May 2017 'because it would see the addition of an unsustainable development in a non-urban area, for which there is no overriding justification'. In 2018 the loading on the infrastructure has got worse!
- The public will be put off coming to the Island if they think that the traffic will be bad, and this will impact on the local business' that rely on the visitors for their income.
- Safety - more police and fire emergency services would have to be put into place. Would the houses bring the right calibre of people to such a safe place?
- Nobody is held to account on has any liability.
- This application is ill-considered and detrimental to the infrastructure of an overcrowded island. Time was when Hayling was an attractive seaside resort earning revenue for local businesses. This asset is being steadily eroded with no thought for the quality of life of the population.
- The applicant has not demonstrated that the criteria of Economic, Social, and Environmental have been met or enhanced
- The NPPF which says housing proposals should be considered in the context of the presumption in favour of sustainable development. Hayling Island is not economically sustainable owing to lack of employment opportunities
- Priority should be given to building houses where commuting distances are minimised, not where they add to the burden on infrastructure and contribute to personal stress levels due to the wasted
- We have no sports centre/swimming pool/bowling alley or anywhere for the young people to go, additional families will make this matter worse with more young people bored and with nothing to do other than cause trouble.
- NORSE cannot manage the refuge clearance for the Beachlands rubbish bins which are often a health hazard nor the current demand for glass recycling clearance
- If the application is approved, how will robust assurance of the build phase take place to ensure the problems experienced by the same developer in the nearby 70+ house Oysters estate be repeated, and corners cut for profit? The drawings and plans look good but how sure can we be that this is what will be built?
- Blue flag status for the beach failed because Councils have failed to take their duty of care seriously and mismanaged provision for waste in recreational areas.
- Radon protection measures may be required based on the 1-3% chance of trapped

Radon.

- Hayling Island shouldn't be used to offload their housing requirements
- Barratt, although fully agreeing with the principles of power>carbon design, admit that their application "does not fully comply the precise aspiration under E12 (f)". Again, they use the excuse that the lack of formal low carbon polices is enough for HBC to agree to their application within current building/low carbon standards. The developer has not included the latest eco-friendly measures such as triple glazing, large windows for more light, solar panels etc. In this amended application, presumably on building cost grounds.
- Barratt advise that only homes with garages will be fitted with car charging points, but the proposed design and layout of the site would enable additional points to be fitted post-occupation. This proposal would only cause unnecessary disruption/inconvenience to residents and should be included in development plans.

Officer comment: *The Council is currently preparing a Flood and Coastal Erosion Risk Erosion Strategy for Hayling Island. Radon is covered by the Building Regulations. The Open Space provides for informal recreation, play and community food growing, as well as landscaping. Traffic and infrastructure mitigation would be provided through contributions to highways works, education, community officer and SECCG in accordance with the requirements of the Consultees. The planning application for Rook Farm was refused on several grounds, including the fact that the principle of development on the site was not accepted. It is noteworthy that the Rook Farm site is now, alongside Sinah Lane, proposed as an allocation in the emerging Local Plan.*

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 those 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 the increase in recreation, decrease in water quality, and loss / degradation of supporting habitats that arise as a result of the proposed development. The planning application was then subject to Appropriate Assessment under Regulation 63. This included four avoidance and mitigation packages. The first is a package of measures 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.

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. Natural England 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 latest advice (June 2019).

7.5 The 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 nutrient load 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 including a SuDs system designed, and installed in accordance with the requirements set out in the CIRIA SuDS Manual (C753). Appropriate planning and legal agreement measures will be necessary to ensure appropriate maintenance of the SuDs and compliance of the nutrient inputs in the long term. Natural England have agreed with this assessment.

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). 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 by a costed mitigation and monitoring package to provide 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. The SWBGS is accompanied by guidelines which provide a suggested framework for the level of mitigation required for each category of SWBGS site. The application provides for the upgrading of existing support habitat with a Bird Refuge which would be secured in the longer term, in accordance with the aims of the strategy.

Construction impacts

7.8 There is potential for construction noise and activity to cause disturbance to 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 Appropriate Assessment concluded that the 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.

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 the Character and Appearance of the area
(iv) Residential and Neighbouring Amenity
(v) Access and Highway Implications
(vi) Flooding and Drainage
(vii) The Effect of Development on Ecology and trees
(viii) Impact on archaeology
(ix) Community Infrastructure Levy (CIL), Contribution Requirements and legal agreement

(i) <u>Principle of development</u>

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.

<u>The Development Plan</u>

7.12 The Development Plan consists of Havant Borough Local Plan (Core Strategy) (2011), and 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. Only “Exception schemes” are 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.

<u>Pre-submission Havant Borough Local Plan 2036</u>

7.13 The Council published the Pre-Submission Havant Borough Local Plan 2036 for 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 emerging plan includes the Council’s proposed new housing allocations. The application site is identified within Policy H29 for residential development, capable of accommodating about 210 residential dwellings. The application site is identified as one of the 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 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 2036 through the Strategic Housing Land Availability Assessment and the Sustainability Appraisal. This has shown that there are sufficient deliverable and developable sites upon which to meet the Borough's housing need. The application site has been assessed by officers and found to be free of any significant constraint and capable of delivering houses within the plan period.

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, proposals for development should only be refused if:

- the site is within particular designated areas set out footnote 6 of the NPPF. The application site in question is not within any of these areas.

- 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.

Such a situation would result in a tilted planning balance towards the granting of planning permission. This would diminish the need to provide the necessary infrastructure to support development or appropriate environmental safeguards (outside of those required by the Habitats Regulations).

7.19 The Borough's five year housing land supply was updated in December 2019. This shows that the Borough had a 5.4 year housing land supply with the necessary buffer based on the results of the housing delivery test.

7.20 The development proposed by this planning application is included within these five year supply calculations and is equivalent to 0.36 of the 5 year supply. As such, without the proposed development at Sinah Lane, and having regard to the recent refusal of planning permission for another site that was included in the five year supply, the Borough would have a 4.92 year housing land supply. This is below the five year supply threshold. Given the imminent end of the transition period of the Housing Delivery Test, maintaining a healthy supply of housing will be essential. This material consideration will need to be part of the planning balance in the determination of this planning application.

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.

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 The application has been supported by an Infrastructure Delivery Statement (IDS), which considers the supply of water, electricity, gas and telecommunications to the site, in consultation with the utility providers. 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 owing to the enclosed nature of the housing site there would be a limited impact on the wider area, with any harmful visual impact of the development being localised. 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. Furthermore, the provision of habitat mitigation open space comprising play area, and orchard provision is of significant benefit to this application. As is the establishment of a permanent bird refuge on the northern part of the site.

7.27 In terms of the location of the site relative to services and facilities:

- The nearest collection of retail facilities is at West Town, a 500 metre walk east from the site. This includes a supermarket and pharmacy. There are also two public houses in this area, as well as a church, community centre and park. A wider collection of retail facilities is available at Mengham, a 1.7km walk west of the site. In this area there are two supermarkets, two pharmacies, a post office, a church, a health centre and dentist.

- Educational Facilities are at located Mengham Infant School (1.8Km), and Hayling Island Library is a 1.5 km walk west from the site. Mengham Junior School sits further to the west, at a walk of 2.0 km from the site. The nearest secondary school is Hayling College, which is a walk of 2 km

- The Hayling Billy Trail is a north-south coastal route on Hayling Island which acts as a leisure route directly from the site. Running along the west coast of Hayling Island, the Trail runs near to the coastline and therefore acts as an attractive walking and cycle route from the development.

- The nearest bus stops to the site are circa 110m and 310m away, comprising a simple flagpole and timetable. The 30/31 bus service operating from these stops occurs half hourly and provides access to Langstone and Havant along with other destinations on

Hayling Island.

- Hayling Island does not benefit from a train station. The nearest station is Havant Rail Station 7 kilometres north from the site, which can be accessed via the 30/31 bus service or an approx. 30-minute cycle journey with the Hayling Billy Trail directly linking to Havant Rail Station.

7.28 In accessibility terms, the site is considered to be 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 to proactively 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/operations and Local Authority benefits such as the Community Infrastructure Levey. 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 including 30% (58) affordable housing (shared ownership 17 and affordable rented 41) in accordance with Policy CS9 of the Core Strategy. The Council's adopted Affordable Housing SPD is also a material consideration, as 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, with 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 in the catchment for Mill Rythe Infant and Junior Schools but there is pupil movement between these schools and

Mengham Infant and Junior Schools.

7.36 The schools are forecast to be at capacity by the start of the 2021 academic year and forecast to remain full after that date without this proposed housing being taken into account. Consequently, additional primary school places will be needed to cater for the anticipated additional 59 pupils and the required contribution of £872,320 has been agreed by the developer to pay for this expansion. Similarly, Hayling College serves the proposed development but there is a sufficient number of secondary school places available to accommodate the yield from the proposed development and a contribution is not required.

7.37 The South East Hampshire NHS Clinical Commissioning Group (CCG) have been consulted and 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 to accommodate the patients from the proposed development. The requested contribution of £31,200 has been agreed by the developer and this would be the subject of a legal agreement.

Prematurity

7.38 Concern has been expressed that the grant of planning permission would be premature in advance of the examination of the emerging Local Plan. This concern must be weighted in the context of 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.

7.39 *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, and having previously taken the advice of experienced planning counsel on this matter, 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 2036.

7.42 In conclusion on this issue,

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

(ii) <u>Nature of Development</u>

7.43 The application is for full planning permission for 195 dwellings with a single vehicular access off Sinah Lane, together with a bird refuge. The bird refuge would formalise and secure the current bird over wintering habitat and would retain a rural appearance. In respect of the proposed housing 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 195 No. dwellings which based on the developable area equates to approximately 41 dwellings per hectare (dph). 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 low-density development, the proposed density of 41 dph is considered an appropriate density given the context of the site.

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 for 2, 3, and 4 bed properties, comprises a mix of detached and semi-detached houses and three storey flats and short terrace housing. 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 distributed across the site in clusters and in terms of building form they are reflective of the development in general, and overall are considered to be acceptably integrated and the Housing Officer supports the scheme.

The Design and Layout of the Development

7.49 The proposed character of the housing development comprises mainly 2 storey housing and a number of centrally located three storey flats adjoining an of area of open space. Garden sizes would comply with the supplementary planning guidance on this subject. Allocated parking provision would be 445 spaces which exceeds the requirement of 416 spaces set out in the adopted Parking Standards. Visitor parking is provided on the basis of one visitor space for every 5 dwellings (20% of the dwellings and not 20% of the allocated spaces). Given that there is scope in a number of cases (29) for visitors to use the extra allocated parking of the property being visited, the visitor parking provision is considered acceptable. The allocated parking provision would be provided on curtilage or in small parking courts so as not to be over dominant.

7.50 The proposal provides for additional tree planting adjacent the Hayling Billy Trail and landscaping within the site would include native open space trees, decorative street trees and native hedging species, together with shrub planting.

7.51 The housing layout has been influenced by the site constraints including the elongated nature of the site, the relationship with neighbouring properties, and the boundaries with the Hayling Billy Trail. 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 of traditional design comprising a mix of two and three stories with pitched and hipped roofs and constructed of bricks, cladding and tiles reflecting the character of the area.

7.53 The development would provide functional areas of Public Open Space, an area of equipped play space and 2 orchard areas and overall the form of development is considered to have regard to the site's context.

Pre-Submission Local Plan

7.54 The Pre-Submission Local Plan requires enhanced standards in certain polices, 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 Councils 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 should contribute towards a community officer, to help new residents in the development integrate into existing communities. Following negotiations with the applicant, they have now 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 things strategic transport requirements to facilitate the proposed development within the plan. These are set out under the Highway Considerations and the application proposes contributions to off-site transport works in respect to:-

- £679,000 towards improvements along the A3023 corridor,
- £35,000 towards improvements on the walking route to School;

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 exceed the parking standards for allocated parking providing 445 spaces against a requirement of 416 spaces, however visitor parking is 39 vs a requirement of 83. Given that it some cases it would be possible for visitors to use residents' allocated parking, the under provision on visitor parking is considered acceptable. 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, but not private and unallocated parking spaces which accounts for the majority of spaces and the provision is modest with only 32 out of 195 dwellings proposed to have access to electrical vehicle charging points.

Environment Policies

7.59 Policy E9 – provision of public open space in new development of the emerging Local Plan 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. Based on an occupancy rate of 2.4 persons per dwelling this generates a need for approximately 0.72 ha of open space. Moving through the site from the entrance on Sinah Lane there is a network of open spaces comprising a modest area of open space near the entrance, with a larger area beyond, plus a central area of open space providing a formally designed orchard area, and a further orchard area of informal design located at the northern end of the housing development near the eastern boundary with the Hayling Billy Trail. The latter forms a green corridor featuring native buffer planting, open wild flower meadow mix and integrated wet shrub planting, intended to function as part of a Sustainable Urban Drainage system. A total open space provision of 0.72ha is provided which meets the Policy requirement.

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 the 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 met in part but consider the appropriate vehicle for setting standards for building design is the Building Regulations. To increase energy efficiency, reduce carbon emissions and lower energy costs for future occupiers they propose to 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. They 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 their house types are designed with the intention to meet an Energy Performance Rating (EPC rating) of 'B' or above when constructed. Whilst the application does not accord with the requirements of Policy E12 the proposed approach which is the 2nd highest EPC rating assists in lowering the carbon footprint of the development.

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 an attenuation basin 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. Additionally, the proposed bird refuge would provide permanent habitat to support the bird population. The proposal, subject to conditions, is supported by HBC's Ecologist.

Housing policies

7.62 Policy H1 of the emerging 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 a current Local Plan Policy that allows it to require compliance with these standards. Policy H1 is proposed within the Draft Local Plan which would require new housing developments to provide adequate internal and external space to provide appropriate living environments for future occupiers, in accordance with the Technical Housing Standards. This application proposes 60 dwellings (31%) compliant with the Nationally Described Space Standards. However, all the houses do meet the external space standard for gardens.

7.64 Policy H3 – Housing density now 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 approx. 41 dwellings per hectare based on the developable area in accordance with Policy H3.

7.65 Policy H4- Housing Mix outlines that development will be expected to provide a range of dwelling types to meet identified local housing need; and incorporate approximately 35% as two-bedroom homes as part of the overall housing mix. This proposal does provide a range of 2, 3 and 4-bedroom units, of which 69 (35.4 %) would be 2 bed. 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 the level of objection received during the pre-submission consultation, 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 partially met and this threshold has been weighted into the overall planning balance made on this application.

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

7.67 A Landscape Visual Impact Assessment (LVIA) has been submitted which considers the relationship of the proposed development to the existing landscape character and context of the site in terms of views of it.

7.68 The main landscape features relate to the field boundaries, which are to be retained, and due to the boundary hedgerows and non-elevated nature of the land the visual impact is limited and following mitigation and vegetation growth the views of the housing development would be largely screened or distantly glimpsed. The land for the bird refuge would be largely unchanged visually, and there would be no significant residual landscape or visual effects.

7.69 Overall, it is considered that the layout responds to the constraints and natural assets of the site and the principle of residential development and bird refuge 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.

(iv) Residential and neighbouring amenity

7.70 The main direct residential impacts here relate to the adjoining properties in Sinah Lane and North Shore Road, together with traffic impacts which are considered further below.

7.71 The development would be clearly visible from properties backing onto the site, however, separation distances for habitable rooms between the proposed and existing residential properties achieves a minimum of 20 metres in accordance with the Borough Design Guide, which is considered appropriate to retain privacy. The outlook from the neighbouring properties will be substantially changed from an agricultural field to housing development, but given the separation distances the impact is not considered to be overbearing. As such there would be no significant loss of amenity to existing residents from the proposed siting of the dwellings and the development would comply with policy CS16 of the Core Strategy, the Design SPD and the NPPF.

7.72 In respect to the proposed access this would be located in the existing 15m gap in the Sinah Lane frontage between nos. 6 and 10. The plans have been amended to remove on street parking from the first 45m of the entrance to the site and additional landscaping is provided. As such the road and associated traffic is set off the boundaries with the adjacent properties by 3m providing separation and mitigating the impact of traffic movements to an acceptable level, as well as providing an attractive entrance to the site.

7.73 The proposed 195 dwellings would inevitably result in an increase in traffic levels on the adjacent and wider highway network, which would impact the amenities of existing residents. Mitigation measures are proposed in the form of offsite highway works and these are set out in the highways section. The proposed measures are considered to result in improvements to the highway network having regard to the need to maintain highway safety and traffic flow.

Impact on future residents

7.74 The application has been assessment by Environmental Health in respect to

Contamination, Air Quality, and Noise .Subject to conditions no objection is raised on these matters. In respect to drainage and SuDs, the proposed system has been assessed by the Lead Local Flood Authority (HCC), Southern Water and the Council's Environmental Health Officer. The pumping station is to be adopted and the maintenance of the SuDs system would be undertaken by a management company and this matter will need to be the subject of the legal agreement to secure appropriate maintenance. These consultees, subject to conditions and S106 requirements now raise no objection. In respect to Radon protection this is a matter considered under the Building Regulations.

(v) Access and Highway Implications

7.75 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.

7.76 In terms of the highway proposals in the immediate vicinity of the site updated access drawings have been provided (drawing numbers 041.0031.003 Rev J and 041.0031.005) which now demonstrate a pedestrian crossing point in the form of dropped kerbs and tactile paving to the east of the proposed vehicular site access. Tracking drawings have been provided and reviewed to demonstrate that the provision of the new crossing point will not restrict the movement of vehicles entering/egressing the existing driveways.

7.77 The revised access drawings and pedestrian provision have been reviewed and considered acceptable. The works would be delivered via a S278 agreement with the Highway Authority.

7.78 The roads and footways relating to this application are being put forward for adoption by the developer. HCC have assessed the submitted drawings and the internal layout is now considered acceptable in principle.

7.79 From a wider perspective a significant level of objection has been raised to the application on the basis of additional traffic generated to the flow of traffic on and off Hayling Island and up to the Langstone roundabout. The application was submitted prior to approval of the Hayling Island TA Addendum, prepared to support the Havant Borough Local Plan. The initial Transport Assessment submitted with the application was critically reviewed in response to negotiations with HCC Highways and the requirement to understand how the proposed development allocation on Hayling Island (including the Sinah Lane site) will be suitably mitigated. The Hayling Island Transport Assessment Addendum identifies interventions at the following locations:

- Northney Road/A3023;
- Langstone Road/Woodbury Avenue/Technology Park;
- West Lane/A3023;
- Mill Rythe Roundabout; and
- 'Friction Reduction' Schemes along the A3023.

7.80 The Transport Assessment Addendum (TAA) produced by the applicant provides junction modelling outputs for those junctions and in accordance with the ongoing work associated with the Hayling Island TA, and to ensure a holistic approach is adopted towards funding the identified mitigation measures on the island, a proportionate contribution sum of £679,000 has been agreed towards the mitigation measures identified within the TA. This

is considered sufficient, when considered with the additional funding available from CIL arising from the development, to mitigate the forecast traffic generated by this application. The contribution value is based on the proposed measures within the Hayling Island TA. The Highway Authority have advised that the mitigation measures identified within the TA sufficiently mitigates vehicular traffic from the proposed allocation on Hayling Island.

7.81 Updated Personal Injury Accident (PIA) data has been submitted by the applicant through the TAA for the agreed study area. The Highway Authority advises that the PIA data does not indicate an existing safety concern on the highway which could be exacerbated by the development. As a result, they advise that no further action is required.

7.82 In respect to Walking and Cycling the submission provides for a contribution of £35,000 to a crossing point on Station Road and improved wayfinding through Hayling Park, which connects the development site to Station Road and to the catchment Mengham infant and junior schools, to provide a safe walking route to school.

7.83 Additionally, in respect to the Hayling Billy Trail the submission provides for 2 connections from the site and a contribution of £8,800 to provide for these links and an element of related maintenance. Such linkage would assist in integrating the development and promote the use of alternative means of transport to the car to access facilities and services on Hayling Island and Havant.

7.84 In respect to bus facilities the nearest bus stops have recently been improved as part of 'The Oysters' development and there is little scope to provide any further improvements towards the bus stops in the vicinity. As such, a contribution is not sought. The Hayling Island TA has identified long term improvements for bus provision on Hayling Island, which could be funded through CIL funds from developments on the Island to which the proposed development would make provision.

7.85 The application is accompanied by a revised Travel Plan, reviewed by the Highway Authority and to be the subject of a S106 obligation.

7.86 The Highway Authority has raised no objection subject to S106 contributions and obligations as set out above and a condition in respect to a Construction Traffic Management Plan.

7.87 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 on Hayling island with only one road onto the Island is unsuitable for the extra traffic that would be generated by the development resulting in severe congestion, and safety issues. The proposed application, cumulatively with other proposed developments on Hayling Island in the Havant Borough Local Plan, are projected to increase journey times. Nonetheless, whilst inconvenient to road users, it is not considered sufficient to trigger the 'severe' test set out in the NPPF in its own right. The highway submission in respect to the application has been reviewed and amended in response to the findings of Hayling Island TA and is now considered to appropriately address the highway considerations and safety issues.

(vi) <u>Flooding and Drainage</u>

7.88 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.

7.89 Whist the site lies wholly within Flood Zone 1, it is recognised that vehicular access on

and off Hayling Island is only via Havant Road and Langstone Road, located further north of the site. Part this route lies within Flood Zone 3 considered at high risk of Tidal Flooding. As a result, early consultation was carried out with Statutory bodies regarding flood risk and drainage matters relating to the development, and the proposal provides a Flood Emergency Plan, setting out early flood warning systems and procedures for the development in the event of a peak tidal surge. This would inform and assist future residents in the event of a peak tidal flood event.

7.90 Searches of the EA Risk of Flooding from Surface Water flood map confirm that the site lies mainly outside of any risk of flooding from surface water with exception of areas within the south eastern part which indicate to be a low risk of flooding from surface water (between 0.1% to 1% probability). The areas are reflective of localised low points within the site and the risk to the future development can be mitigated thorough the detailed design of the finished ground levels of the development. A condition requiring further details in respect to levels is recommended.

Surface Water Management

7.91 The surface water management proposals have been developed in consultation with the Environment Agency (EA) and the Local Lead Flood Authority (LLFA), and SuDS in the form of attenuation ponds, basins and bio-retention areas have been incorporated within the scheme. The surface water network will convey the flows, under gravity, north eastwards towards a new attenuation basin and SuDS swales which will provide attenuation of the restricted flow prior to discharging to an existing ditch system located on the eastern boundary of the site, which in turn flows northwards into an existing ordinary watercourse and a final outfall into Sinah Lake. A surface water pumping solution has been proposed to overcome the limited fall available on the site. 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.

7.92 The pumping station would be located in the north east part of the site adjacent the proposed swales and attenuation basin and would be offered up for adoption. 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

7.93 The new housing development parcel will seek to connect to the nearest existing Southern Water foul sewer via an onsite adoptable pumping station to the existing 200mm diameter sewer located just north west of the development site. Following the submission of additional information Southern Water has raised no objection subject to conditions and an informative.

(vii) <u>The Effect of Development on Ecology and Trees</u>

7.94 The site comprises cropped farmland, and with the exception of habitat for over wintering birds 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 slow worms. A biodiversity plan accompanies the application and identifies mitigation, enhancement and management measures 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

7.95 The proposed landscaping scheme would provide a number of areas of open greenspace within the site. This will include areas of species rich grassland, wildflower planting, native hedgerow, trees and scrub and wetland features and should provide a valuable range of

habitats.

7.96 In respect to over-wintering birds, the site forms part of the larger Solent Waders & Brent Goose Strategy (SWBGS) Site H34C, which is listed as a Primary Support Area, with the northern portion supporting a high concentration of birds. The proposed development will result in the loss of 5.85ha of H34C Special Protection Area (SPA) supporting habitat, but 6.79ha would be permanently managed to provide a wader and brent goose refuge. This refuge would provide suitable habitat annually (rather than every other year as currently provided by the winter wheat), and has been developed in consultation with the RSPB. It is intended that this body would take over the long-term management and monitoring of the site. Additionally, the proposed mitigation package would improve the quality of the retained area of Primary Support Area by reducing disturbance from farm operations (bird scaring and shooting) and prevent disturbance by providing fencing to restricting access.

7.97 HBC Ecologist, RSPB and Natural England have confirmed that the proposed mitigation, compensation and enhancement measures are acceptable. In respect of habitat for over wintering birds, the proposal would secure a site in perpetuity which cannot be relied on at present as it is dependent on farming practises. This represents a clearly identifiable benefit.

7.98 All of the trees relating to this proposed development are offsite boundary trees. The form of the trees and the pruning they have had over the years is typical of agricultural pruning. A comprehensive report has been submitted, and providing it is strictly adhered to the development should not impact on the trees health or amenity value and the Council's Arboriculturalist has no objection to the amended plans.

(viii) Impact on archaeology

7.99 The site has been considered for its below ground archaeological potential as part of an Archaeological Desk Based Assessment which has been submitted as part of this planning application. This report concludes that there are no designated archaeological assets on or particularly near to the study site, but the site has a moderate archaeological potential for the Roman periods and a low to moderate potential for the later Prehistoric. The County Archaeologist concurs with the conclusions of the study and advises that there is no indication that archaeology presents an overriding concern. In accordance with standard practise he advises that there is no objection subject to conditions in respect to the assessment, recording and reporting of any archaeological features affected by construction.

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

7.100 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 is proposed which would be the subject of a legal agreement as set out below.

7.101 The CIL liability for this site currently stands at £1,708,186 - this is net of Mandatory Social Housing Relief. 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 (30%)
2. Provision of Bird refuge
3. Provision of Open Space, including orchards, play area and associated infrastructure and arrangements for management including measures to ensure that

the open space in managed in a Nutrient Neutral manner

4. Solent Recreation Mitigation Strategy contribution currently £125,774.40 (subject to appropriate increase in the event that the decision is made on or after 1st April 2020)
5. SUDS maintenance and bond
6. A contribution towards Health of £31,2000
7. Permissive paths
8. A contribution towards a Community worker of £48,750
9. Delivery of site access works via a S278 agreement, prior to commencement of development
10. Off site Highways contribution of £679,000 towards improvements along the A3023 corridor up to, and including, the A27 roundabout
11. Contribution payment of £35,000 towards improvements on the walking route from the development to Mengham Infant School and Mengham Junior School
12.. Hayling Billy connection and contribution of £8,800
13. Travel Plan and payment (by developer) of HCC fees in respect of the approval (£3,000) and monitoring (£15,000) of the Framework Travel Plan plus bond.
14. Skills and Employment Plan
15. Education contribution of £872,320
16. Traffic Regulation Order contribution of £5,000
16. S106 monitoring fee

8 Conclusion

8.1 In considering whether the presumption in favour of sustainable development is satisfied the economic, social and environmental aspects of the proposal have to be weighed. The development lies outside of the built-up area and is not provided for in the current adopted Local Plan policy - as a result the proposal is contrary to development plan policy. Although weight must be attached to this start point for considering the proposal, it is tempered by the findings that a number of material considerations also weigh in favour of recommending permission.

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. Additionally it provides partial if not complete compliance with the emerging standards in the emerging 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. The proposed development would make an important contribution to the Borough's five year housing land supply and without the development the authority would have a 4.92 supply. This is a compelling material consideration, which indicates that a decision could be taken which departs from the development plan. 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.

8.3 In respect to highways, following extensive review and consultation to address highways concerns, and having regard to the Hayling Island TA, measures to mitigate the impact of the proposed housing development have been agreed with Hampshire Highways. The proposal would be subject to a legal agreement to provide a contribution to measures to improve traffic flow and road safety, and would also deliver CIL funding to support the Hayling Island TA mitigation proposals. 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, and having regard to the NPPF, the development should not be refused on highway grounds.

8.4 In respect to the general provision of infrastructure, the proposal provides for contributions

to education, health, and a community officer, to accommodate the impacts of the proposed residents. Additionally, the proposed affordable housing of 58 dwellings (30% of the units) in accordance with housing policy, would make a sizeable provision towards the Borough's affordable housing need.

8.5 The introduction of new dwellings north of Sinah Lane will alter the landscape and increase the urban boundary eastwards towards the Hayling Billy trail and countryside to the north and west, but does not extend north of the adjoining development in North Shore Road to the west. Additionally, the site is well contained by existing housing to the west and south, and the tree planting to the Hayling Billy Trail to the east. In respect of land to the north the northern part of the site would be secured as permanent habitat for over wintering bird.

8.6 This containment limits views into the site and 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.

8.7 The Appropriate Assessment has 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 In conclusion, having regard to the presumption in favour of sustainable development and the requirements of paragraph 11 of the NPPF, that planning permission should be granted for such development unless any other material considerations indicate otherwise, 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 impacts 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/18/00724 subject to:-

(A) a Section 106 Agreement as set out in paragraph 7.101 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

Planning Documents and Plans

Architectural plans

Site Location Plan	PL-01
Proposed Site Layout Plan (Roof Plan)	PL-02 P7
Materials Plan	PL-03 P8
Boundary Treatment Plan	PL-04 P9
Proposed Streetscene Elevations	PL-05 P3
Proposed Site Layout Plan (Coloured Version)	PL-06 P7
Bin and Cycle Storage Plan	PL-07 P7
Affordable Layout Plan	PL-08 P7
Storey Height Plan	PL-09 P7
Chimney Location Plan	PL-10 P7
Adoption Plan	PL-11 P7
Developable Area Plan	PL-12 P1
Electric Charging Point Plan	PL-13 P6
Sinah Lane Housetype Booklet	2020-03-04
Design and Access Statement	2020-03-04

Landscape /arboricultural drawings

Landscape masterplan	BDWS20660 10I
Soft landscaping	BDWS20660 11M
Open Space areas	BDSW20660 13B
LAP proposals	BDWS20660 15B
Winter Bird Mitigation Plan	BDWS20660 22H

Engineering drawings

Drainage Strategy 1 of 2	BSO-E4513 12C
Drainage Strategy 2 of 2	BSO-E4513 13D
Preliminary Level Strategy 1 of 2	BSO-E4513-014D
Preliminary Level Strategy 2 of 2	BSO-E4513- 015E
Highway Layout Review 1 of 2	BSO-E4513-016F
Highway Layout Review 2 of 2	BSO-E4513- 017E
Fire Tender Swept Path Analysis 1 of 2	BSO-E4513-018G
Fire Tender Swept Path Analysis 2 of 2	BSO-E4513 019F
Refuse Vehicle Swept Path Analysis 1 of 2	BSO-E4513-020E
Refuse Vehicle Swept Path Analysis 2 of 2	BSO-E4513-021E

Statements

Archaeological Desk Based Assessment	June 2018
Planning Statement	July 2018
Statement of Community Involvement	June 2019
Affordable Housing Statement	June 2019
Infrastructure Delivery Statement	July 2018
Arb Impact Assessment + Method Statement	Rev 8 9 Mar 2020
Tree Report	BDWS20660trC
Bat Survey Report	June 2018
Winter Bird Mitigation Strategy	Nov 2018
Biodiversity Action Plan	June 2018

Biodiversity Checklist	June 2018
Extended Phase 1 Habitat Survey	June 2018
Reptile Presence/Likely Absence Report	June 2018
Information to inform HRA	June 2019
Biodiversity Net Gain Assessment	June 2018
Ecological Mitigation and Management Plan	June 2019
Flood risk assessment	17134-Rev C
Utilities Assessment	June 2018
Landscape Maintenance and Management Plan	June 2018
Air Quality Assessment	June 2018
Noise Assessment	June 2018
Transport Assessment	June 2018, supplemented Jul 2019
Travel Plan	July 2019 update
Economic Benefit Statement	June 2018
Landscape Visual Impact Assessment	June 2019 revision
Soft Landscape Specification	June 2018
Compliance Statement	June 2019

3

Landscape and materials

Notwithstanding the submitted details 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, fencing 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.

x)Fencing to the proposed links to Hayling Billy Trail and fencing to prevent the creation of unauthorised access.

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 ecological mitigation, compensation and enhancement measures detailed within the Ecological Mitigation and Management Plan Dated June 2018 (revised June 2019) - prepared by WYG 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 to and approved in writing by the Local Planning Authority in consultation with Natural England. The CEMP shall be informed by the identified ecological receptors detailed within the Ecological Mitigation and Management Plan Dated June 2018 (revised June 2019) - prepared by WYG and shall include

a) measures to control noise, dust, pollution, lighting and surface water drainage during construction.

b) Consideration of how certain activities will be limited in time, location or noise level to minimise the risk of disturbance to SPA birds (i.e. October to March inclusive). This shall include details of noise monitoring of the construction and demolition work at sensitive locations,

c) The restriction of percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - or a noise level otherwise agreed in writing by the Local Planning Authority, measured at the sensitive receptor which is the nearest point of the SPA or SPA supporting habitat - high tide roost sites) during the bird overwintering period (i.e. October to March inclusive).

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 to ensure that there will be no adverse impacts from construction on the Wintering Bird Mitigation Area. 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 the approved Arboricultural Impact Assessment and Method Statement Rev C, and Tree Protection Plan shall be installed and within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires. The development shall be carried out strictly in accordance with the submitted details.

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.

8

Development shall proceed in strict accordance with the ecological avoidance and mitigation measures detailed within the approved Report to Inform Habitats Regulations Assessment Stage 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.

Environmental

9

No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties, on and off site, from light disturbance / pollution and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

10

The acoustic mitigation measures to be employed with regard to the building envelope and external amenity areas, including fenestration / ventilation, and fencing /walls for all residential units, shall meet BS8223:2014 standards as recommended for indoor and outdoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB *L* Aeq,16 hour and at night (23:00 to 07:00) 30 dB *L* Aeq,8 hour for bedrooms; and external amenity space 50 / 55 dB *L*Aeq,16 hour (50 dB is preferable)

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels, especially noise from any commercial / business premises existing alongside the development, traffic noise and noise from pump stations and the like and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

11

No development shall commence until a Construction Environmental Management Plan is submitted to and approved in writing by the Local Planning Authority. The Plan shall make comprehensive provisions for:

i) The control of dust setting out the measures for the control of any dust that might emanate from the development site, to include for a suitable and adequate water supply being available at the site prior to works commencing. Furthermore, the methods of dust control should be in accordance with the guidance as laid out in the BRE Report 456 - Control of Dust from Construction and Demolition activities. It should also be noted that besides the keeping of haul roads damp during dry weather conditions, any areas where tracked excavators, dozers and the like are working, are also be kept damp at all times.

ii) Temporary lighting;

iii) No burning on-site;

iv) Scheme of work detailing the extent and type of any piling proposed;

v) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;

vi) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

vii)The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

The approved Construction Environmental Management Plan shall be adhered to at all times throughout the construction of the development.

Reason: To protect the amenities of the area and of occupants of all nearby residential receptors from pollution and having regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Drainage and Flood risk

12

Notwithstanding the submitted details construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The design of drainage shall ensure that no land drainage or ground water is to enter the public sewers network.

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.

13

No dwellings shall be occupied until the following drainage details have been submitted to and approved in writing by the Local Planning Authority: Details of consent from the Sewerage Authority for a connection to the public sewer for the development. The development shall be implemented in accordance with the approved details
.**Reason:** Without the provision of an appropriate surface water connection point the development cannot be appropriately mitigated and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Highways

14

No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Hampshire County Council Highway Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details of the following matters:

i) A programme and phasing of the site clearance and construction work, including roads, footpaths, landscaping and open space;
ii) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;
iii) Arrangements for the routing and turning of lorries and details for construction traffic access to the site and their management and control;
iv) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;
vi) Measures to prevent mud and dust on the highway during development;
vii) provision for addressing any abnormal wear and tear to the highway, and a programme for construction.
Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

15

No dwelling hereby permitted shall be first occupied anywhere on the site until the road(s) serving that dwelling have been laid to at least base course.
Reason: To avoid excess soil being deposited on the existing roads and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16

The garages hereby permitted shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.
Reason: To ensure the retention of adequate on-site car parking in the interests of highway safety and residential amenity and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

17

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

19

No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and having due regard to Policy CS11 of the Havant Borough Local (Core Strategy)2011 and the National Planning Policy Framework .

20

No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

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.

21

Following completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available and having due regard to Policy CS11 of the Havant Borough Local (Core Strategy)2011 and the National Planning Policy Framework

Water efficiency/sustainability

22

No part of the development hereby permitted shall 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. All measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter.

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 necessary avoidance measures are 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 of the Pre-Submission Havant Borough Local Plan 2036.

Electric Charging points

23

Prior to first occupation of any dwelling with provision for an Electrical Vehicle Charging point full details of the Electrical Vehicle Charging point, 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 appropriate siting of such points and that 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.

Other

24

Notwithstanding the submitted Levels Strategy, no development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

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.

25

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 and E of the 2015 Order, as amended, shall be erected within the curtilage of Plots 112 to 116 inclusive, without the prior written approval of the Local Planning Authority.

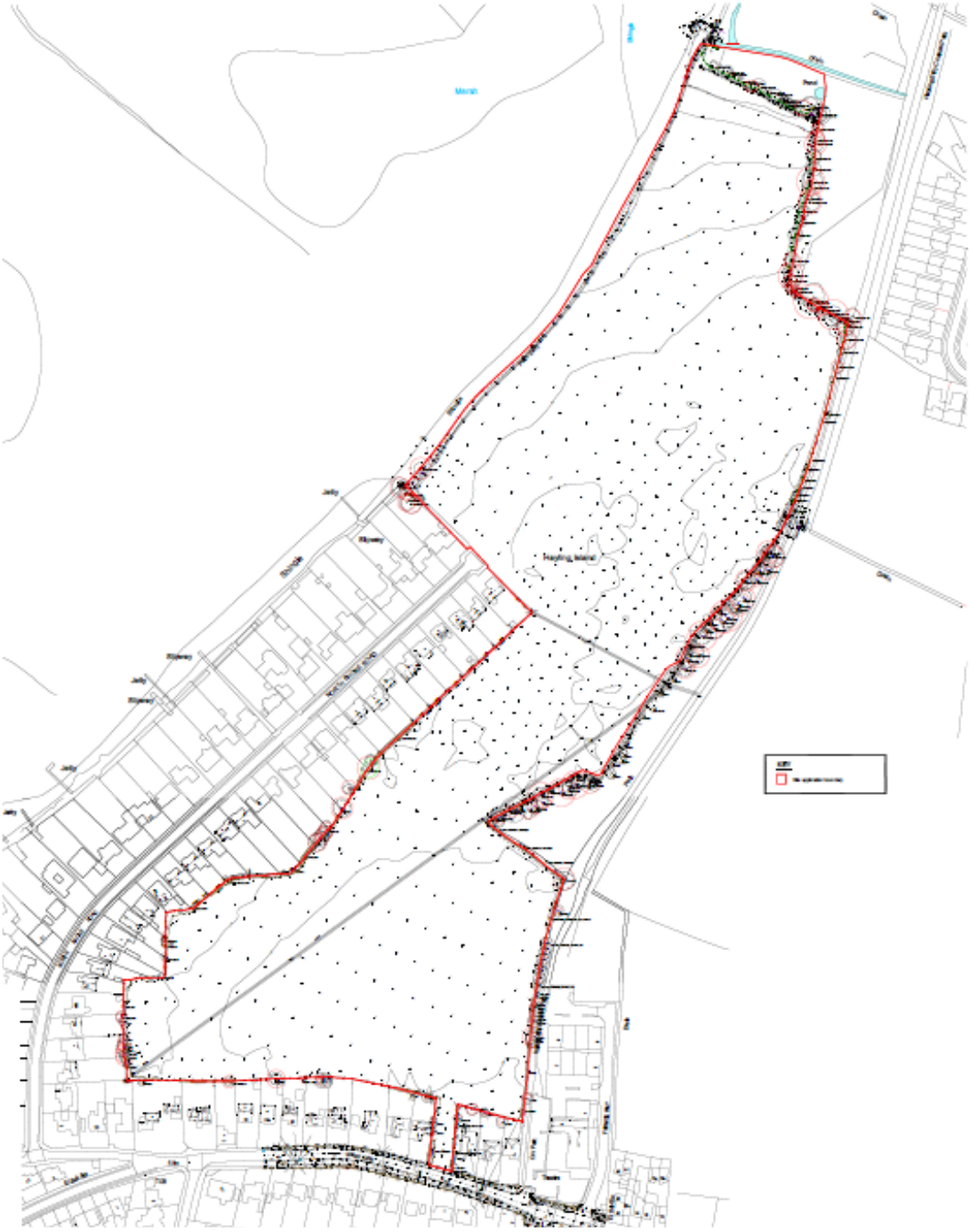
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features in accordance with the objectives of the National Planning Policy Framework and Policy CS16, of the Havant Borough Local Plan (Core Strategy) 2011.

Appendices:

A) Location Plan
(B) Layout Plan
(C) Street Scenes
(D) Adoption plan
(E) Winter Bird Mitigation Plan
(F) Highway Layout Review- Access

APPENDIX A

LOCATION PLAN



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APPENDIX B

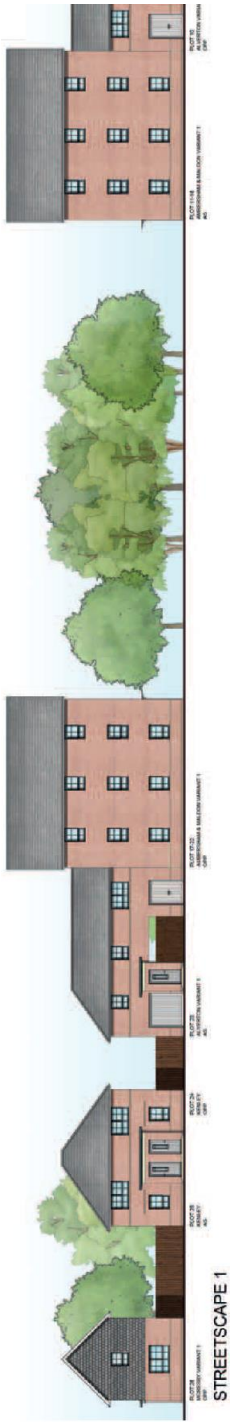
Proposed Site Layout (Coloured)

APPENDIX B

Proposed Site Layout (black and white)

APPENDIX C

Proposed Street Scenes - No. 1



APPENDIX C

Proposed Street Scenes – No. 2

APPENDIX C

Proposed Street Scenes – No. 3

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APPENDIX D

Adoption Plan

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APPENDIX E

Winter Bird Mitigation Plan

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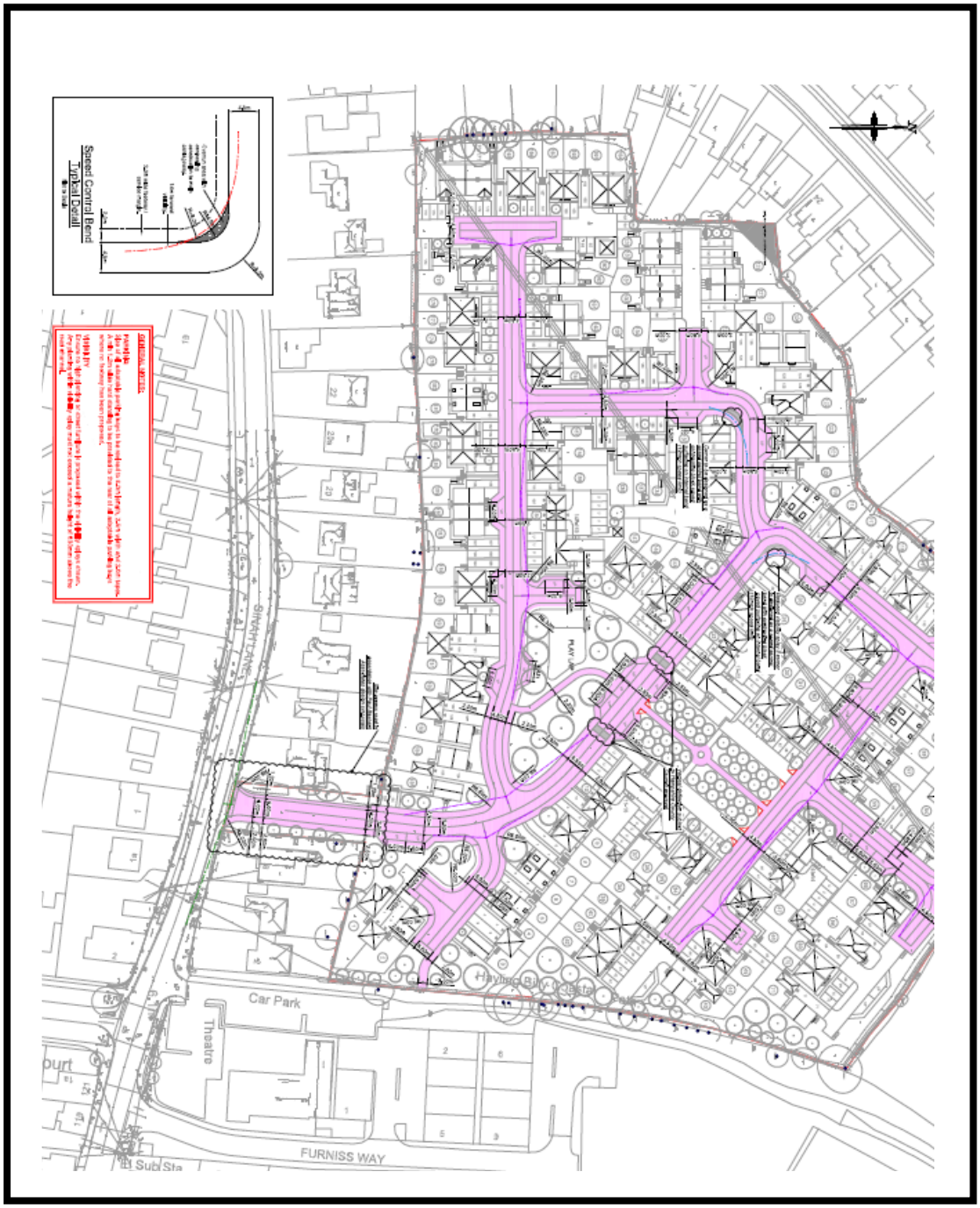
APPENDIX F

Highway Layout Review- Access



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Appendix 2

26th May 2020
SPEC/JD

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Dear Jon

FIVE-YEAR HOUSING LAND SUPPLY – HAVANT

Further to our recent discussions, I write to provide an update on the five-year housing land supply ('5YHLS') in the Borough of Havant.

The Five-Year Requirement

Local Plan Context

The adopted Local Plan comprises the Core Strategy (2011) and the Site Allocations Plan (2014). Neither of these documents has been formally reviewed and both are over five years old.

The National Planning Policy Framework ('NPPF') states (para. 73) (my emphasis):

> *"... Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old [37] ..."*

Footnote 37 states (my emphasis):

> *"… Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance ..."*

This is reiterated in Planning Practice Guidance (PPG).

Standard Method Local Housing Need

The Local Housing Need for Havant can be calculated as follows:

Average increase in households 2019-2029	363
Affordability Ratio [1]	9.95
Affordability Factor [2]	1.37
Local Housing Need	**498 dws**

[1] 2019 ratio as published on 19/03/20.
[2] Calculated using the formula set out in the PPG.

Buffer

The NPPF states (again para. 73):

> *"The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*
> *a) 5% to ensure choice and competition in the market for land; or*
> *b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
> *c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply [39]."*

Footnote 39 states:

> *"From November 2018, this will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement."*

The 2019 Housing Delivery Test (HDT) results were published in February 2020. Havant's 2019 HDT measurement was 101%. As this is above 85%, a 5% buffer must be added to the calculation of the housing requirement.

Calculation of the Housing Requirement

The five-year housing requirement for Havant can be calculated as follows:

Step		**Dws ***
A	Average Annual Local Housing Need	498
B	Five-year Local Housing Need (A x 5)	2,488
C	Buffer @ 5% (B x 0.05)	125
D	**Five-year Requirement (B + C)**	**2,613 dws**

For comparison purposes the Council's latest assessment of the requirement arrives at a figure of 2,733 dwellings; however this includes a historic shortfall of 173 dwellings, to which the buffer is also applied, which is not required by national policy or guidance.

The Five-Year Supply

National Policy & Guidance

The NPPF and PPG place an onus to demonstrate a supply of specific deliverable sites on the LPA. This requires i) a judgement as to whether a site is deliverable and then afterwards ii) a determination as to how many homes the site is likely to yield over the five-year period.

The NPPF states (para. 73) (my emphasis):

> *"… Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing … "*

The PPG reiterates this (ID: 68-002-20190722) (my emphasis):

> *"A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years' worth of housing …"*

The NPPF defines 'deliverable' as:

> *"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. In particular:*
> *a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
> *b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."*

The PPG expands on this (ID: 68-007-20190722):

> *"… As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:*
> - *have outline planning permission for major development;*
> - *are allocated in a development plan;*
> - *have a grant of permission in principle; or*
> - *are identified on a brownfield register.*
>
> *Such evidence, to demonstrate deliverability, may include:*
> - *current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
> - *firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;*
> - *firm progress with site assessment work; or*
> - *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

<u>The December 2019 Update</u>

The latest published assessment of the Council's five-year supply of housing land is that set out in Section 2 of its Five Year Housing Land Supply Update (December 2019).

The Update sets out a projected supply of 2,936 dws over the period 1st April 2019 to 31st March 2024 (i.e. 2019/20 to 2023/24). The projected supply has not been updated to a base date of 1st April 2020 but I would anticipate that the Council will seek to do so over coming months. At present it is not possible to gauge with any degree of accuracy what this will show, particularly given i) the constraint on development imposed by the requirement for nitrate neutrality, and ii) the coronavirus crisis. I have therefore, for the time being, considered only the supply as set out in the Update.

The projected supply set out in the Update comprises delivery from 42 individual sites plus an unspecified number of smaller sites on each of which it is asserted that there is planning permission for no more than 5 dwellings. For the purposes of this assessment I have not undertaken a site-by-site assessment but instead have considered these sites in categories.

Large Sites with Application References

Of the 42 individual sites referenced in the Update, 35 have application references attached to them. However, the existence of an application reference does not indicate the existence of a planning permission. The following is a selection of the sites listed.

Site	Site Name	Projected Delivery over Five-Year Period	Assessment
H18 19/00007	Camp Field, Bartons Road	72	Draft allocation; outline application submitted 02/01/19; not yet determined.
H15 18/01033	Land East of Castle Avenue	69	Draft allocation; full application submitted 18/10/18; not yet determined.
H20 19/00427	Land South of Lower Road	50	Draft allocation; full application refused 26/03/20.
H29 18/00724	Land north of Sinah Lane	140	BDW application.
H31 18/01297	Manor Nurseries	15	Draft allocation; full application; submitted 17/12/18; not yet determined.
18/01109	Former Dairy Crest site, Dunsbury Way	74	No allocation; outline application; submitted 30/10/18; not yet determined.
H44 19/00224	Padnell Grange	86	Draft allocation; full application; submitted 29/02/19; not yet determined.
Total		**506**	

On the basis of the definition of deliverability in the NPPF the above sites should not automatically be considered to be deliverable – i.e. they do not fall within category ‘a’ of the definition. Indeed, with no confirmed allocation or permission, it would appear they not even fall within category ‘b’ where such sites can be included in the supply if there is ‘clear evidence’ of deliverability. Whilst there is the potential for sites that fall outwith categories ‘a’ and ‘b’ to be included in the supply where there is other forms of clear evidence, the Council has not provided any such in relation to these sites and thus they should not be included in the supply.

Conclusion: Reduce the supply by 506 dws.

Large Allocated Sites

The remaining 7 individual sites referenced in the Update are described by use of allocation references from the emerging Local Plan.

Site	Site Name	Projected Delivery over Five-Year Period
H8	Land North of Long Copse Lane	70
TC1	Havant Town Centre	21
H27	Rook Farm	20
H28	Fathoms Reach	55
H34	Cabbagefield Row	50
H39	Strouden Court	55
H40	Campdown	90
Total		**361**

On the basis of the definition of deliverability in the NPPF the above sites should not automatically be considered to be deliverable – i.e. they do not fall within category ‘a’ of the definition. Instead they fall within category ‘b’ where such sites can be included in the supply if there is ‘clear evidence’ of deliverability. As the Council has not provided any such clear evidence, these sites should not be included in the supply.

Conclusion: Reduce the supply by 361 dws.

Small Sites

The NPPF and PPG make it clear that the supply must be comprised of 'specific' deliverable sites. In other words, for such sites to be included they must be able to be identified. The Update does not individually identify any of the smaller sites, and it could therefore be argued that these sites should all be removed from the supply. However, I have no reason to doubt that the sites do indeed have planning permission, thus on the basis of the definition of deliverability in the NPPF I consider that they should be included in the supply.

Conclusion: No change to the supply.

Overall

The Update asserts a supply of 2,936 dws. However, from the brief analysis above it would appear that this is not reflective of national policy and guidance in the NPPF and PPG in respect of those sites that should be included in the supply. It would instead appear that the supply should be reduced by around 867[3] dws to 2,069 dws[4].

Five-Year Housing Land Supply

On the basis of the above the 5YHLS in Havant can be calculated as follows:

Step		**Dws ***
A	Average Annual Local Housing Need	498
B	Five-year Local Housing Need (A x 5)	2,488
C	Buffer @ 5% (B x 0.05)	125
D	Five-year Requirement (B + C)	2,613
E	Five-year Supply	2,069
F	**5YHLS ((E / D) x 5)**	**3.95 years**

Summary

On the basis of the assessment above, the 5YHLS in Havant, for the period 1st April 2019 to 31st March 2024, is 3.95 years.

Yours sincerely

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[3] 506 + 361 = 867 dws
[4] 2,936 – 867 = 2,069 dws