

Dear Lewis,

Land east of Castle Avenue, Havant

APP/18/01033– Residential development comprising 69 No. dwellings with access from St George's Avenue together with access, car parking, landscaping, electrical substation and associated works.

Partially Member delegated decision from Chichester Harbour Conservancy

Recommendation – No objection subject to a developer contribution to reduce recreational disturbance at the Solent SPA's under Policy DM24, mitigation for loss of land known to support wading birds using the adjacent SPA and planning conditions to ensure –

- Translocation of any protected reptile species to be agreed;
- Any tree removal/works to take place outside of the bird nesting season;
- Any retained tree to be protected by fencing during construction;
- Any detailed landscaping scheme to be fully implemented/retained;
- Any biodiversity enhancements be agreed and to be delivered before first occupation of any dwelling
- Assessment of whether any prescribed contaminants need remediation;
- Details of foul and surface water drainage;
- Archaeological assessment and appropriate recording of finds.

I apologise for the delay in getting these comments to you, owing to the Conservancy office not being consulted and its office being closed over Christmas and having to prioritise Committee work since that time, including commenting on the emerging Chichester and Havant Local Plans.

Following a desktop analysis and having regard to the Policy framework* below, the proposed housing development would appear slightly premature to the proper consideration of the Draft Havant Bough Local Plan H15 proposed site allocation. One issue about developing the site is that it and land to the west is recognised under the HBLPSA DPD Policy DM23 as an uncertain site for brent geese and waders.

The applicant's own commissioned survey work does record fairly low numbers of curlew from a 2011 survey. What mitigation the applicant is putting forward is unclear and the Conservancy considers this should be carefully looked at in terms of the adjacent SPA. I note that Natural England has asked for some work to be done in this regard as part of a Habitats Regulations Assessment. It is noted that some slow-worms have been discovered on site and that the best strategy is likely to be one of translocation.

Whilst the site is not adjacent to the Chichester Harbour AONB (the A27 representing a distinct 'buffer' it is close to it.

The site appears to be used for grazing, topped and tailed by two major transport corridors. Its main natural features are trees and hedges, mostly located to the east and west boundaries, although some attractive lone trees do exist within the site. 4 TPO trees on the site are all being retained, which is supported.

These have influenced the site layout and position of public open space (POS). The piece of POS at the northern site does appear rather mean and dominated by the vehicular turning head within it. It is a pity that the mature Ash tree at the site access point is being removed on grounds of highway safety, but is accepted that its condition has been assessed as poor by an arboricultural consultant.

As another matter of principle, has the desirability of maintaining best and most versatile agricultural land been taken into account? I did not see any reference to this in the submitted design and access statement.

Given the raised up A27, there is no objection to the scale of dwellings proposed and I am satisfied that the setting of the AONB would not be impacted.

It is noted that the layout (which only forms a relatively small part of the overall, 225 dwelling, H15 allocation) allows for the future development of land to the west, which is surely now marginalised in terms of its future agricultural potential and contribution to nature.

I note the flood risk assessment shows that surface water run-off rates would be higher than existing and that Hampshire County Council has concerns about this and any future management of SUDS put forward to counter that. The Conservancy shares those concerns. This development could ultimately be draining into Chichester Harbour and Policy WQ1 of the Chichester Harbour Management plan is a material planning consideration under the Council's Core Strategy Policy CS12.

Finally, It is noted from the Proposals Map of the Hampshire Minerals and Waste Local Plan (M & WLP - 2013) the site, which is likely to be underlain by 'Soft Sand' and 'Brick clay', affected by Policy 15 of that plan. This Policy requires that –

"Policy 15: Safeguarding - mineral resources

Hampshire's sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.

Safeguarded mineral resources are defined by a Mineral Safeguarding Area illustrated on the Policies Map.

Development without the prior extraction of mineral resources in the Mineral Safeguarding Area may be permitted if:

- a. it can be demonstrated that the sterilisation of mineral resources will not occur; or*
- b. it would be inappropriate to extract mineral resources at that location, with regards to the other policies in the Plan; or*

c. the development would not pose a serious hindrance to mineral development in the vicinity; or

d. the merits of the development outweigh the safeguarding of the mineral.

The soft sand / potential silica sand resources at Whitehill & Bordon (Inset Map 5), further illustrated on the Policies Map are included within the MSA and are specifically identified for safeguarding under this policy."

A February 2016 Supplementary Planning Document produced by the Joint Minerals and Waste Partnership says at paragraph 2.5 that –

"Soft sand and silica sand resources are more scarce in Hampshire compared to sharp sand and gravel and this may be reflected in the approach the Hampshire Authorities take to proposals that may sterilise these resources."

This soft sand allocation affecting the application site is in a minerals safeguarding area (according to paragraph 6.74 of the Havant Draft Borough Local Plan 2036), under Policy 15 of the M & WLP on-line does not detail the boundaries of such safeguarded sites. Hampshire County Council should provide written clarification on this point, before the application is determined, especially as the borough council's own pre-submission version of its Policy H15 calls for an assessment of this issue, which the applicant does not appear to have carried out. It is noted that the applicant's design and access statement at page 8 has not listed this matter as a 'site constraint'.

***Policy framework**

NPPF paragraphs (Generally) 1-3, 6-9, 15-16, 20, 23-24, 38-43, 54-56, 59-62, 65-67, 73-75, 96, 102-103, 105-106, 117-118, 122-123, 125, 149-150, 156, 162, 171, 174, 178-179, 181, 185, 203-204, 206-208 & 212-213, 215; and, (Specifically) 10-14, 28-29, 34, 45, 47-50, 64, 71, 77-79, 91, 94, 98, 104, 108-111, 124, 127-131, 148, 153, 155, 157-161, 163, 165, 170, 175, 177, 180, 189-190, 193 & 199;

NPPG: ID's 2a, 3, 4, 6-8, 9, 11-12, 18a, 20, 21a, 21b 23b, 26-27, 31, 33-34, 36-37, 41-42, 50, 56;

Havant Borough Local Plan (Core Strategy) 2011 – CS1, CS8-CS9, CS11-CS17, CS19-CS21, DM1, DM8, DM10-DM13;

Havant Borough Local Plan (Allocations) 2014 - AL1-AL2, DM17-DM18, DM20, DM23-DM24;

Hampshire Minerals and Waste Local Plan (2013)

Draft Havant Borough Local Plan 2036 (Pre-submission version)(2019) – DR1, IN1-IN3, E1-E3, E5-E6, E9, E12-E20, E22, E24, H1-H4, H15;

Chichester Harbour AONB Management Plan 2014-2019: LS1-LS2,
NC1, NC5, BD1-BD2, WW2, WQ1, EL5;

SPG/SPD –

Borough Design Guide (2011);
Parking standards (2016).

SUDS – Sustainable urban drainage systems

Yours sincerely

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